

BOOKS

New Theories

ACCESSORIES AFTER THE FACT: *The Warren Commission, the Authorities and the Report.* By Sylvia Meagher. Introduction by Leo Sauvage. 477 pages. Bobbs-Merrill. \$8.50.

LEE: *A Portrait of Lee Harvey Oswald by His Brother.* By Robert L. Oswald, with Myrick and Barbara Land. 246 pages. Illustrated. Coward-McCann. \$5.95.

SIX SECONDS IN DALLAS: *A Micro-Study of the Kennedy Assassination.* By Josiah Thompson. 323 pages. Illustrated. Bernard Geis Associates. Distributed by Random House. \$8.95.

OSWALD IN NEW ORLEANS: *Case for [or of] Conspiracy with the CIA.* By Harold Weisberg. Foreword by Jim Garrison. 404 pages. Canyon Books. \$9.50.

In a review published in August, 1966, I suggested that "we are at the beginning rather than at the end of the investigation into the assassination of President John F. Kennedy in Dallas on November 22, 1963." Developments since that time have confirmed the validity of that judgment.

Important new books and articles, based on intensive study of individual aspects of the crime, have appeared and the end is not in sight.

In addition, some of the authors have made guest appearances on television or radio programs, often venturing far beyond the opinions and speculations contained in their published studies.

The result has been to stim-

FEBRUARY 4, 1968

About The

ulate an ever-growing public concern about the assassination, combined with distrust, skepticism, or outright disbelief in the findings of the Warren Commission.

Nor have the critics of the Commission been content merely to challenge its conclusions. Increasingly they have turned to the task of constructing alternate theories to account for the known facts, or what they believe to be the facts.

The appearance of a new group of books on the assassination provides a suitable opportunity for a review of the present state of the investigation and observations on the problems which it presents.

Ranking Authority

For some time, anyone who has followed the subject conscientiously has been aware of the important work being done by Sylvia Meagher, an analyst for the World Health Organization who has made herself the ranking authority on the Warren Report and its supplementary 26 volumes of "Hearings & Exhibits."

Her articles in *The Minority of One* and *Esquire* showed that she has a keen and

Section D—PAGE 5

Assassination

skeptical mind, while her "Subject Index to the Warren Report and Hearings & Exhibits" quickly established itself as an indispensable guide to the labyrinthine evidence compiled and published by the Commission.

"Accessories After the Fact," which sums up Mrs. Meagher's case against the Warren Commission, is required reading for anyone who wants to understand how the Commission operated and why its conclusions have been subjected to hostile criticism.

Basing her analysis almost exclusively on materials provided by the Commission itself, Mrs. Meagher charges that its Report contains "(1) statements of fact which are inaccurate and untrue, in the light of the official Exhibits and objective verification; (2) statements for which the citations fail to provide authentication; (3) misrepresentation

of testimony; (4) omission of references to testimony inimical to findings in the Report; (5) suppression of findings favorable to Oswald; (6) incomplete investigation of suspicious circumstances which remain unexplained; (7) misleading statements resulting from inadequate attention to the contents of Exhibits; (8) failure to obtain testimony from crucial witnesses; and (9) assertions which are diametrically opposite to the logical inferences to be drawn from the relevant testimony or evidence." She then offers a massive array of point-by-point analysis designed to substantiate these charges.

Oswald A Patsy

Mrs. Meagher, however, is a passionately committed believer in a theory: that the assassination was the result of a right-wing political conspiracy in which the alleged assassin, Lee Harvey Oswald,

played the role of patsy, selected by the conspirators because of his self-proclaimed adherence to Marxism and his record of attempted defection to the Soviet Union.

Mrs. Meagher believes that the evidence compiled by the Warren Commission itself "creates a reasonable doubt of Oswald's guilt and even a powerful presumption of his complete innocence."

There is, of course, nothing wrong in having a theory about the assassination, based in part on an emotional conviction, as the driving force impelling one to seek its solution. Probably all of us who feel a commitment to concern ourselves with this terrible problem can remember the point when some report or combination of evidence produced a sudden feeling that there was something unrevealed.

But it is essential to remain on guard against one's own emotional hunches, and to be doubly careful in evaluating evidence which appears to support them. In this respect Mrs. Meagher's work is marred by significant lapses



Included in the book "Lee," by Lee Harvey Oswald's brother Robert, is this photograph of the presumed assassin, taken in 1959. Lee Harvey Oswald is shown holding Robert's daughter.

from her own high standards of honesty and objectivity.

Abstract Treatment

In a sense her book is a one-woman crusade to defend Lee Harvey Oswald against his accusers. The image of Oswald which emerges from Mrs. Meagher's treatment, however, is curiously abstract, lacking that intense, complex inner life which is evident in everything Oswald wrote or said.

At crucial points—Oswald's departure from the Texas Book Depository Building after the assassination, or his purchase of a rifle from a mail-order house, for example—Mrs. Meagher judges him by what she considers an assassin should logically have

done under the circumstances: concealed the incriminating evidence, made good his escape, and so forth.

She ignores the evidence that suggests a compulsion on Oswald's part to reveal his actions, to compensate for a life of frustration and failure by imposing himself on history.

Mrs. Meagher's conviction of Oswald's innocence has led her to ignore significant body of evidence, much of it published by the Warren Commission, which provides the basis for understanding Oswald's emotional drives and their relation to his political beliefs. This evidence she dismisses impatiently as "an avalanche of numbing detail on Oswald's life as a child and a man."

Strengthens Case

In her single-minded determination to challenge and invalidate all the Warren Commission's findings, however,

Mrs. Meagher actually strengthens the case against Oswald. A variety of witnesses believed they had seen Oswald shortly before the assassination practicing at a firing range, driving a car over the route to be taken by the President's motorcade, and discussing the possibility of assassination with a group of Cuban émigrés.

The Warren Commission, despite positive and convincing identification by qualified witnesses, rejected all this evidence, thereby providing a basis for the theory of the "pseudo-Oswald" which has been most fully developed in Richard H. Popkin's book, "The Second Oswald."

Mrs. Meagher considers this theory briefly, but true to her principle that the Warren Commission must be wrong on every point, rejects it as less probable than the possibility that the witnesses' testimony pertained to the real Oswald.

Valuable Service

Here Mrs. Meagher has performed a valuable service by bringing to light one of the Warren Commission's unstated but determining principles of operation. Most critics of the Commission have as-

sumed that it was determined to pin the blame on Oswald at all costs, and that anything in its Report or supporting materials which was favorable to Oswald must therefore be true.

Mrs. Meagher's relentless probing shows that at the most basic level the Warren Commission was concerned to deny the possibility of any conspiracy, right, left, or center. It therefore rejected testimony indicating that before the assassination Oswald was significantly involved with anyone else, for example, the unidentified man whom witnesses reported driving him to the firing range.

The result was to make

Oswald a curiously isolated, lonely figure, bereft of purpose or direction. Accepting this image of Oswald as genuine, most critics of the Warren Report have seen in it a valid reason for exonerating him partially or completely from complicity in the assassination. It is greatly to Mrs. Meagher's credit that she has applied her principle of skepticism to even those parts of the Commission's findings which strengthen the case for Oswald's innocence.

Studying Mrs. Meagher's detailed, insistent probing of the Commission's work, one is better able to identify the basically incompatible ends the commission was called on to serve and to acknowledge its effort as far as possible to serve them all.

At the cost of considerable violence to the evidence, by dint of forcing it into a set pattern, the commission reached a verdict of No Conspiracy. At the same time, however, it invited study of its raw materials and methods by publishing the 26 volumes of "Hearings & Exhibits," thereby handing potential critics an invaluable arsenal of weapons with which to attack it.

The commission strove to discharge not only its primary assignment — to "solve" in the report an incredibly complex crime fraught with the most explosive implications for United States internal and foreign

policy — but also to serve the cause of truth by providing the materials in the "Hearings & Exhibits," on which a deeper analysis could be based.

The latter constitute Mrs. Meagher's principal source for her attack on the report. Somehow it seems never to have occurred to her that without the Warren Commission's candor and courage in making its evidence generally available, her attack could never have been mounted.

Study Of Oswald

Lee Harvey Oswald's older brother, Robert, has written a book of reminiscences about Lee which helps fill in the family background.

To Robert Oswald, there is no mystery about the motive for the assassination, assuming as he does that Lee was the assassin; Lee's whole life, in Robert's judgment, was a psychological preparation for just such a crime.

In view of the concerted effort by a number of investigators to exonerate Lee partially or completely, it is cer-

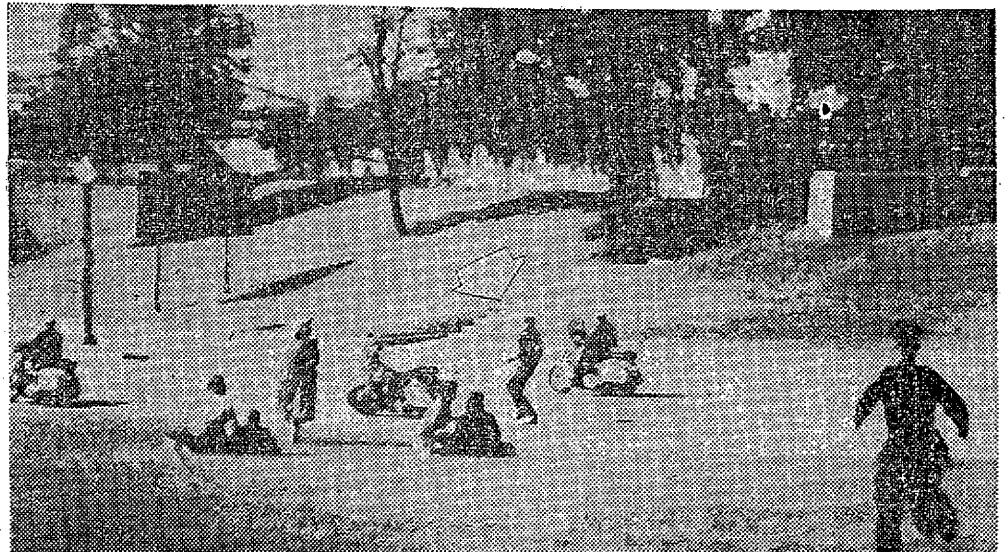
tainly striking that his brother finds the theory of his guilt psychologically convincing.

Robert Oswald tells us that he eagerly read the works by critics of the Warren Commission, "since no one in the world wanted proof of Lee's innocence more than I did." In the end, however, the critics failed to shake his conviction that "Lee and Lee alone fired the shots that wounded Governor Connally and killed the President of the United States."

Not To Condemn

Throughout the book Robert Oswald tries to understand and explain, not to condemn. Whether or not one finds the explanation convincing will depend, no doubt, on one's preconceptions; to convinced advocates of Oswald's innocence, "Lee" will seem a work of negligible significance.

It offers, however, not



To support his contention that another assassin was firing at President Kennedy from the famous "grassy knoll," Josiah Thompson in-

cludes this photograph showing a policeman running in the direction of the knoll and others looking toward it after assassination.

merely a rehash of previously available data on Oswald's development but a fresh and coherent picture of the family in which he grew up.

One is enabled to understand how his complex character emerged from a particular environment, and how the psychological evidence indicating his peculiar fitness for the crime can be organically related to the family background.

Robert Oswald in general avoids the kind of detailed scrutiny of the evidence which has been made familiar in books about the assassination, but on occasion he can submit the Warren Commission's work to questioning as sharp as that of Mrs. Meagher.

Like her, he rejects the Commission's finding that the man whom half a dozen witnesses reported having observed practicing on a Dallas firing range shortly before the assassination, and whom they believed to be Oswald, must in fact have been someone else.

Noting the Commission's handling of the evidence, he comments, "The writers of the report seem to have made a deliberate effort to mislead a careless reader into thinking the Commission has found something to discredit these six eyewitnesses."

Questions Conclusions

Robert also questions the Commission's conclusions about the length of time it would have taken Oswald to get off three shots from his rifle—a key point not only in the Commission's own efforts to reconstruct the crime but also in the calculations of most of its critics, who accept the Commission's minimum figure for the interval between shots, 2.3 seconds, even though they reject almost every other calculation on which the Commission based its conclusions. (The Commission reached this figure, it appears, by halving the minimum time, 4.6 seconds, taken by an expert rifleman to get off three shots with Oswald's rifle.)

Robert, however, speaking out of an intimate knowledge

of Lee and his capabilities, argues that since Lee had "very rapid reflexes," he might well have managed to fire three shots in a shorter time than the Commission considered possible.

On this basis Robert Oswald rejects the Commission's elaborate effort to account for all known injuries to the President and Governor Connally by only two bullets (one bullet, in the Com-

mission's view, having gone astray), and instead records his conviction that there were three shots, the first of which wounded the President, the second of which struck Governor Connally, and "the third of which actually killed the President."

Robert Oswald believes that his brother acted alone, but he leaves open the possibility that "others may have encouraged or influenced him." As to the possible identity of who might have played that role, he records some dark suspicions of his own, but acknowledges that he is prone to form judgments of a man on the basis of first impressions.

If the continuing investigation now under way eventually produces conclusive evidence, that Oswald could not have been the assassin, or one of the assassins, his brother's book will survive as

little more than a psychological curiosity.

As long, however, as Lee Harvey Oswald retains his position at or near the center of the controversy—and there is no sign at present that he can be dislodged from that position—Robert Oswald's book will provide valuable insight into the development of a tangled psychology which is of direct relevance to the problem.

Events Reconstructed

In "Six Seconds in Dallas," Josiah Thompson, assistant professor of philosophy at Haverford College, has attempted to reconstruct the actual events of the assassina-

tion itself, by intensive analysis of all available evidence—ballistic, forensic, photographic, and eyewitness.

The principal source on which he relies is the color film made by Abraham Zapruder, an amateur photographer, which records the shots which hit the President and Governor Connally and which thereby establishes the narrow time limits within which any theory of the assassination must operate.

On the basis of evidence from the Zapruder film indicating that the President's body fell backwards after the fatal shot which hit the right side of his head, Professor Thompson deduces that the shot must have come from the front, rather than from above and to the rear, as in the reconstruction offered by the Warren Commission. Citing eyewitnesses' reports in support of his theory, Thompson locates the position of the presumed assassin behind a stockade fence on the famous "grassy knoll."

This is not a new theory; Sylvia Meagher, who also studied the Zapruder film, concluded that it "proves conclusively that the bullet came from some point on the grassy knoll to the President's right," and she cites a number of other investigators who reached the same conclusion, one as early as September, 1965.

Deficient Analysis

Applying the same methods, Professor Thompson deduces a second gunman in one of the buildings on Dealey plaza, diagonally across from the Texas School Book Depository Building where Oswald worked. The third assassin, he believes, was located on the sixth floor of that building, but he leaves open the question of whether or not he was Oswald.

Combining all his evidence, Professor Thompson concludes, "We arrive at the following picture: Three as-

sassins fired four shots from three different positions."

It is a sound principle in the study of a complex historical problem to apply intensive analysis to one specific aspect of it. The conclusions obtained by such a "micro-study" (to use Professor Thompson's term) must then be weighed against the other evidence available and integrated into the total picture of events. It is this second, integrating process in which Professor Thompson's analysis is deficient.

On a recent radio program, in answer to a question from a listener about some other aspect of the assassination, he said that the crime was so complex and the investigation so vast that each investigator necessarily limited himself to one specific aspect of it; his specialty was the assassination itself.

Relying too confidently on the results of his calculations (though at one point he ac-

knowledges that "there is no science of the way a person reacts to a bullet hit"), he presents his hypotheses as established facts: "The essential outline of the assassination—four shots from three guns in six seconds—is now apparent," he claims, modestly adding that "the details remain unclear," and holding out the hope to "other researchers and historians" that they may be able to "fill in these details."

As we have seen, Professor Thompson has support from



JOSIAH THOMPSON

other investigators in his conclusion that one shot, the fatal one, was fired from the front. He weakens his case, however, by deducing on the basis of the same analytical procedures the shot from the rear left of the presidential car, a deduction in which he is alone, and which he is unable to support by the testimony of witnesses.

Professor Thompson and his assistants have performed prodigies of labor, and the graphic presentation of their evidence is useful, but the impressive apparatus of charts, diagrams, and calculations should not mislead the reader. His conclusions remain a hypothesis, and his claim, and that of his publisher, that they are established historical fact is unjustified.

New Weisberg Book

One of the most prolific and industrious critics of the Warren Commission has been Harold Weisberg, who followed his original study, "Whitewash," with two sequels, "Whitewash II" and "Photographic Whitewash," and who has now published "Oswald in New Orleans."

It seems somehow characteristic of Weisberg's haste and impulsiveness, or perhaps of his bias, that the exact wording of the subtitle is unclear: on the book's cover it appears as "Case for Conspiracy with the CIA," which suggests a continuing, open-minded investigation, whereas on the title page it is "Case of Conspiracy with the CIA," which clearly implies a considered verdict.

Briefly stated, Weisberg's theory is that the CIA was implicated in the assassination through its support of right-wing Cuban émigrés who hated President Kennedy for his refusal to commit United States military power in support of the Bay of Pigs invasion, and for his pledge to Khrushchev after the 1962 missile crisis that the United States would not invade Cuba.

Oswald, who was linked in some as yet undisclosed way with the CIA, became involved in a Cuban émigré plot to assassinate the President; the FBI and the Secret Service, to protect the CIA,

have suppressed the evidence of its links with the Cubans and Oswald.

Working With Garrison

Alone among the private investigators, Weisberg has established a working relationship with an official governmental agency. His speculations and discoveries have been an important element in the continuing investigation into the background of the assassination being conducted by New Orleans District Attorney Jim Garrison, and it is appropriate, therefore, that Garrison has contributed a foreword, entitled "With Liberty and Justice for All," to Weisberg's book.

Weisberg's theories and allegations thus fall into a different category from those of other private investigators, since they may be tested in open court. Pending that outcome, it would seem rash to attempt a definitive evaluation about them, but some preliminary observations may be permitted.

First it should be noted that

the Weisberg-Garrison probe has encountered serious criticism from Sylvia Meagher, despite her belief that a new official investigation of the assassination is required.

She writes that she does not "have in mind the inquiry in progress in New Orleans," i.e., the one being carried out under Jim Garrison's direction, since in her opinion that investigation has given cause for "increasingly serious misgivings about the validity of his [Garrison's] evidence, the credibility of his witnesses, and the scrupulousness of his methods."

She finds it a matter for "regret and disappointment" that "many critics of the Warren Report have remained passionate advocates of the Garrison investigation, even condoning tactics which they might not condone on the part of others."

A reading of Jim Garrison's foreword to Weisberg's book suggests that Mrs. Meagher's misgivings are well founded. Partly, no doubt, one's reactions to this document are a matter of taste, and thus perhaps not strictly relevant; there is really no valid reason

why the truth should not result from an investigation conducted by a man who writes about profoundly serious subjects in a grotesquely inappropriate style.

More cogently, however, Garrison's foreword shows an



ROBERT OSWALD

inability to make the elementary distinction between evidence which has been tested and verified, and provocative hypotheses, no matter how confidently asserted. This is highly disconcerting coming from someone who has assumed the responsibility of contributing to the investigation of a crime of national significance.

Sparrow's Argument

In a recent roundup review of books on the assassination of an English scholar, John Sparrow, Warden of All Souls'

College, Oxford, argued that the attacks on the Warren Commission by its critics have failed to invalidate any of its principal findings, while their attempts to establish alternative explanations of the assassination have been uniformly unsuccessful.

According to Sparrow, the attention of future historians is likely to be focused not so much on the assassination, which he implies is now an essentially solved problem, as on its aftermath, "the subsequent performance of the mystery-makers themselves [i.e., the critics]—and the success of their campaign."

Professor Sparrow evidently feels that there is something reprehensible in the unbridled, sensational and eminently un-English way in which the investigation has been conducted by amateurs since the publication of the Warren Report.

It might seem tempting to accept this judgment, but that is impossible. Some of the Warren Commission faults brought to light by the critics are serious ones, and its version of the assassination cannot be accepted *in toto*.

For all their excesses, obvious biases, and proneness to mistake hypotheses for proven facts, each of the critics has contributed in large or small degree toward a better understanding of this baffling and absorbing problem.

At the end of my August, 1966 review I wrote that "The search for the truth from here on can best be left to private initiative," and that still seems to me a valid statement.

ROBERT M. SLUSSER
Associate Professor of History,
The Johns Hopkins University.