

From the bookshelf

8/23/66

The questioning continues.....By Donovan Richardson

Rush to Judgment, by Mark Lane. New York: Holt, Rinehart and Winston. \$5.95.

This is a troubling book, the more deeply troubling because well done. It does not prove Lee Harvey Oswald innocent. But it reminds us that his guilt was not established by the usual processes of law; and that uncomfortable uncertainties and contradictions infest solutions of the Kennedy assassination.

In this book Mark Lane undertakes to provide some of the counterbalancing aid a defense attorney might have brought to a trial. He does it by dissecting "prosecution" evidence, offering contrary evidence, and attacking official actions.

His main target is the Warren Commission. He charges that it assumed Oswald's guilt and acted not as investigator but as prosecutor. Hugh Trevor-Roper in an introduction says this was evident when the commission set up "panels to investigate why Oswald shot the President" but none to determine "whether he shot him."

The book gains much of its force by pointing up discrepancies between the commission's conclusions and its own record of testimony. The "defense attorney" may have scraped the barrel for damaging doubt-raisers. But they are sharp enough and numerous enough (citations cover 50 pages) to disquiet even readers predisposed—as was this reviewer—to accept the judgment of the respected men who had the commissioners' thankless task.

Some of the lapses he charges in local and federal police work may be explained by haste or confusion—as perhaps with the mistaken identification of the rifle. So also with some contradictions in testimony. Yet his indictment leaves unresolved questions. For

example: Were pictures which might prove guilt or innocence suppressed? Did witnesses sign affidavits identifying Oswald in a police lineup before the lineup was held? Were X rays and photographs made at the Kennedy autopsy withheld even from the surgeons who performed it? Why couldn't the commission find out how Ruby got into the Dallas Police station? Was evidence tampered with? Were witnesses misquoted or harassed?

Broader questions also remain. Why was so little weight given to evidence of more than one assassin? This book piles up the evidence: the sense of most eyewitnesses that shots came from bushes in front of the presidential car; the pictures; testimony of the doctors about a frontal wound; the impressions of officers nearby; unresolved problems posed by the slow, old, and inaccurate rifle; the mystery of the "magic bullet"; Governor Connally's testimony; and much more.

Mr. Lane charges that police and commission were curiously incurious about any contrary evidence. In fairness it should be noted that he "convicts" the commission in much the same way he says it convicted Oswald—without effective defense counsel.

This omission need not stand. Certain phases of the tragedy in Dallas may never be resolved. But major questions raised by critics can and should be. So far exposure of conflicting autopsy reports has only drawn from the FBI a tardy and unsatisfactory explanation. Fuller, franker answers could well be made by someone representing the commission. Candid explanations of contradictions and needless mysteries could close doors of doubt. Should they also throw added light on the need for improved investigative work at all levels so much the better.