

"The Progressive"  
November 1966

## B O O K S



# Who Killed President Kennedy?

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FIVE DAYS after President Kennedy was assassinated, November 22, 1963, I made a few notations in an occasional diary I keep. From the moment of the assassination until the evening of November 27, I had been so occupied in directing the news coverage for *The New York Times* that I had not had a moment for reflective thought. I want to quote two paragraphs from what I jotted down because they have a close bearing on what I shall have to say in this review:

"I am sure that the echo of this killing will resound down the corridors of our history for years and years and years. It is so strange, so bizarre, so incredible, so susceptible to legend making . . . It matches Lincoln's assassination and may well have equal public effects.

"I am convinced that Oswald was a psychopath and Ruby a cheap gangster and that these were individual acts. But it is no trick to create a hypothesis of something just the opposite. We are running down every single item of Oswald's background that can be found. And, strange story though it is,

there is not one fact thus far which essentially changes the public story—or makes it any more understandable."

Ten months later, September 27, 1964, the Warren Commission issued its report on President Kennedy's assassination. Writing that day in an introduction of a paperback edition of the Commission report I said:

"It seems naive to suppose that the Warren report—comprehensive, careful, compendious, and competent as it is—will provide the final word on Mr. Kennedy's death. The facts of Abraham Lincoln's murder are well known. Yet today, one hundred years after his death, the legends of its occurrence are still flowering.

"The legend of President Kennedy's death began with the crack of the sniper's rifle that took his life. It was born at about 12:30 p.m. on November 22, 1963, when the lethal bullet whined toward his body.

"It has grown steadily since that moment. As an editor of *The New York Times* remarked when he read the bulletin announcing the President's death at 1:35 p.m. that day: 'The year 2000 will see men still arguing and writing about the President's death.'"

A little more than two years have passed since the Warren Commission delivered its report and those words were written. It is nearly three years since the President's tragic death. The legend, the enigma, the Euripidean tragedy of that event have not receded. As was predicted, all have grown and flowered. The Warren Commission report, far from quenching the flames

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INQUEST, by Edward Jay Epstein. The Viking Press. 224 pp. \$5.

RUSH TO JUDGMENT, by Mark Lane. Holt, Rinehart & Winston. 478 pp. \$5.95.

THE OSWALD AFFAIR, by Leo Sauvage. World. 418 pp. \$6.95.

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of rumor, has become a principal source—the principal source—of the ever-broadening tide of hypothesis, speculation, guess, and challenge of the verdict that Lee Harvey Oswald, acting alone, shot and killed the President.

I began this review by citing my own conviction immediately after the assassination that Oswald was the killer—a lone killer. My belief in this explanation was strengthened—not weakened—by the Warren report. I still hold to that belief.

But the interesting, shrewd (and sometimes unfair) analysis by Edward Jay Epstein, in *Inquest*, of the methods, procedures, and internal “checks and balances” within the Warren Commission convinces me that there are questions—some of them of major importance—which must be answered. And the exhaustive, stimulating (and sometimes prejudiced) reinvestigation by Mark Lane in *Rush to Judgment* establishes half a dozen areas which must be reexamined.

I cannot say that the work of Leo Sauvage, in *The Oswald Affair*, on what he calls the “contradictions and omissions” of the Warren report is as impressive as the other two bodies of research and analysis. A good many of the “contradictions” which still concern Sauvage are in reality the byproduct of the publicity-seeking and panic-inspired statements of Dallas officials during the incredible first forty-eight hours after the tragedy.

Not so the works of Epstein and Lane. These are serious, thoughtful examinations. They ask many questions. I think some of the questions are unfair, some biased, some are “lawyer’s questions”—seeming to imply more than the humdrum non-logicality of life will support. But not all of them. Many are pertinent.

I do not really believe that if we got all the answers to all the questions we would have a verdict other than the one the Warren Commission presented. But I do still like the answers and I think the American public and the world public are entitled to them.

Before going into the specifics I may as well also record my absolute conviction that no amount of investigation; no inquiry, re-examination, reassess-

ment of evidence is going to erase from the minds of people in the United States and especially from the minds of those abroad the indelible impression that President Kennedy was the victim of an assassination plot much more complex than U.S. authorities ever will admit and with ramifications which lead in curious directions. That impression has been tattooed on the world mind. It is going to remain. Nevertheless, there are questions begging for answers.

The first area of questions centers on the Warren Commission, its methods, its omissions, its commissions. This is the area in which Epstein has worked. He analyzes a whole series of Commission actions and demonstrates clearly that both in investigation and reasoning the Commission was careless, inadequate, ambiguous, and even occasionally misleading.

No one can read Epstein (or the critique of Epstein by Fletcher Knebel published in *Look*) without knowing that the issue of whether or not Oswald was a paid informer of the FBI should be painstakingly re-examined. This re-examination might well prove inconclusive. There is good reason to believe that for sound police reasons the FBI does not maintain any written record of some categories of informers. And even if Oswald were an informer it would have no necessary bearing on the assassination or his role in it. *But the point should be settled.*

Epstein makes much of the differences in various medical and autopsy reports about the Kennedy wounds, the bullets, and the Commission thesis that a single bullet wounded both the President and Texas Governor John Connally. He suggests that an FBI report was either suppressed or ignored because it did not agree with a Commission hypothesis.

The question of the number of bullets fired and the sequence of wounds is central to almost every challenge to the theory of Oswald as the single assassin. The question might not be fully resolved by a re-examination of all the doctors, the medical attendants, and the various Secret Service and FBI personnel who were present before, during, and after the autopsies. But all the questions as to the purported “discrepancies” should be susceptible to resolution. Epstein is very convincing

in his demonstration that the Commission by selectivity in citing evidence *weakened* rather than strengthened credibility.

Epstein’s most devastating criticisms are directed toward the writing of the Commission’s report; the choosing of adjectives, the emphasis, the inclusions, and exclusions, the rows, the wrangling. He documents the obvious fact that the busy prominent citizens who constituted the Commission often were unable to attend its sessions and that, in consequence, the main burdens devolved upon the staff.

Nothing can now be done about slipshod logic or efforts to orient the report toward supposed public needs. That is past. But the revelations cannot fail to erode public confidence in the Commission’s conclusions. This is not to say that a Commission with a more formal approach to investigation and evidence would have arrived at different findings. I happen to think it would not have. But the procedural flaws open the way to legitimate criticism, attack, and eventual loss of credence.

The thrust of Mark Lane’s book is in a somewhat different direction. Lane entered the case as a kind of self-appointed gadfly. In the early months after the assassination he was striking out in almost every direction, firing off charges, allegations, and denunciations more rapidly than they could be recorded.

However, he was also engaged in something which, in the end, has proved most useful. He was carrying on single-handedly his own investigation, not only of the assassination but of the Warren inquiry into the assassination. He is at it, still asking questions, still seeking answers. They may not always be the *right* questions. He may not always get the *right* answers. But we owe him a debt of gratitude for his persistence, for his everlasting determination to run down every single seeming discrepancy he can find. And, because he has a lively mind and inexhaustible energy, he has found plenty of them. Far too many to mention all.

For example, no one has examined the slaying of Officer J. D. Tippit more painstakingly than Lane. And

with profit. The unanswered questions about how and why Tippit was killed are legion.

Lane demonstrates that there are several versions of how the officer was killed. None is convincing and most are contradictory. To take one puzzling circumstance. Two transcripts exist of the Dallas police radio tape, one submitted by the Dallas police, a second transcribed and edited by the FBI. The Dallas police tape shows that Officer 78 (Tippit's call number) twice tried to reach his dispatcher apparently just before being shot. The FBI transcript attributes the calls to No. 58 and No. 488 and reports both as being "garbled."

A minor point? Perhaps. Yet the police tape would seem to have recorded Tippit's voice a moment before he died. There has never been any clear indication of why or how Tippit became involved with Oswald—if, indeed, he did.



And that puzzle leads directly to another which Lane presses with great force: What was the origin of the police broadcast of a description of the assassin: "The wanted person in this is a slender white male about thirty, five feet ten, one-sixty-five, carrying what looked to be a 30-30 or some type of Winchester." This was broadcast at 12:45 p.m.

The Commission was never able to establish the origin of the description. Did Tippit recognize Oswald from the description? As Lane and others have noted, the description probably fitted many thousands of young men on the Dallas streets that day.

A careful re-examination of the Tippit killing might still leave the police officer's death a mystery. It is not necessary to prove that Oswald killed Tippit to be convinced that he killed the President. But an understanding of the Tippit killing would eliminate one of the major ancillary mysteries which cluster around the President's death.

Lane has made a careful inquiry into what might be called the "grassy knoll" hypothesis. Many persons who stood outside the Texas Book Depository and witnessed the shooting thought the shots came from a grassy

knoll or from behind a wooden fence just beyond it about 200 feet southwest of the Depository building and adjacent to the underpass. In the very first moments a police officer charged his motorcycle up the knoll and scrambled over the fence, presumably in search of the assassin.

All theories which suggest there was more than one assassin point to this area as the locale of a second rifleman. This possibility was examined by the Warren Commission and rejected. Possibly a re-questioning of all the witnesses who stood in this region would merely add to the confusion; possibly a reconstruction of the trajectory of a bullet fired from here would neither prove nor disprove the possibility of a shot from the knoll, from behind the fence, or from the overpass. But the questions raised by Lane deserve an answer—a more complete answer than is provided by the Commission's report.

Lane is not convinced by the Commission's investigation of the Mannlicher-Carcano rifle, either concerning its necessarily having been fired by Oswald, or that it was the assassination weapon. Or the only weapon used. He asks an interesting question: One live round was found in the rifle; three spent cartridge cases lay on the Depository floor. No other cartridges for the weapon were ever found. Did Oswald own but four bullets? Did he have only four in the Depository? If not, where were the other bullets? (Lane does not but could raise the same question about the ammunition for the revolver seized from Oswald when he was arrested.)

This is not to say that all of Lane's points are necessarily valid. He seeks to demonstrate that the package carried by Oswald to the Depository was too short to have fitted the rifle. He cites Oswald's statement that he was carrying curtain rods. He does not add that no curtain rods were found in the Depository building to bear out Oswald's explanation. Lane's section on Jack Ruby notably lacks the careful detail and rechecking to be found in his material on Oswald.

But this does not invalidate my central thesis: Enough questions have been raised, fairly and squarely, about the assassination, and about the Commission's findings, to warrant a reexamination.

Allen Dulles, the former CIA head

and a member of the Commission, has very reasonably said: "If they've found another assassin, let them name names and produce their evidence."

Neither Lane nor Epstein has found another assassin. Lane has demonstrated, however, that there *could* have been another assassin. Professor Richard H. Popkin of the University of California at San Diego, basing his thesis largely on Epstein's work, has filled the gap by suggesting that there were "two Oswalds," that is, another man looking very much like Oswald was involved in the killing. Lane suggests the same possibility, even hinting that Oswald could have been a patsy or fall guy for the real killer or killers. Perhaps. I doubt this very much. It sounds too much like Uncle Tom's Cabin with two Simon Legrees. But nothing in the work of the Warren Commission has foreclosed the possibility of such a fantastic conspiracy. There *could* have been two Oswalds. Or three. Or seven.

I do not believe such a theory for a minute. But I would like to see the most painstaking inquiry into each of the principal areas of doubt. The nation no longer lives in the trauma which persisted for months after the President's death. The Warren Commission had good reason to concern itself for the national image, to worry about national morale, to take upon itself the task of damping down rumors. But today and tomorrow the sole criteria of an inquiry should be the truth—every element of it that can be obtained—and a frank facing of unresolved and unresolvable dilemmas.



Demands for a new official inquiry are beginning to be put forward seriously. Representative Theodore R. Kupferman of New York has proposed a joint Senate-House Committee to investigate the Warren Commission's work. This is a sound idea and should engage our national attention. A reinvestigation, in my opinion, would not produce a single piece of important additional evidence. Yet, even should that be true this would be as valuable a contribution as might be made toward cleaning the slate of rumor, slander, gossip, and old wives' tales.

There is precedent for it. The Pearl Harbor investigations quickly come to

mind. And even if there were no precedent it would be a wholesome air-clearing process.

I will add one warning. Even after another inquiry few of us will feel that the final word has been spoken. For in each of us there still burns some sense of guilt, some sense of responsibility—personal responsibility and personal guilt—for the President's death. That it happened is a stain not alone on the nation, but upon each of our private consciences.

Most of us feel that in some way and in some measure by some deed committed, some duty ignored, we contributed to the tragedy of John F. Kennedy's death. And it is that knowledge which does not let us rest, which sends us questing on and on for an explanation and an answer which will never be forthcoming. 2/19