

CBS on the Warren Report

During the week of June 25, on four successive evenings, CBS devoted a total of four hours to a reinvestigation of the Kennedy assassination. The first hour was a brilliant achievement, which demonstrated what an incomplete job the Warren Commission had done, and how much new light a second, more effective official inquiry could shed. After that, the more accustomed TV atmosphere closed in again, and things got evasive and fatuous.

The first program showed convincingly, taking full advantage of the visual medium, that three shots had been fired, and that Oswald's rifle could have fired all three from the Texas School Book Depository Building. The Commission thought it improbable that the first of these shots was fired when CBS showed it was, and hence proposed its famous one-bullet theory, according to which President Kennedy's first wound, and Governor Connally's three wounds were all inflicted by a single later shot. CBS gathered its evidence by running tests with a rifle like Oswald's that were more complex and more realistic than any the FBI bothered to do for the Commission. And although it was not allowed to show the crucial eyewitness film of the assassination taken by Abraham Zapruder — the film is owned and husbanded by *Life* — CBS discovered that at three approximately spaced frames, one of which corresponds to the last shot, which is actually shown hitting, the film indicates that the camera jumped slightly. So a camera would jump when held by a

man who heard a shot, and so the film would invariably indicate on analysis. CBS proved this through an independent experiment, all the more conclusive since the men it had operating cameras *knew* — as Zapruder did not — that shots were coming, and still they could not help starting with each shot, slightly, but enough to leave a trace on the film just like the trace left by

JULY 15, 1967

Zapruder on his film when we know he heard a shot because he photographed it.

None of this so much as occurred to the Commission and its FBI experts. It is of the first importance, because it opens up, although it does not establish, an alternative to the Commission's very difficult single-bullet theory — an alternative consistent with Oswald's being the sole assassin. This alternative — at first accepted by the official autopsy doctors themselves — is that Oswald fired three shots, spaced as CBS has shown them to have been, and that the first hit the President just below the neck, the second wounded Governor Connally, and the third went to the President's head. But instead of pursuing the problems raised by this possibility, which the Commission never explored because its estimate of the possibility was, we now know, too low, CBS turned back to the one-bullet theory.

That theory could well do with a fresh look, and perhaps it could be made to hang together. In the attempt to support it, all CBS did — unwittingly, one supposes — was further to undermine the theory. The main prop of the theory are some tests done for the Commission. Bullets were fired into matter simulating human flesh and bone, to show that a single bullet could retain enough velocity to go through the President's neck, and then Governor Connally's chest and wrist and finally into his thigh. Well, CBS had the same expert do a more thorough set of tests than he did for the Commission. And what he reported on the air was that in none of his tests did the bullet "actually penetrate" as far as it was required to in order to support the theory, although "it would have taken very little more velocity to

have caused a similar wound." In other words, the only significance of the tests was that they disproved the theory. But CBS had Walter Cronkite conclude, right in the next breath, that "our tests confirm that a single bullet could, indeed, have wounded both men." The non-sequitur of the year!

CBS followed with an interview of a new expert, Dr. William F. Enos, a pathologist at Northern Virginia Doctors' Hospital. Dr. Enos thought the theory more than dubious. "I would hesitate, really, to say that it's 100 percent impossible, but it is highly improbable." But Cronkite's verdict in behalf of CBS: "we are persuaded." By what? The other difficulty with the single-bullet hypothesis CBS evaded altogether — that there were more fragments left in Governor Connally than the bullet the Commission came up with was likely to have lost.

The third hour devoted some attention to District Attorney Garrison of New Orleans, who cuts a preposterous figure, and the fourth was largely taken up with a final assessment. The best of it was when Eric Sevareid told an audience which had seen John J. McCloy make a simple and obviously sincere defense of the Commission's disinterestedness and good faith, that

the notion that such a man as Mr. McCloy would unwittingly distort or suppress decisive evidence about a presidential murder "is idiotic." Of course it is. But Mr. McCloy would not and did not claim that no mistakes were made, or that a better job could not have been done, nor even that it does not still need to be done.

That last claim, made with stunning complacency and with something bearing a close resemblance to cynicism, was left to Professor Henry Steele Commager, a man, said Walter Cronkite, "who looks into the American spirit." Having diagnosed a certain paranoid strain in the American spirit, but pretending to absolutely no judgment about the quality of the Warren investigation or about issues to which it may have given unsatisfactory answers, Mr. Commager could see no reason to suppose that anyone who disbelieved the first investigation would believe "a second, or a third, or a fourth" — no matter, presumably what it was able to prove, or how. "So I see no value, really, in another investigation." Truth, a nearer approach to truth? No value in that for this historian! He should have watched the first hour of this CBS Inquiry.

ALEXANDER M. BICKEL

NOTES ON CONTRIBUTORS

James C. Thomson, Jr. was from 1964-66 staff member of the National Security Council at the White House. He is now Assistant Professor of History at Harvard. Alexander M. Bickel, a contributing editor of this journal, is author of *Unpublished Opinions of Mr. Justice Brandeis: The Supreme Court at work*.