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147 BOOKS
& MORE BOOKS

This column is reserved for any and every kind of commentary about books and their authors.

The Rush to Judgment, The Rendezvous With Doubt

"Ideally, public criticism should take place before judgment, lest the judges be convinced by unilateral advocacy. If that is not done, if the verdict is given before the advocates of one side have been subjected to the best arguments that can be opposed to them, there is no alternative to public criticism after judgment. If the Warren Commission had allowed Mr. Lane to contest their evidence before judgment, there would have been no need of his book."

—Professor Hugh Trevor-Roper, in his introduction

"If the (Warren) Commission covered itself with shame, it also reflected shame on the Federal Government. The readiness with which its findings were accepted I believe to have been symptomatic of disease. Perhaps it was like that collective illness which anthropologists have observed to afflict tribal societies after the death of the chief. Then too the law is suspended and traduced."

—Mark Lane in his conclusion

BY MORT PERSKY

Free Press Sunday Editor

After all, why not? Why shouldn't a nation faced with the sudden slaying of its leader be willing, even eager, to accept the official explanation of why that slaying took place and who did it? At such a critical and somewhat unbalanced time, with a new and untried leader stepping onto the stage, there is a definite need for certainty about something, a need to wrestle trauma into the past, to look into the future and hurl nagging doubts as far into the perimeter of our consciousness as we can possibly hurl them.

In the case of President Kennedy's assassination, the conclusion that Lee Harvey Oswald was the assassin—the sole assassin—was made immediately handy by the Dallas Police, and it may be significant that, like the tribal societies Mr. Lane writes about, the U.S. accepted the Oswald-as-sole-assassin theory, while Europeans did not. The need for certainty was not as great overseas, and Europeans began probing other possibilities almost immediately.

This difference may not be surpassingly significant, and Oswald may have really been the sole assassin. It may be more pertinent to suggest that "the collective illness" is not an illness at all, that—more likely—it is a significant sign of national health to leave doubt at the barricades, get our bearings and close ranks behind a new President.

But that doesn't mean we can never return to the doubts we



UPI Photo

LEE HARVEY OSWALD just before his death.

left behind. Now, almost three years after Nov. 22, 1963, the American public is allowing itself a rather skeptical look at

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

Review of Books. The more important of these books, Edward Jay Epstein's "Inquest," was a scholar's thesis on the Warren Commission, begun with no particular prejudice. But Epstein's investigation led him to a negative verdict on the commission's diligence, a negative verdict on the way it traveled the road to its conclusions.

Now we are finally confronted with the long-heralded book by Mark Lane, "Rush to Judgment: A Critique of the Warren Commission's Inquiry Into the Murders of President John F. Kennedy, Officer J. D. Tippit and Lee Harvey Oswald." Mr. Lane is the attorney who was retained by Oswald's Mother, Mrs. Marguerite Oswald, and who sought to represent Oswald before the Warren Commission. The Commission decided not to let him do so.

This book is, more or less, his revenge. In 398 pages, plus appendices and a list of citations which in itself runs to 40 double-column pages, Lane works with hammer and chisel at the Commission's report, the rockbed of all our assumptions with regard to Kennedy's slaying.

One of the book's strongest recommendations is the man who wrote its introduction, the historian Hugh Trevor-Roper, a Briton of considerable scholarly attainments and author of "The Last Days of Hitler." Trevor-Roper writes of Lane's critique: "We are shown that, in the Report, a whole series of conclusions are based on carefully selected evidence and that the full body of evidence, to say the least, does not point necessarily to those conclusions . . . The worst that can be said of Mr. Lane is that he is the necessary advocate."

Lane does his not-too-subtle work of undermining the Commission's position in step-by-step chapters that cast shadows of doubt over almost every section of the Report. He does so

some strong advocates of that doubt. The first shock wave of doubt came a little more than a month ago with the publication of two books and a long lead article in the New York

with the single-mindedness of the defense attorney, which was the role he aspired to. But his massive marshaling of detail after detail is difficult to ignore.

He raises questions everywhere: what about the witnesses who claim that shots rang out from the opposite direction? What about the nature of the President's wounds and their bearing on the origin of the shots? What about Oswald's immediate capture—how and why was he apprehended so soon? What about the confusion over identification of the murder weapon? What about conflicting testimony on the Tippit shooting?

Jack Ruby's murder of Oswald brings up a separate set of questions—how, for instance, did Ruby get inside the building where he shot Oswald? What about his friendship—or at the least, long association — with the Dallas police? Was there really a meeting involving Ruby, Tippit and Bernard Weissman, signer of the anti-Kennedy advertisement that appeared in the Dallas Morning News on Nov. 22? Should Justice Warren have taken Ruby to Washington, away from the Dallas jail, when Ruby asked him to? And what of that part of Ruby's background suggested by the testimony of one of his bartenders, Nancy Perrin Rich?

Some of Lane's answers to the questions he raises seem convincing. Occasionally, he presses too hard for the establishment of insignificant, inconclusive points, among them the routine editorial retouching of an Oswald photograph which appeared in the Free Press, and in Life and Newsweek magazines.

What does it all mean? The tableau is so big and complex, the cast of characters so remarkable (stop to think about them), that there can be no fast conclusions—even about the importance of what Lane has established about the fallibility of the Warren Commission. It was, evidently, fallible. That much seems fairly clear.