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# Theater: 'The Trial of Lee Harvey Oswald' Arrives

## Taste of Sensationalism in Dramatic Method

### The Cast

THE TRIAL OF LEE HARVEY OSWALD, play by Amram Ducovny and Leon Friedman, based on an idea by Harold Steinberg and Amram Ducovny. Staged by Tunc Yalman; lighting by Jules Fisher; set designs by Robin Wagner; costumes by Thoeni V. Aldredge; art director, Lewis Zacks; brutality by Joseph Raposo; production stage manager, Del Hughes. Presented by Gene Persson; associate producer, Jay Fuchs. At the ANTA Theatre, 245 West 52d Street.

Lee Harvey Oswald.... Peter Masterson  
 Judge Hammond Morion.... Dan Priest  
 Lawrence Phelps..... Clifton James  
 Henry Rogers..... Ralph Waite  
 Witnesses..... John Gerstad, Glen Kezer,  
 Douglas Stark, Barton Stone, Garrett  
 Saunders, Charles Randall, William  
 Leach, Anne Shropshire, Louise Stubbs.

By CLIVE BARNES

THE question of who killed President Kennedy is not one that properly speaking concerns this column. If evidence were produced to demonstrate that Brutus was perfectly innocent of any part in the assassination of Julius Caesar it would not affect anyone's estimation of Shakespeare's play.

This was the initial thought—or at least the initial premise—that I brought to "The Trial of Lee Harvey Oswald," which opened at the ANTA Theater last night. Was it a good play, whatever facts it produced or disputed? That, I felt, was surely the question to be answered. (I must warn you that one of the problems of seeing any trial play for a critic is that when he comes back he instinctively starts writing as if he were preparing a harangue for a jury.)

Yet then I asked myself why the play had been produced? There could be three answers. One is that the people producing it thought they had a good controversial subject that might prove a box-office bonanza; another is that they seriously believed that the question of Oswald's guilt or innocence had been insufficiently established. Finally, their motives might be a mixture of both of these.

Is this play, in a phrase, meant to be sensationalism or propaganda? Certainly there is a flavor of sensationalism in the dramatic method, which embeds one enormous lie in a seeming tissue of truth. The lie has nothing

to do with President Kennedy or his assassin; the lie concerns Lee Harvey Oswald and Jack Ruby, for the play postulates that Ruby failed to kill Oswald and we are watching Oswald's subsequent trial.

This is either a fairly adroit piece of stagecraft on the part of the playwrights, Amram Ducovny and Leon Friedman, in the second place, or on the part of Harold Steinberg and Mr. Ducovny, who are attributed with the responsibility for dreaming up the idea of the play in the first place. So what the play finally consists of is a kind of fictional documentary.

The audience is invited to be jury (a device in itself not exactly original) at Oswald's trial. The evidence for the prosecution and the defense is presented. According to the authors, "All testimony given by prosecution and defense witnesses is based on actual evidence uncovered in the investigation of the assassination."

Now this statement begs an awful lot of questions. "Actual evidence uncovered"—sounds pretty much like the truth, yet this is certainly not so, because much of the evidence is conflicting. Also we must ask, "uncovered by whom?"

I doubt also whether authors, however sincere or gifted, can in the course of a two-hour courtroom drama fairly balance complex and conflicting evidence upon which an audience can justifiably be invited to offer an opinion. This is a parody of a court of law passing itself off as something like a free inquiry. This might be a dangerous procedure.

Finally there is the "evidence" purported to be given by Oswald himself when he is put up on the stand in his own defense. Here he is made to say that he was the victim of a conspiracy, and this assertion is perhaps intended as the emotive climax



Peter Masterson

of the play. If Oswald had lived, and if he had made such an assertion, then perhaps this would have been investigated. But he didn't live, and he didn't make such an assertion so it couldn't be investigated.

When I started I admit-

ted that who killed the President was not here my concern. But many people feel that either the whole truth is not known or, at the very least, the whole truth is not seen to be known. It seems to me to be morally reprehensible to use such doubts as the basis for an Agatha Christie-like courtroom drama. The theater is a fine arena for political debate, but not for serious forensic argument, and I think it is wrong to use the discussion surrounding what is one of the great tragedies of the 20th century as an excuse for such a necessarily flimsy play.

Having said that let me suggest that it is also not a very good play. All dramas have a certain modest fascination (I can never hear those classic cries of "Objection!" "Objection sustained" or "Objection overruled" without wishing I had been to law school) but the well-thumbed to say the least. How many bullets? How many shots? How many assailants? Unless they have led very sheltered lives, most of the audience will find most

## Audience Becomes Jury for Fictional Case

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of the play extraordinarily familiar.

The play is rewardingly staged, with Robin Wagner's boldly diagrammatic courtroom lending itself to projecting slides and film clips of evidence that prove by far the most effectively dramatic part of the evening.

Tunc Yalman's direction is well-paced, and invests a certain variety into a play that must of necessity be monotonous in its structure, whereby merely one witness after another takes the stand. The acting is also efficient, with Peter Masterson looking appropriately bewildered and mixed-up as Oswald, and Clifton James (for the prosecution) and Ralph Waite (for the defense) arguing their cases in a histrionically traditional but modestly effective style.

If it were a better play I admit I would still consider it a perversion of democratic processes, but as it is, that question scarcely arises.

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