

Another ride on the assassination

COUNTERPLOT, By Edward Jay Epstein. Viking. 192 pp. \$4.95.

By Edwin M. Yoder Jr.

merry-go-round

At this writing, New Orleans District Attorney Earling Carothers (Jim) Garrison, who stands six-foot-six and is known to friends as The Jolly Green Giant, has finally brought to trial a "suspect" in the alleged conspiracy to murder President Kennedy. The accused is a prominent New Orleans entrepreneur, Clay Shaw. He is said to be smoking a lot these days, and no wonder. For if Mr. Epstein's incisive study is right Mr. Shaw may be the victim of one of the great American legal frauds.

Sifted of its red herrings, bleached of shadowy New Orleans intrigue, Garrison's case is easily summed up. In late 1966 Mr. Garrison accompanied Senator Russell Long on a plane ride from New Orleans to New York. Senator Long being no slouch at conspiracy theories, they mused skeptically together about the Warren Report's "single-assassin" theory and the conversation inspired Garrison to go back and reopen his file on Lee Oswald's New Orleans activities. From that probe sprang a lot of theory and even more publicity, but only one arrest — Mr. Shaw's.

By Epstein's account the district attorney seems to have run up several blind alleys and indeed had almost called it quits when in February 1967 the New Orleans press broke the story to the world. Not long afterwards Garrison arrested Shaw and impounded many of his personal papers and effects — including a sinister-looking Mardi Gras costume and an address book with which Garrison can do more exercises in number mysticism than a medieval alchemist.

Mr. Epstein, while researching a piece for *The New Yorker* (where portions of this book appeared), grew skeptical when Garrison allowed him in violation of a court order to rifle the largely unexplored Shaw papers. Why, he wondered, would the D.A. "risk having his case thrown out of court on a technicality by letting outsiders go freely through the evidence"? Was it in hopes that free-lance sleuths, who had swarmed around Garrison in plenty, might find a damning clue?

Mr. Garrison needs clues, all right. For unless Mr. Clay Shaw is the shadowy "Clay Bertrand," who has never materialized, the case collapses. And the chief witness to that effect, a confidential informer named Perry Russo, did not say so in his initial deposition of 3,500 words. Not until Russo was hypnotized on the day after Shaw's arrest (March 2, 1967) did he mention Shaw or the alleged meeting at which "Bertrand," Oswald and another plotted to kill the 35th President. It

was a very helpful hypnosis, to say the least:

A transcript of Russo's first hypnosis session, . . . reveals that many of the details of Russo's story were developed under hypnosis . . . Dr. Esmond Fatter . . . told him to imagine a television screen in his mind . . . "Look at the picture and tell us the story that you see." Russo talked about some of Ferrie's friends but said nothing about an assassination plot or conspiratorial meeting. . . . Then Dr. Fatter instructed Russo to let his "mind go completely blank" and again "notice the picture on the television screen." Dr. Fatter suggested, "There will be Bertrand, Ferrie and Oswald and they are going to discuss a very important matter and there is another man and girl there and they are talking about assassinating somebody. Look at it and describe it to me." The story that Russo then told is similar to the one he told in court about overhearing an assassination plot.

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If Garrison's case depends on coached witnesses, why has it come to trial? A technicality of law permitted a three-judge court to find "there was evidence that merited judgment" but in no sense did this finding suggest the legitimacy of the evidence.

It is now almost two years since Clay Shaw's arrest. As skeptical taunts arose, as the New Orleans spectacle came under attack, Garrison passionately defended himself, boldly evolving the theory that the government and the "establishment" press are out to foil him. He has outrageously traduced President Johnson as "the man who profited most from the murder." He has charged that the C.I.A. was "deeply involved in the assassination." He has cavalierly misrepresented the federal establishment's whole attitude towards certain assassination documents placed in the National Archives. By Mr. Epstein's count he has alleged that as many as 16 gunmen were operating that awful day in Dallas, one from a sewer manhole.

If the D.A. is caught up in Fu Manchu, he has also taken Antonioni's *Blow-Up* to heart as well: "Most of the assassins," writes Epstein, "were identified only as projections of connected dots in enlargements of photographs of trees and shubbery" — including one "assas-

sin" who turned out to be a newsman who'd fainted.

Mr. Epstein's book is pitiless, devastating and, like his *Inquest*, scrupulously clinical. After reading it one feels the real mystery is not what happened in Dallas or New Orleans but what has happened inside the public mind to give Garrison an audience. Epstein, borrowing from Edward Shils, suggests that it has much to do with a profound fear of secrecy in the higher reaches of public life, ready to be tapped by a Garrison now as it was tapped in the early Fifties by a Senator Joe McCarthy.

To that astute speculation, I would add one other: that what has been missing all along in responsible probes of the assassination is the presence of a good historian or two, schooled in modes of disciplined inquiry at once more wide-ranging and less formally conclusive than that of lawyers. A historian, strategically placed on the Warren Commission, would certainly have recalled the suspicion of skulduggery in high places that lingered after Lincoln's assassination. And I suspect he would have been less likely than lawyers and statesmen to forget subtle factors of public skepticism that must be satisfied if a horrendous event is not to feed endless speculation and, in New Orleans, self-promoting demagoguery. ✽



New Orleans District Attorney Jim Garrison at play