

CABLE TV NOTES

Bringing Lee Harvey Oswald to 'Trial'

By STEVE SCHNEIDER

After 23 years of inquiry and speculation, what new truths can be determined about the assassination of President John F. Kennedy? While "On Trial: Lee Harvey Oswald," a five-and-a-half-hour television event" coming to Showtime this week, promises no major revelations, the producers of this speculative exercise believe that it may help clarify some of the details of that tragic incident for today's viewers.

Proceeding spontaneously, without a script, the program is a simulated trial of Oswald in absentia, with a judge, a jury and prominent lawyers subjecting actual material witnesses to cross-examination for the first time. Oswald, of course, was murdered before he could stand trial, and the Warren Commission investigation into the Kennedy killing relied solely on elicited statements from witnesses, without cross-examination.

With the former NBC News correspondent Edwin Newman providing commentary throughout, the program will be screened in two install-

ments, both beginning at 8 P.M. and lasting three hours on Friday and two-and-a-half on Saturday — the anniversary of the assassination in Dallas in 1963.

Conceived and produced by London Weekend Television, the program was condensed from 18 hours of taping that took place during July in the independent British facility's London studios, outfitted to replicate a courtroom. In order to prevent the project from being solely a television curio, the producers say they have conducted 18 months of research before the taping — locating witnesses, photographs and film and reviewing the immense body of literature pertaining to the subject.

On the bench is Lucius Bunton, United States District Court judge, who ordinarily presides in Texas. The prosecuting attorney is Vincent Bugliosi, the author and lawyer who has won 105 convictions in 106 jury felony trials that he has undertaken — including that of Charles Manson, which served as the basis for Mr. Bugliosi's book and the subsequent mini-series "Helter Skelter." For the defense is Gerry Spence, who won a million-dollar-plus verdict against the Kerr-McGee Corporation on behalf of

the family of Karen Silkwood. According to Mr. Bugliosi, a full jury of 12 was selected from Dallas jury rolls by the Chief Clerk of the United States District Court in Dallas. The two lawyers will battle to persuade the jury of Oswald's guilt or innocence, in an outcome that will not be revealed until the end of the telecast. (The program will be shown in Britain at roughly the same time it will be seen here.)

The verdict will be based upon the sworn testimony of the approximately 20 witnesses — all of whom spoke to the Warren Commission — assembled to participate. In addition to experts in ballistics, forensics and anatomy, the witnesses include the police officer who arrested Oswald; the man who found Oswald's gun, an employee of the Texas School Book Depository building who allegedly heard Oswald's shots from a window one story above him, and a technician who assisted in the autopsy of the slain President.

One question that immediately arises is why so crucially American a proceeding was mounted in England. Spokesmen cited two reasons: to help insulate the event from the potentially disruptive presence of the

American media, and to be able to use a free, weeklong trip to London as an inducement to the witnesses.

Yet, for all of the project's attempts at verisimilitude, there are at least four principal reasons why the verdict, if it had been delivered in a genuine trial, would not be legally supportable. Foremost among them is the project's time-limitations on cross-examination and on the attorneys' closing statements. "Unquestionably, that's the main weakness in this whole thing — and it's a very serious one," Mr. Bugliosi conceded. "The trial could have gone on for a year."

Further, Oswald was not present to defend himself — although Mr. Bugliosi was quick to point out that he never faced the Warren Commission either. Additionally, the range of witnesses was far from comprehensive; for example, Marina Oswald, Oswald's widow, was contacted but declined to participate. And as regards the jury members, where impartiality is imperative, "clearly, in this case, everyone had prejudices," Mr. Chandler said. "So, what we looked for was people with open minds."

"What we did in London is not definitive — obviously," Mr. Bugliosi said. "But we did have the time to ask the key questions, so viewers can learn all types of things about this case."

Upward Move

"He's a politician who is primarily a public-relations figure," said the writer Jonathan Lynn, "a good public performer, who is not remarkably intelligent but who is talented in being evasive. He is the leader of his party, who is briefed by lots of people and then put on television. He gives the il-

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lusion that he is responsible to the public, whereas in fact he is simply gathering their votes in order to remain in power."

Sound familiar? It may very well, for it is a description of James Hacker, the bumbling and figurehead-ish Minister for Administrative Affairs who was at the comedic center of "Yes, Minister," the BBC series that has been screened both on public television and on Arts and Entertainment over the past few seasons. And beginning this evening at 8:30, and continuing for '10 Sundays, A&E will present the sequel to that series, "Yes, Prime Minister," in which Hacker has been bumped upstairs — actually, across town, to 10 Downing Street — where he can apply his ineffectuality to such concerns as the arms race, Britain's tobacco lobby and a new spy scandal.

Returning for the half-hour programs is the British actor Paul Eddington as Hacker, along with Nigel Hawthorne as Sir Humphrey Appleby, the wily secretary who, as Hacker's right-hand man, covertly runs the show.



Vincent Bugliosi and Gerry Spence are the attorneys in Showtime's simulated trial of President Kennedy's assassin.

Both series are hugely popular in England; a book based on "Yes, Minister" was on Britain's best-seller list for 58 weeks, while one drawn from the sequel, just released, is already riding high.

"Our primary intention is to make people laugh," said Mr. Lynn, who has collaborated on the project from the beginning with the writer Anthony Jay. "But people believe that what they're seeing is the truth about the way we're governed," he added, speaking by telephone from London. "We're writing fiction, but you can draw your own conclusions."

Channel Hopping

"Noh Drama," an overview of the 600-year-old Japanese theatrical tradition that utilizes masks, music, poetry and movement, will have its American television premiere Wednesday night at 10:30 on Bravo. Produced in Japan in 1978 by Tetsuo Abe, the half-hour English-language

documentary mixes excerpts from five classic Noh plays with studies of Noh props, themes, theaters and the disciplines required of its actors. . . . Four prize-winning French novelists — Yann Queffelec, Raphaelle Billetdoux, Michel Braudeau and Patrick Besson — will meet with the critic and educator Henri Peyre to discuss, in French, developments in contemporary French literature on "Les Grands Prix." The hourlong program will be seen on CUNY-TV (Channel A in Manhattan) on Thursday at 10:30 A.M., 2 P.M., 6:30 P.M. and 10 P.M.; Saturday at 5 P.M., and next Sunday at 2 in the afternoon. . . . Ian Holm and Judi Dench star in the BBC's 1986 production of Terence Rattigan's play "The Browning Version," making its American debut on A&E on Tuesday evening at 9. Directed by Michael Simpson, the 90-minute drama tells of a downtrodden classics instructor at a British public school who strives to bring a measure of dignity to his inglorious early retirement. ■