

SF Chronicle
7/10/66

Was Pandora a Threat to the

INQUEST: The Warren Commission and the Establishment of Truth. By Edward Jay Epstein. Viking Press, 224 pp. \$5.

Reviewed by
Douglas C. Rigg

EDWARD JAY EPSTEIN has written an important addition to the considerable bibliography on the assassination of President John F. Kennedy. Epstein's focus is on the Warren Commission created by President Johnson's executive order "to evaluate all the facts and circumstances surrounding such assassination."

In his preface, the author observes "most of the writing on the assassination to date falls into two diametrically opposed categories: demonology and blind faith. Writers in both groups seem to subscribe to an assumption of governmental omnipotence—that government can do whatever it sets out to do. Then the demonologists reason that as all the facts were not revealed, the Warren Commission must have been party to a conspiracy to suppress evidence.

Impossible Task

"The blindly faithful reason that as the Warren Commission would not be party to a conspiracy, all the pertinent evidence must therefore be known. It should be noted that this study rejects both lines of reasoning because it rejects the common assumption on which they are based."



CHIEF JUSTICE WARREN

For a less than omnipotent body, the Commission faced a well nigh impossible task. Its report clearly delineates its awareness that its investigation was not an ideal substitute for the constitutionally guaranteed trial by jury Jack Ruby had denied to Lee Harvey Oswald. As the Commission cryptically noted: "under our system there is no provision for a posthumous trial."

Epstein's is a scholarly, careful, well-organized analysis of how the Commission did its job. He reviews its composition, structure, operation and its conclusions. His research has convinced him that the Commission was pursuing two major objectives. One was to investigate the facts of the assassination. The other was to abate rumors and to restore American prestige abroad.



EDWARD EPSTEIN

This second task, the author believes, handicapped the Commission from its very inception. Its members had to be of necessity widely known and respected men. But inevitably, they were also busy men occupied with other duties who could devote too little time and effort to the Commission. Further, they were isolated from their staff which, though able and dedicated, lacked a cadre of skilled investigators. Political concerns were present; the first nominee for its chief counsel was rejected by the group as "too controversial." And time was very much of the essence resulting in work left unfinished and a final report rather hurriedly drafted.

Contradictory

But most important of all, Epstein sees the Commission's dual purpose as contra-



LEE OSWALD

dictory. He sees the Commission constantly faced with two choices whenever the search for facts proved a rumor damaging to national interest and prestige to be true. "Would information be exposed regardless of consequences?" Or would it be "dispelled regardless of the fact it were true?"

To Epstein the second objective became the Commission's dominant purpose. As an example, he cites its failure to really explore the allegation that Lee Harvey Oswald had been a paid FBI informer. He writes, "It could have investigated the rumor itself and called as witnesses the persons known to be the immediate source." Instead, "the entire matter was turned over to the FBI—the Commission relied solely on the FBI's word."

Another choice was made

U.S.?

in deciding that one assassin and one only was responsible for firing the shots that killed the President and wounded Governor Connally. Epstein traces the complex ballistics, medical and direct evidence involved and questions the Commission's conclusions. He is convinced that "if the Commission had made it clear that very substantial evidence indicated the presence of a second assassin, it would have opened a Pandora's box of doubts and suspicions. In establishing its version of the truth, the Warren Commission acted to reassure the nation and protect the national interest."

Epstein is not saying that Oswald was a paid FBI informer or that if he was, this in itself had any relevance to the President's death. Nor does he assert that there was a second assassin. But he properly criticizes a seeming reluctance to pursue controversial speculation to a more definite conclusion and an unwillingness to settle for uncertainty when certainty seemed impossible.

A Larger Question

Implicit in the Epstein study is a larger question. He is concerned with what he calls the "general problem of truth-finding in a political environment." He believes the Commission faced a time when "the nation's faith in its own institutions was held to be at stake," and adds "it is thus important to consider to what degree, if at all, this consideration affected the truth-finding process of the Warren Commission."

Government increasingly seems incapable of recognizing the ability of its citizens to deal with reality, no matter how bitter, no matter how grave. Some of this is self-serving, some a facet of bureaucracy, some a cynical lack of faith, some indifference or ignorance, some inadvertent. But whatever the cause, both the government and the governed suffer.

To President Kennedy's death, the Nation reacted with shock and indignation. But its mood was essentially one of grief, not fear or rage, of quiet strength under adversity, of sadness and

mourning for a good man struck down before the fulfillment of his promise for greatness.

The Commission's report describes the President's assassination as "a cruel and shocking act of violence directed against a man, a family, a nation and against all mankind." Such a crime, perhaps, can never be explained, only deeply regretted.

The Warren Commission's job was an unenviable one, destined by the total circumstances of the Kennedy, Oswald murders to search for facts that could not reveal the truth beyond all reasonable doubt. Epstein's book, written from this perspective, offers both criticism and understanding of its work.