

16 years after JFK's death, probbers agree—but

By Rogers Worthington

FT THIS POINT it's unclear what we'll do," Jeff Goldberg was leaning back in an old chair, with one dungaree-clad leg resting on his desk. He was in the modestly furnished, second-floor townhouse office in downtown Washington, D.C., where for three years the Assassination Information Bureau (AIB) has gone about its business.

"Whether we'll continue, or whether we'll go into hibernation, I don't know," Goldberg said. "Our mandate was to get a congressional investigation. We've accomplished what we set out to do. Beyond that, we'll just have to let the events unfold."

Goldberg is cochairman with Carl Oglesby of the AIB, the only staffed organization of Warren Report critics to monitor the House Select Committee on Assassinations' reinvestigation of John F. Kennedy's murder. He was giving a personal response to a question on the minds of many people since early last week: What next, now that the committee has issued its final report concluding conspiracy was probable in the President's murder, and that it probably involved low-echelon members of organized crime and a second gunman.

For the dozens of Warren Report critics and independent investigators of the assassination, the committee's basic conclu-



President John F. Kennedy one minute before he was fatally shot in November, 1963. AP Wirephoto

sion of conspiracy is a watershed in their 16-year struggle to convince the government and fellow Americans of their belief that Kennedy's murder was not just the deed of a lone assassin.

"IN A POWERFUL way, it really scratches the itch to hear a well-financed government body come up with a conclu-

sion in agreement with the opinions of the American people," Carl Oglesby said. "I don't think there is anybody who does not think it is a positive step. Some of the critics will say, yeah, they could have done much better . . . and, yes, it wasn't everything some of us thought should be said. But it gives us time to add to the

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what next?

record; it gives us a new solid base from which to proceed."

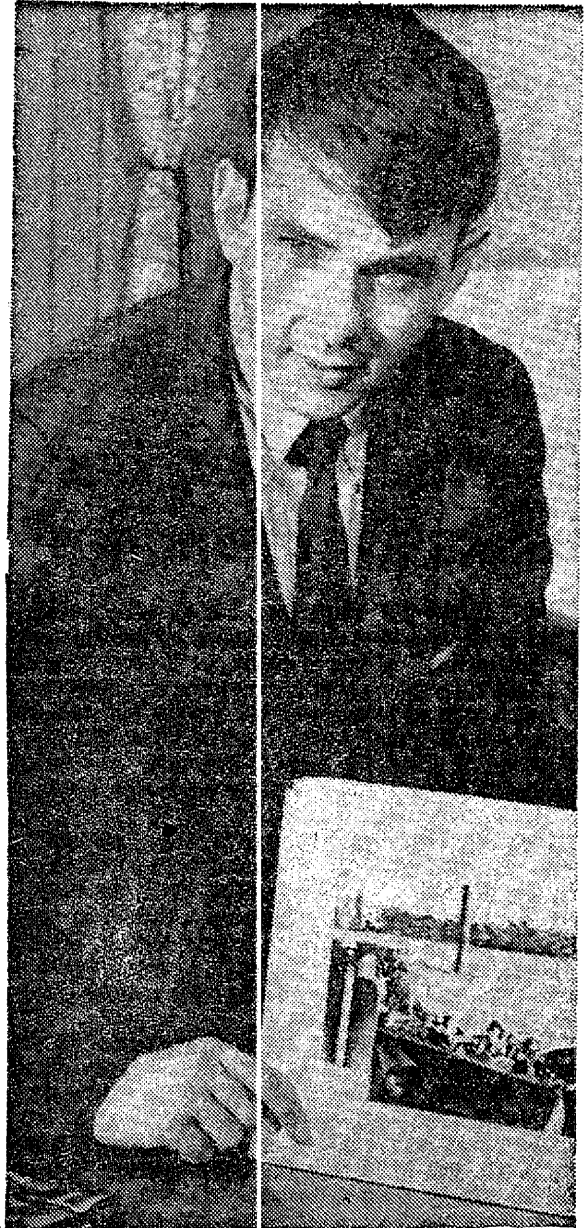
Oglesby, 44, and Goldberg, 28, are among the second generation of Warren Report critics and assassination researchers. Second-generation critics most readily distinguish themselves by placing in a political context the more document-oriented work of the first-generation critics. Oglesby did precisely that in his book, "The Yankee and Cowboy War" (Berkley Medallion Books, 1976), a conspiratorial history of America from the assassination to Watergate.

An early leader of Students for a Democratic Society (SDS) and antiwar activist in the 1960s, Oglesby helped found the AIB in 1973. A couple of years later, it was the major force behind a resolution passed by the Massachusetts legislature calling for a congressional investigation of the Kennedy assassination.

The results of that investigation include a total of 13 supporting volumes on the Kennedy assassination alone, as well as the committee's 686-page summary report. It will take time for carefully thought out responses to emerge from the press, the critics, the Justice Department, and the Carter administration. And it is the response of the last two that is the key to the future of the AIB, for the committee has referred the case to the Justice Department, which is now reviewing the evi-

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Tempo



UPI Telephoto

More than a decade ago at a press conference, Josiah Thompson pushed his four-bullet theory; now a House committee backs up his belief.

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dence. And the President, conceivably, could apply political pressure for a continuing investigation. But that response may be months in coming.

THE AIB IS ONE part of a loosely connected network of people who have closely followed the House committee's activities during the last two years. Among them are 35 or 40 researchers, investigators, scholars, and writers who have diligently pursued the case. And within that number are a dozen or so whose early and long-term efforts to find answers are acknowledged by the rest as seminally influential.

Several blocks away on L Street are the well-appointed law offices of Bernard Fensterwald Jr., which is also the mailing address for his Committee to Investigate Assassinations (CTIA), a small, loosely knit group of critics, investigators, and writers around the country. The CTIA, which in 1977 published a 590-page who's who of the Kennedy assassination ("Assassination of JFK—by Coincidence or Conspiracy?") also contributed to the creation of the House Select Committee on Assassinations.

While the House committee's investigation still leaves open the question of who the conspirators and triggermen were (other than Lee Harvey Oswald), Fensterwald says he is less concerned with seeing them prosecuted than with holding government agencies accountable for withholding information.

"I don't think it's terribly important that there be any prosecution. It's the performance of government agencies in this thing that we should be concerned with. The performance of U.S. agencies was deplorable. . . . Why is the CIA fighting to withhold documents and photographs today?"

IF FENSTERWALD had his say, the General Accounting Office, not the Justice Department, would conduct any future investigation into the assassination. Most of the critics are unanimous in their opposition to a Justice Department investigation: The FBI is the investigative arm of the Justice Department, and while its staff is best trained to conduct such an investigation, critics believe its past performance seriously compromises its credibility.

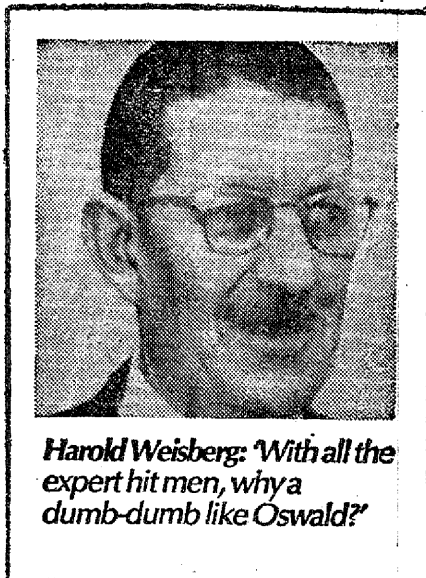
A more immediate concern for Fensterwald is the fate of a large amount of raw data, field interviews, memoranda, executive session transcripts—the kind of material independent researchers and investigators relish poring over—that will not be published. "If they lock it away, that's it," Fensterwald said. "The House is not subject to the Freedom of Information Act."

HAROLD WEISBERG lives in a suburb of Frederick, Md., in a house occupied by 60 full file drawers "and stacks of stuff all over the place," all connected

with his 16 years of documentary sleuthing. He has written seven books on the assassination, and is indisputably the first of the first-generation assassination critics with his 1965 book, "Whitewash: The Report on the Warren Report."

He is severely critical of the committee's work and methodology. "This committee hasn't even come close. . . . It never conducted an investigation of either assassination. The committee dedicated itself to putting down private citizens (Warren Report critics), and to ending all criticism. With the tape of Dealey Plaza (the acoustical evidence of a fourth shot), the committee was saved from its own bankruptcy. And that tape had to be forced on them."

Still, Weisberg is begrudgingly pleased with the committee's conclusion that conspiracy is probable ("It was their only chance to avoid bankruptcy."). But he disagrees with its reading of Oswald as an assassin somehow in league with lower-echelon organized crime figures. "With all the expert hit men they could draw on,



Harold Weisberg: 'With all the expert hit men, why a dumb-dumb like Oswald?'

why a dumb-dumb like Oswald who couldn't shoot straight?"

JOSIAH THOMPSON, 44, is a San Francisco private investigator, former Naval officer, and Yale graduate (Ph.D.) who once taught philosophy at Haverford College. His 1967 book, "Six Seconds in Dallas," is a detailed analysis of what happened at Dealey Plaza the day of the assassination. The committee's conclusion that there were four shots instead of the three believed by the Warren Commission, is in agreement with those of Thompson's book (although he believes the shots were fired by three gunmen, not two).

While Thompson expresses admiration for the committee's courage in reaching the conclusions it did, he believes its members were driven to the least political conclusion they could ar-

rive it by strong, impossible-to-ignore scientific evidence.

He disagrees, however, with the conclusion that lower-echelon organized crime figures were probably the acting conspirators. "If one concludes that the assassination was carried out by various low-level members of organized crime, it remains an apolitical assassination, and that is only one step above the lone nut theory we have had with us all these years," he said.

"Here is the initial problem in my mind: No one has doubted that Oswald has some connection to this killing. But as far as I know, his connection to organized crime has never been shown, while his connection to intelligence agencies has been demonstrated.

"So the question remains: If this was a low-level killing by organized crime, why Oswald? How would the committee's theory explain a guy as odd as Oswald being involved in the assassination, if those (intelligence) agencies themselves had no connection? How did organized crime know that Oswald had all these interesting (intelligence) connections? Why would organized crime pick Oswald, of all people, to be the patsy?"

SYLVIA MEAGHER (pronounced Mah-er), a former United Nations liaison officer, is author of the highly regarded "Accessories After the Fact" (Bobbs Merrill, 1967), and the first index to the Warren Report. Her one-bedroom apartment on the west side of New York's Greenwich Village shows the effects of her commitment to finding answers to the President's murder. There are two file cabinets, three closets, and four bookcases holding material relating to the assassination.

Like most of the critics, Meagher has not yet had a chance to read the 686-page summary report. But from what she knows of its conclusions through newspaper accounts, she thinks the committee, as she puts it, "has inadvertently stumbled on a small piece of the truth—proof of conspiracy."

"But it has tried to confine it to a narrow low-level conspiracy, while I see it as a broad, high-level conspiracy. And I don't accept that Oswald had meaningful links (to the FBI, CIA, and Office of Naval Intelligence).

"I do think the House committee has

produced some impressive evidence that organized crime was involved, and probably utilized Oswald as a scapegoat. But if he was used as a scapegoat, I think it is likely that it was a government source working with organized crime and anti-Castro Cubans. I can't believe that organized crime alone could do that."

PENN JONES JR. is the retired editor of the Midlothian Mirror, a four-page weekly serving a small Texas town 25 miles south of Dallas and Dealey Plaza. He is the author of a

series of four self-published books on the Kennedy assassination titled, "Forgive My Grief," and editor of a newsletter, "The Continuing Inquiry," published on the 22d of each month.

One of the prime tasks of the newsletter is to publish a massive index compiled by fellow Texan Mary Ferrell, whose files on the assassination are regarded by most writers and investigators as the best in the country. The index consists of 50,000 3-by-5-inch cards. "We're in Volume 4, No. 1, and we're still in the G's," Jones said. "It will take us 10 years to finish the alphabet."

But his reputation nationally owes to his compilation of what has come to be known as the "strange deaths list." On the list—originally 15 names—are those associated with the assassination one way or another whose deaths Jones regards as suspicious. He has added steadily to the list over the years.

"I'm certainly happy they finally said, 'Yes, it is a conspiracy.' My God, it has taken them 16 years to say that. But then on the same day they said it was a conspiracy, they adjourned and abandoned the committee. That's the day they should have gone to work. Instead, they discontinued their efforts."

EDWARD J. EPSTEIN is one of the youngest of the first-generation critics. He has written three books on the assassination. The first, "Inquest: The Warren Commission and the Establishment of Truth" (Viking, 1966), grew out of a thesis he wrote at Cornell University for a master's degree in political science. His most recent book, "Legend: The Secret World of Lee Harvey Oswald" (McGraw-Hill, 1978), depicts Oswald as a KGB-trained agent.

The committee's conclusion that there was a second rifleman, most likely on the grassy knoll, troubles Epstein. "How could someone have fired a shot and escaped with the rifle? How do you run away with a rifle?"

"I think the so-called acoustical evidence is a hoax. I think the key to the Kennedy assassination is Lee Harvey Oswald. I think he tried to assassinate Walker (U.S. Army Gen. Edwin Walker), and I think there is evidence he had an associate there. If he did, it might explain a great deal where his sympathies lay."

Epstein discounts the committee's belief that Oswald somehow worked with lower-echelon organized crime figures. "The evidence is so overwhelming that Oswald, before the assassination, wanted to prove to Fidel (Castro) he was worthy of the revolution. I think he saw his uncle only twice (Charles "Dutz" Murrett, who the committee identifies as a minor New Orleans or-



Sylvia Meagher: The committee inadvertently stumbled on a small piece of the truth.'

ganized crime figure and a surrogate father for Oswald).

"He (Oswald) saw himself as a conspirator working secretly with the FBI, Soviets, and CIA," Epstein continued, "and I think all the intelligence agencies know more than they have said."

"But to be perfectly frank, we're talking about an event that happened 16 years ago. We could have a conspirator who died of old age."

MARK LANE HAS been the most vocal and public of Warren Report critics since the 1966 publication of his book, "Rush to Judgment." He is attributed with keeping public interest high in the further investigation of the assassination through his lecture tours, records, films, and books, and also with being the prime cause of much of the criticism leveled at the critics for his commercial opportunism and, say many in the field, his sloppy scholarship.

Although Lane was among those instrumental in the reopening of the investigation, especially into the Martin Luther King Jr. assassination, he says he feels no sense of personal vindication by the committee's conclusions. It was one that could have been reached years ago, he insists, by a careful reading of the forensic evidence in the Kennedy assassination.

"It comes at a time when it is probably too late to find who was responsible. The intelligence agencies and police agencies who should have been responsible to go find the killers turned their backs on the evidence."

Lane is convinced that the committee's conclusion on involvement of lower-echelon organized crime figures was politically inspired by public opinion polls showing a wide majority of Americans believe there was a conspiracy.

"So they had to come up with a statement there was a conspiracy if they were going to run for re-election," Lane said. "They had to

come up with an acceptable enemy, so they came out with the Mafia. Nobody likes the Mafia. They picked a target that can't answer."

HOWARD ROFFMAN, a Washington attorney, was only 21 when he wrote "Presumed Guilty" in 1974, which focused on the evidence against Oswald. He does not think the House committee has come up with any concrete evidence of any direct connection with any of the groups it looked at, and the assassination.

Roffman is especially critical of what he says was the committee's failure to order an acoustical examination of the three out of four shots that did not appear to come from the grassy knoll. "It's almost laughable that they came up with this major piece of evidence at the last minute and didn't subject it to more analysis," he said.

He is not optimistic about the results of a continued investigation, even in the hands of a special prosecutor. "I haven't seen anything at this point to make me believe the trail is hot enough to pursue. 'I really think this thing is just going to go on and go on. The only real difference is in the general public's opinion at the time.'"

PETER DALE SCOTT and Paul Hoch, both faculty members at the University of California, Berkeley, are the editors of an anthology, "The Assassinations; Dallas and Beyond" (Random House, 1976). Both men are critical of what they say was the committee's failure to investigate a cover-up of the assassination evidence.

"There obviously was a cover-up, and they're trying to say there wasn't," Scott said. "It may have been for security reasons, innocent reasons, or whatever. But there was a cover-up. . . . I think it would have been more constructive to look at the undeniable instances of cover-up and put pressure on those people and find out who ordered the cover-up and why."

Hoch agrees, but he believes the committee may have overplayed the case for involvement of organized crime figures, although he withholds final judgment until he reads the report.

"I don't think there was ever any doubt that organized crime had the motive and means to get rid of Kennedy. The sticky point has always been



Edward J. Epstein: 'We could have a conspirator who died of old age.'

in the evidence. I think we're seeing more of an emphasis on organized crime than the evidence might warrant. They seem to absolve the Cuban and Soviet governments entirely. I'd like to see how thoroughly they pursued that sort of thing."

Both men, however, are pleased overall with the job the committee did. "My bottom line reaction is increased optimism," Scott said. "We may never know the identity of the second gunman at Dealey Plaza, but I feel much better about the American political process. It took a lot of courage for this committee to do what it has done."

Added Hoch: "In a sense all my friends and I feel somewhat vindicated, that it wasn't kooky to go around all these years saying there was a conspiracy."