

Warren Commission Under Fire

L.A. TIMES "Calendar" 10/2/66 BY RICHARD G. HUBLER

RUSH TO JUDGMENT
by Mark Lane (Holt, Rinehart, Winston: \$5.95).

THE OSWALD AFFAIR
by Leo Sauvage
(World: \$6.95).

As someone has said, to write about the assassination of President John F. Kennedy today is to stand between journalism and history. It is also a tightrope walk between nightmare and reality. The grisly account of what was done is all too plain. The further facts—who did it and why—are still in varying degree of obscurity.

To writers like Lane and Sauvage, the simple conclusions of the report that Oswald alone, outside a conspiracy, committed the murder are beyond belief. Nor does the fact that basic documents and evidence are now sealed up in Washington archives for the next 75 years help matters.

Still Debated

Such skepticism about such a crime is not new. The role of Secretary of War Edwin Stanton in the death of Lincoln is still debated 100 years after. The first panic, the subsequent bumbings, the sins of omission and commission, have been paralleled.

Of these two books, that by Lane seems the

more judicious and documented. The tone is cool, factual and pointed; it has charts, diagrams, reproductions of evidence, verbatim testimony, judicious appendices, index, and most formidable of all—a list of 4,526 specific references to pertinent documents as well as names, places and footnotes. In its small compass, it raises critical questions.

Lone Assassin

As its author, Lane is not above the battle. He was attorney for the mother of Oswald. He spent 2½ years in research, filming and interviewing witnesses on his own. His conclusion: "... the case against Oswald as the lone assassin is refuted by the very witnesses upon whom the Warren Commission relied. The FBI report devastates the commission's conclusions that all of the shots were fired from the rear and that they were fired by a lone assassin." But Lane is careful not to point his finger further: "I have no theories as to who killed the President or as to why it was done."

Sauvage's book is less professional but no less interesting—and is superior in that it presents official pictures of the actual scene of the shooting. His approach centers largely upon what he be-

lieves is the massive improbability that Oswald did the deed. As American correspondent for the French newspaper Le Figaro for 13 years, Sauvage thinks it was a "racist conspiracy."

Sauvage reviews the whole case. Lane concentrates chiefly on the work of the commission. But the intemperate didacticism of Sauvage often gives him the appearance of special pleading. He seems to think that his is the sole theory possible. A good deal of his space is spent knocking down the ideas of others.

Nevertheless, between them the two books give matter for much thought. The nauseous stew of the Dallas Police Department; the mysterious #399 bullet; the commission treatment of Jack Ruby; the puzzling "prints" on the alleged weapon; the murder of Officer Tippit; discrepancies of time, procedure, photographs.

No Evidence

There is no evidence of prejudice or deliberate lack of effort on the commission's part. There is the sense of pressure to arrive at a verdict with a deadline, of some slipshod and inadequate investigation.

The case of the assassination of President Kennedy remains open. It is likely to remain so for generations to come.

Sauvage says that before the report those who proclaimed the dead man's (Oswald's) guilt "asked those who had doubts to keep silent." Afterward, the doubters felt that "silence would give consent to injustice."

Lane observes quietly that, "Hearsay evidence was freely admitted, while crucial eyewitness testimony was excluded. Opinions were sought and solemnly published, while important facts were rejected, distorted or ignored. Dubious scientific tests were said to prove that which no authentic test could do. Friendly witnesses gave testimony without fear of criticism or cross-examination... helped to prepare their testimony in advance... while those who challenged... were often harassed... Important witnesses with invaluable evidence to give were never called

... These are damning charges to make against the commission. They need detailed examination and refutation if the confidence of the country in the report is to be unshaken.

An article replying to critics of the Warren Commission is now in preparation by Joseph A. Ball, attorney who served as a senior staff member for the commission. It will appear in Calendar.

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