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# The Atlantic

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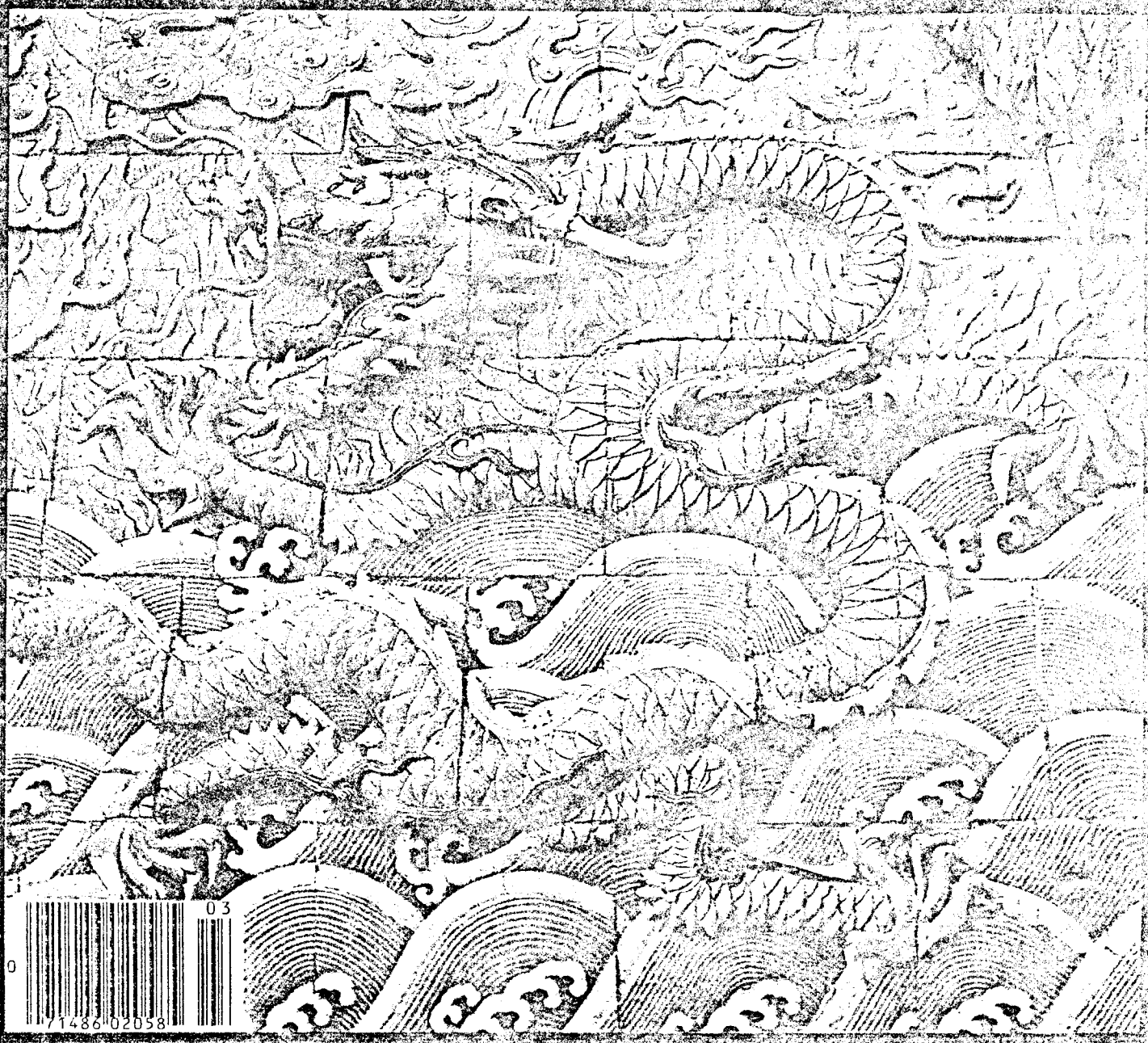

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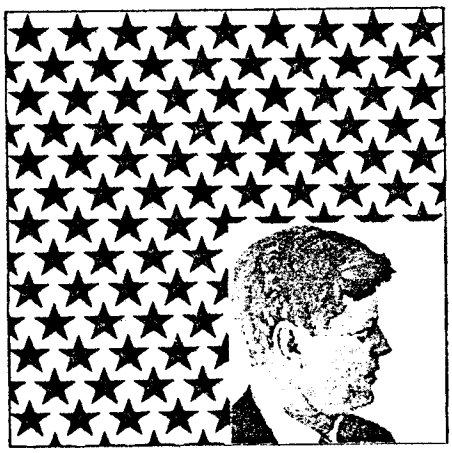
# REPORTS & COMMENT

## WASHINGTON: The Assassination Tangle

*Surprises were expected by no one as the House Select Committee on Assassinations convened. But surprises occurred, if not enough of them to gratify long-time critics of the Warren Commission.*

Fifteen years after the fact, during four weeks in September 1978, the House Select Committee on Assassinations held public hearings about the murder of President John F. Kennedy. "One of the troubling things about the Kennedy case is that it never had a trial. We never had our Greek tragedy," the committee's chief counsel, Professor G. Robert Blakey, lately of Cornell, explained. "Our hearings were intended as a morality play."

Whatever their ceremonial function, the hearings were preceded by fifteen months of investigation. During that time there had been no word of new discoveries, and close observers of the case did not expect revelations at this point. Nevertheless, when the play started on the morning of September 6, there was a fairly large and buzzing crowd on hand. The theater was the spacious House Caucus Room in the Cannon Office Building. Ten congressmen sat in a row behind a long, high desk, like justices, though they lacked robes. Just below them sat the young staff lawyers and Professor Blakey. There were several TV cameras and about two dozen reporters, a couple of whom had seen their hair turn gray since they first started covering the Kennedy case. Photographers crept and scurried around. In all, fifty-nine witnesses were to appear, including a former President, a notorious gangster, a former director of the CIA, the alleged assassin's widow, and, via tape recorder, Fidel Castro. The famous Zapruder film, depicting the actual shooting, would be shown in whole and in part. National relics would be brought from the archives and placed on display: the bloodstained clothes of



Kennedy, Lee Harvey Oswald's .30-caliber Mannlicher Carcano with its improperly mounted four-power scope, Jack Ruby's little black pistol. Finally, two months after the main hearings were over, as if it were an afterthought, the committee would present evidence for what they called a "probable" conspiracy in JFK's murder.

Each morning at the door, staffers handed out written programs naming the theme for that day—"Autopsy," "Acoustics," "Russia," "Conspiracy Theories," and so on. A man of ordinary height with very large eyes and, in public, a rather hard, quick smile, Professor Blakey daily took up the role of Greek chorus. Standing at a podium, he read something he called "the narration." He used these speeches for summarizing evidence and for providing fundamental information to those not versed in the intricacies of the case. Some days he clearly reached for oratory. He meant the hearings to be something new, something artistic. Afterward he claimed that they resembled a symphony as well as a great play.

Blakey came to the committee in June 1977, when it was in trouble and its investigation was going nowhere. He was forty-one, and behind him lay a career partly devoted to teaching criminal law. He had also worked in Washington, first as a young attorney in Robert Kennedy's Justice Department, then as chief counsel to a Senate subcommittee. Although former colleagues gave his past performances mixed reviews, everyone I talked with agreed that Blakey was "cautious and careful," "not a hip-shooter."

Clearly, he was the right antidote for many of the committee's troubles. In eighteen months he had managed to organize and conduct detailed investigations into two old and very complicated murder cases (the committee was also charged with re-examining the

death of Martin Luther King, Jr.). He worked himself and his staff hard. He knew when and how to defer to the congressmen he served. He was frugal: both investigations were to end up costing $6 million, $4 million less than the Warren Commission's investigation of the Kennedy case.

In the back half of the room sat the citizenry. Some were simply tourists, but many were pilgrims. One afternoon, during a witness's testimony, a young man stood up and blurted out, "I'd like to make some strong accusations. I accuse J. Edgar Hoover and William Colby of being involved in the assassination of President Kennedy." The boy had come from Pennsylvania carrying his evidence, a bunch of old, dog-eared copies of *Life* magazine. Plainclothesmen led him quickly from the room.

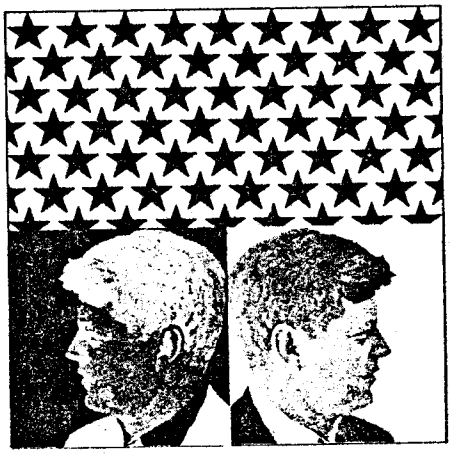
On another day, during a recess, I met a white-haired man dressed in seersucker and sporting a bow tie, who bore a remarkable resemblance to Archibald Cox, but who was in fact Robert Cutler of Manchester, Massachusetts. We had hardly exchanged names when he flipped open a loose-leaf book—he had published it privately—and showed me a beautifully drawn diagram of a raised umbrella that harbored under its hood both rockets and "fleshettes," or poison darts. In the Zapruder film, he reminded me, a bystander near the President's limousine can be seen to have opened an umbrella just before the shooting started. Odd, because that was a sunny day in Dallas. Moreover, unlike many of the bystanders, the "umbrella man" was never identified. So for many years he had been a source of speculation. Was he perhaps signaling to conspirators with his umbrella? Bobby Cutler had developed another theory. "We feel this is it," he said in a low voice. "Poison darts. We've got the umbrella man now."

Then there was Amos Heacock, who sat through most of the show. Tall, bearded, sixty-four years old, he once owned two unscheduled airlines out in the Pacific Northwest. He was run out of business by the Civil Aeronautics Board back in 1949 and had finally figured out why. Through "counterintelligence penetrations," a term that he declined to define for me, Heacock had discovered an "intimate relationship" between those who had "conspired to assassinate the unscheduled airlines" and those who had later arranged the murder of JFK.

The most watchful, faithful spectators, and the most assiduous notetakers, were a rather loosely knit group of about a dozen men, mostly in their twenties and thirties. These were the serious critics in the audience—"critics" because over the years they have made it their first business to criticize the investigation and report of the Warren Commission, and "serious" because of the attitude and scholarship they have brought to their search for the conspiracy that they believe felled JFK. Many have been studying the case for a decade and more. Most are members or associates of an organization called the Assassination Information Bureau and, more broadly, of what some of them call "the critical community." It was fitting that the critics were represented at the hearings, because this was an event that they virtually brought to pass.

## The founders

In 1964, when the Warren Commission reported that Lee Harvey Oswald did it alone—"no evidence of conspiracy" was their careful phrase—many prominent observers declared the case closed. It was a reckless statement. David Wrone, a professor of history at the University of Wisconsin, has been working for ten years on a bibliography



of materials relating to the assassination, and he has located the following items, among others: roughly 300 published books, the great majority of them arguing against the Warren Commission; about 3500 articles in periodicals; 2000 entries in the New York *Times*; and 75 volumes of governmental reports, representing the work of nine official investigations that have at least touched upon the case. In addition, the public has been offered movies, lectures, and about two dozen newsletters, such as the *Grassy Knoll Gazette*, which is named in honor of the verdant promontory in Dealey Plaza in Dallas, where many have believed a second assassin lurked. At the top of the list of voluminous dissent is an article published in December 1963 in the *National Guardian*. It was headlined "Oswald Innocent?—A Lawyer's Brief," and its author was Mark Lane.

Lane's article found its way to Oswald's mother; she got in touch with Lane, and he agreed to take on her son's posthumous defense, for no fee. The Warren Commission wouldn't let Lane sit with them as counsel for the defense, but he conducted his own investigation. He made a couple of stormy appearances before the commission. Then, in 1966, he published a book called *Rush to Judgment*. Today it seems a one-sided, largely outdated discussion of the evidence. What remains alive in it is Lane's voice, which is by turns reasonable (he admits that there was some small amount of unconvincing evidence against Oswald), sarcastic (he pretends to admire the commission's ingenuity in inventing evidence against Oswald), and oratorical (he holds that the commission has threatened to bring on nothing less than the downfall of the rule of law).

A spate of other angry books followed the publication of the Warren report in 1964. Initially, most commentators and magazines of large circulation had come out in praise of the commission, but in 1966 *Life* ran an article titled "That Lee Harvey Oswald acted alone is . . . A MATTER OF REASONABLE DOUBT." "Assassinology" had entered the mainstream. It appears that, at this time, even President Johnson believed in a conspiracy. (Johnson was apprised of the secret facts about the CIA-Mafia plots to murder Fidel Castro, and he is said to have felt that Castro had retaliated through Oswald. However, LBJ never told the Warren Commission what he knew and suspected.)

One of the books that helped to make doubt fashionable was a master's thesis written by Edward Jay Epstein, then a graduate student at Cornell. Epstein argued that "very substantial evidence" indicated the existence of a second assassin, and that the commission had overlooked this evidence for misguided patriotic reasons. Writing in a scholar-

ly, reasonable tone, Epstein explicitly rejected both blind faith in the Warren report and what he called the "demonological" interpretation of it. In this way he won a lot of very respectable fans, both for himself and for assassinology.

But enter Jim Garrison, district attorney of New Orleans, who claimed in 1967 that he had uncovered the true conspiracy. Mark Lane and a number of other prominent critics went south to help out Garrison. But one of his prime suspects, a private investigator named David Ferrie, died, and Garrison's prosecution of his other suspect, New Orleans businessman Clay Shaw, was a nationally publicized fiasco. Along with a few other critics, Epstein denounced the flamboyant D.A. Writing about the affair in *The New Yorker*, Epstein called the critics who flocked to Garrison "peripatetic demonologists." He said that these men were instrumental in persuading Garrison to embrace a host of conspiracy theories, more theories than could possibly have been true. And in 1969, writing in the New York *Times* magazine, Epstein prophesied that the Garrison affair would be "the final chapter in the Assassination controversy."

It was a view that many shared, and for a few years thereafter, public interest did languish. Eight years later, however, Epstein himself, the critic of critics, was back in the business. And he assumed a role very much like that of a demonologist, as the author of *Legend*, a book which posits the theory that Oswald was an agent of the KGB—that the Russians did it.

In the early seventies, on the heels of Watergate, interest in the assassination was born again. Much of the force behind the revival came from relatively unknown figures, including a new group of generally disillusioned young people known as second-generation critics.

Lane claims to have played an important early role in the creation of the House Assassinations Committee, and some reporters agree. Some have even suggested that he had a hand in the selection of Richard Sprague as the committee's first chief counsel. As it turned out, Sprague and the committee's chairman waged a bitter public feud and both had to resign. Lane returned to the scene a year or so later in perhaps his most startling role, as the attorney for King's convicted killer, James Earl Ray, who testified at the

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What's more, the chief pathologist destroyed his original autopsy notes, an act not likely to dampen suspicions that something was being concealed.

The evidence concerning such crucial items as the pristine bullet was clouded. And later, there was this macabre development: During the autopsy, JFK's brain was removed and preserved apart from the body. The organ was supposedly put in a box and locked away in the National Archives. Some years later, the box was found to be empty.

In short, the critics felt that they had unearthed both "a prima facie case for conspiracy" and a continuing effort to conceal it.

### Theories

The assassinations of King and Robert Kennedy and the attempted murder of George Wallace broadened the critics' field of inquiry. A great deal of new material was available for the critics' scrutiny. Hundreds of thousands of pages of official documents were released under the Freedom of Information Act. Many provocative and unsavory details about such matters as the CIA-Mafia plots against Castro and the late J. Edgar Hoover's attempts to harass and defame Dr. King were revealed. The ground was fertile for the further cultivation of the critical view.

Around the time that the select committee's public hearings began, a Russian journalist, presumably advancing an official Soviet point of view, hypothesized Red Chinese and CIA complicity. Official Cuba was accusing the CIA, and some members of the CIA apparently still harbored suspicions about their old adversary, the KGB. Anti-Castro Cubans had for years been pointing the finger at Castro, who was also Lyndon Johnson's favorite candidate. Those leaning to the right were seeing left-wingers on the grassy knoll, and left-wingers saw the right-wingers there. Most serious critics were careful not to define their theories yet, but clearly they suspected federal agencies of some part in the plot, and many felt that Oswald was a patsy. Of course, there was still the possibility that he was the real and only assassin, but, according to a 1977 Gallup poll, only 11 percent of Americans believed that theory anymore.

On the afternoon of September 25, in

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the last week of the hearings, Professor Blakey announced that the umbrella man had been found. He was Louie Steven Witt, a demure, silver-haired former insurance agent. "Right out of Central Casting!" Blakey exclaimed afterward.

Back in the thirties, the umbrella symbolized Neville Chamberlain's policy of appeasement of the Nazis, a policy that JFK's father had endorsed. Having heard something of that story and being no fan of "liberal politicians," Witt had gone out to wave his umbrella at the President's motorcade that fine day in Dallas. Fifteen years later, he came unwillingly from Texas, carrying the very umbrella. Up on the large easel in the hearing room went Robert Cutler's diagram, "The Piece"—the drawing of the rocket-loaded bumbershoot equipped with deadly fleshettes. Had Witt's umbrella ever been outfitted in that manner? Chairman Stokes, representative from Ohio, inquired. Witt shook his head. "No, sir."

But Stokes said they might as well open up Witt's umbrella anyway, just to have a look. The staffer assigned to that task performed it too zealously and turned the umbrella man's umbrella completely inside out, an old, but in this case inadvertent, joke.

"Well," said Stokes, who often wears a little sly grin, "I guess there's no gun in it."

Witt sat stiffly in the witness chair. He glanced at his ruined umbrella on the floor, and didn't speak for a moment.

### The CIA?

In the hearings, Blakey set out to address several important but subsidiary issues, such as how investigations should be handled in the event of future assassinations. But conspiracy was the main question. The committee spent a number of days explaining who and what had *not* been involved, in their view: not the umbrella man; not the burglars of Watergate; probably not, on a more serious level, some impersonator of Oswald, or some wide, post-assassination program to kill off witnesses. Nor did Chief Counsel Blakey think that federal agencies had been entwined in the murder, or in some sinister cover-up.

Witnesses from the Warren Commis-

sion, the Secret Service, the FBI, and the CIA appeared and were made to rehearse their organizations' already well-known failures in the case. Regarding the FBI and especially the CIA, the committee presented much evidence of bungling and unsavory activity and of attempts to hide the embarrassing details. But there was nothing new to indicate that there had actually been what many critics believed in—some sort of "American coup d'état."

From time to time during the hearings, the critics from the Assassination Information Bureau drew up and distributed to congressmen lists of suggested questions for witnesses. They prepared a long and complex briefing sheet on Richard Helms, a former director of the CIA. The list of questions that they had for him was based on bits of information that the critics felt suggested some skulduggery, perhaps some connection between Oswald and the intelligence community. Why, for instance, had the CIA's surveillance of the Cuban and Soviet embassies in Mexico City failed to turn up pictures of Oswald, who had visited those embassies shortly before the assassination? The CIA had produced several photos supposed to be of Oswald, but these were clearly pictures of someone else. But Helms wasn't asked most of the critics' questions, and he wasn't pressed on others. "They don't want to bring any of this out in public," said another critic, Jim Kostman, with evident disgust. "It's too explosive."

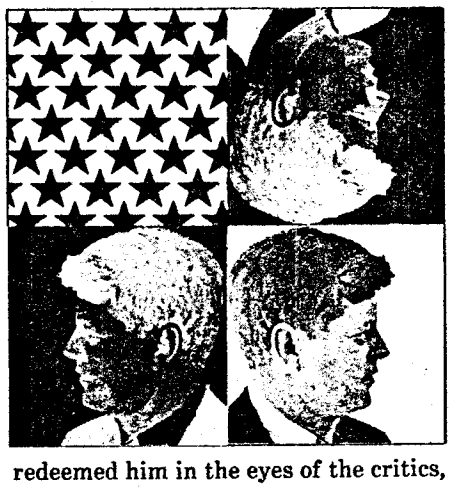
Afterward, Blakey said that wasn't true. He said his staff had addressed those and other questions in their investigation and they had found no "explosive" evidence. But what if such evidence did exist? Would the committee have found it? "We have been as deep and wide as anyone can be in the CIA files," Blakey told me. "Could the CIA have destroyed files in such a way as to keep us from finding out? We talked *ad nauseam* to people who would have seen the files, and you would have to posit an enormous conspiracy of silence."

"Look," Blakey went on, "all of our key institutions demonstrated their human failings in this case, and, hey, that's not sinister. It may not be consoling." I liked that explanation, but only because the intelligence community has displayed a flair for incompetence that is hard to reconcile with elaborate conspiracy. Apparent innocence in this case says nothing, of course, about the acts that some people in the CIA have been willing to commit, and indeed, the hearings revealed that the Agency had detained Soviet defector Yuri Nosenko in solitary confinement, under brutal conditions, for three years.

## Stone walls

Small apparent anomalies in documents recently released have led some critics to harbor growing suspicions of the agencies of military intelligence. The committee presented nothing on this subject at the hearings, but Blakey did make an attempt to investigate. Though he did not care to admit it, when he first approached the Department of Defense, Blakey asked for access to a great deal of classified information and was told that the material was irrelevant and he couldn't have it. Then he came back with a more modest request, which the DOD granted. As Blakey tells the story, any DOD files that might have been pertinent to the case were destroyed back in the early 1970s, when agents of military intelligence were caught meddling improperly in the affairs of civilians. "Who knows what the DOD did in those years?" says Blakey.

For somewhat different reasons, the same rhetorical question can be applied to the Mafia, Blakey's old enemy from Justice Department days. In one of his longest narrations, one which partially



redeemed him in the eyes of the critics, Blakey took up what he called "conspiracy theories that cannot be readily dismissed." He outlined the still undiscredited evidence that led some critics to suspect anti-Castro Cubans, although Blakey himself no longer took this possibility seriously. But then, one afternoon at the hearings, the lights were turned out, and on a screen appeared what Blakey called "the greatest single justification for our effort to look into organized crime": that famous televised event, Jack Ruby's assassination of Lee Harvey Oswald.

The Warren Commission did investigate Jack Ruby's associations with organized crime, but perhaps not thoroughly enough. Blakey felt that only Robert Kennedy's Justice Department had the tools and experience to confront this side of the case. Nevertheless, Blakey tried.

Those who attended the hearings that afternoon learned that Jack Ruby, the buffoon and hanger-on, had made several calls to notorious criminals and associates of gangsters not long before the assassination. The committee cited evidence that both Ruby and Oswald might have had some association with David Ferrie, Ferrie having been an investigator for Carlos Marcello, whom Blakey described as "the organized crime boss of Louisiana and Texas." Blakey showed that Jack Ruby had made several trips between the United States and Cuba in 1959; the congressmen were convinced that on these trips Ruby had performed some service for the mob (perhaps, one representative told me, he was carrying guns or money or information for them). Blakey demonstrated that while he was in Cuba, Ruby might have met alleged mobster Santo Trafficante, who later became involved in the CIA's plots against Castro.

The obvious suggestion before the committee was that Ruby had been hired by the syndicate to ensure Oswald's silence, and the corollary, of course, was that the mob might have engineered the President's assassination. But a consultant on organized crime named Ralph Salerno had studied the illegal wiretaps that the FBI had placed on the phones of known gangsters in the early 1960s. These showed beyond a doubt that the "national commission" of the Cosa Nostra had not ordered the assassination, though the mob had had both the motive and the means to kill JFK. Salerno said it was very possible that a subgroup of the Mafia had plotted and performed the deed. Among the leaders of subgroups, the two with whom Oswald and Ruby might have had some indirect association were Marcello and Trafficante. Unfortunately, Salerno said, the FBI hadn't tapped their phones.

That was all, except for one strange episode that demonstrated some additional reasons that the question of the involvement of organized crime was hard to resolve. The committee called a Cuban exile named José Aleman, who claimed that back in the early sixties, Trafficante had said to him, "Kennedy's not gonna make it to the election. He's gonna get hit." Aleman's actual testimony wasn't as significant as the manner of its delivery. He told his story and then, almost shouting, he took it back and said, "I came very brave here to this committee and you should pay attention to this." Blakey let him go and the next morning called Santo Trafficante to the stand. Trafficante took the Fifth, was given "immunity," agreed to talk, and essentially said nothing.

It was all very suggestive and beguiling. The critics enjoyed this part of the hearings, and so did I. All that was lacking in the case against the mob was evidence.

## The noose tightens

To Blakey, the durable remnants of the assassination—the bullets, films, and so on—had seemed to offer the clearest access back into the case. "As memories fade, technology progresses," Blakey reasoned. So his staff collected all the physical evidence they could find and searched for new items, and then hired experts to perform sophisticated tests, most of which had been developed or perfected since the time of the Warren Commission.

A team of nine forensic pathologists of fine and grisly credentials—collectively they had done more than 100,000 autopsies—in effect performed a new autopsy, using postmortem x-rays and photographs in lieu of the President's corpse. The Zapruder film notwithstanding, they established beyond all reasonable doubt that Kennedy had been struck by two shots from behind, as the Warren Commission had asserted. Though one pathologist dissented vehemently, eight described the commission's single-bullet theory as plausible, and the experts who testified next came very close to proving that this was an improbable theory that happened to be true. Working backward from the wounds, an engineer from NASA plotted the trajectories of the bullets and found that they led right to Oswald's alleged sniper's lair; he also determined that the trajectory of the pristine bullet was such that it had to hit both JFK and Connally. Addressing the question of whether the rifle found in the book depository did in fact belong to Oswald, experts in photographic analysis studied the infamous backyard photos (pre-assassination snapshots in which Oswald is seen holding the rifle) and decided that the pictures were not fakes, as many critics had believed them to be.

The most important scientific testimony came from a physicist whose specialty is neutron activation analysis, a process which can determine with great precision the chemical composition of an object. This expert had compared the composition of the pristine bullet with that of a fragment of bullet taken from Governor Connally's wrist and had found that they were one and the same. This proved that the pristine bullet had been fired at the motorcade, not planted on a stretcher afterward, as some have suggested, and it also proved that the relatively undamaged bullet had in fact fractured Connally's wrist. Together, the scientists' testimony made the single-bullet theory some-

thing that any prosecutor would be glad to take to court.

## Defending the faith

In the last few years, the amount of evidence has grown so large that few researchers dare claim that they are on top of all aspects of the case. These days, researchers on fairly good terms with each other practice division of labor: one may become expert in the FBI files, for instance; another may specialize in the search for clues about who Oswald was, about his defection to Russia, his sojourn in New Orleans, his trip to Mexico City.

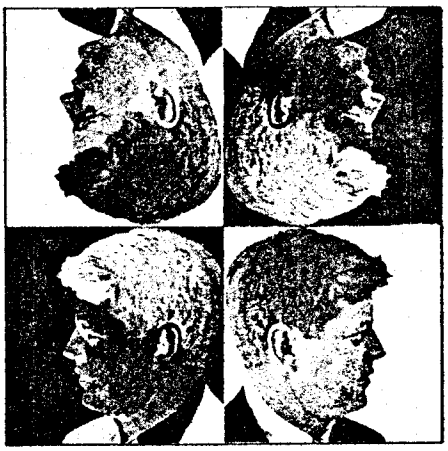
There are levels of expertise that a serious researcher may attain. The acknowledged master is Harold Weisberg, who did not go to the hearings, but several critics who did attend were at least first-degree black belts in assassinology. Paul Hoch, a short, red-haired physicist in his thirties, gave up his career in science in order to intensify his studies of the case. Hoch struck me as dignified and extremely careful; he took such meticulous notes that he recorded not only the important statements of witnesses, but also the times of day at which they were uttered. Jim Kostman, in his thirties, was a prodigy in philosophy and, at a young age, a member of the faculty of MIT, but he chucked all that to follow the intricate trails of conspiracy. In his forties, Carl Oglesby was the eldest of the group in regular attendance. An early leader of Students for a Democratic Society, more a theorist than a researcher, perhaps, Oglesby is the author of *The Yankee and Cowboy War*, which established one popular framework for viewing recent assassinations: as products of a struggle between the "Eastern Establishment" and "southwestern entrepreneurs."

The intellectual abilities and the perseverance of critics such as these have never been in doubt, which may be one reason that the CIA launched at least one sub rosa effort to discredit critics, many of whom were openly working to discredit the CIA. None of the critics at the hearings had grown rich or famous, and several had given up enviable positions and promising careers for the sake of this long pilgrimage. But they did have a vested interest in conspiracy, in some cases more than a decade of vested interest, and during the first few days of the hearings they looked to me like defense attorneys stuck with a guilty client. "Do we need a strategy session today?" I heard one critic ask another after testimony that fortified the Warren Commission's conclusions.

David Lifton came from New York for the first few days. Thirty-nine years old, he has spent most of the years of his majority studying the physical evidence; after thirteen years, he has finally finished writing a book about it. Lifton was busy advancing what is perhaps the ultimate conspiracy theory (it is also the thesis of his book): that the existing evidence proves Oswald to be the lone assassin, but that this evidence was faked many years ago.

While the committee appeared to be in the midst of building a new footing for the Warren report and the critics scrambled to the barricades, there almost came a revelation.

For years, rumors had circulated that a tape recording of the assassination existed. Blakey's staff found one that appeared to be genuine; they got it from a retired Dallas police officer. "There was, by a considerable measure of chance, a motorcycle in the motorcade with its radio in an operating position, but with the motorcycle policeman not speaking into it," explained Dr. James Barger, the scientist who studied the recording. "Over the radio were heard a series of sounds, including the motorcycle, including other radios, and including the possibility of the sounds of the assassination of the President."



Barger is a well-known expert in acoustics. The tests that he conducted on the police department's recording were sophisticated, to say the least, and included a detailed set of test firings in Dealey Plaza itself. Barger told the committee that he had found "possible" evidence that four shots had been fired at the motorcade. Three must have come from the direction of the school book depository. But the fourth, if it existed, must have originated from a rifle in the vicinity of the grassy knoll.

This was stunning news. Had there been a second assassin after all? And on the grassy knoll, of all places? Was this fourth rifle bark, as Blakey called it, genuine? These were questions that Barger steadfastly refused to answer. "I won't presume, Chairman Stokes, to tell you what you should conclude from anything," the scientist said when pressed. Barger's testimony was long and complex; it runs to about 250 pages in the transcripts. Most reporters felt that they could draw only one safe conclusion from it: that there was a fifty-fifty chance that four shots were fired and that this evidence was a paradigm of uncertainty.

To the critics, that day's work looked fishy. Blakey's statements before and after Barger's testimony made the critics feel that Blakey was trying to brush aside the acoustical evidence.

## The chief counsel's secret

A few details about Blakey were easy to come by: he is a Catholic; JFK's death saddened him greatly and actually altered his life; he is "a Hill person" who reveres Congress as an institution; he took a cut in pay to assume the arduous job of chief counsel; his idea of going out to dinner is usually a trip to a hamburger joint. But at the hearings the man was a sphinx. While the staff and congressmen questioned witnesses, he sat at his desk and stared across the room at nothing. Sometimes he picked up a phone and spoke into it; not hearing his voice, I had the feeling that I was observing him through plate glass. On one occasion I noticed a reporter jot down, "2:45, Blakey picks up black phone." There was nothing much else to report.

Blakey would not lift his rules of secrecy, even once the hearings had started. Each afternoon the reporters crowded up to him and pressed him for details and explanations, but he said, "Hey, you know I can't go beyond the public record." Sometimes he simply snapped, "No comment!" and strode off. Blakey did supply leaks to some selected reporters, but for the most part he let his play speak for itself. However, the drama was sometimes less than articulate.

In November, some weeks after the

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- Kenya After Kenyatta by Sanford J. Ungar, and a steady supply of *Atlantic* Reports from near and far.

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main hearings were over, I went to dinner with Blakey in Washington. While we were waiting for a table, before I had a chance to ask a question, he told me that on the evening before the day of hearings that was called "Acoustics," he and his staff had held a private meeting with Dr. Barger. Blakey came away believing in a shot from the grassy knoll. When we were seated, Blakey summed up his interpretation of the acoustical evidence. "*Time* thinks we've proven no conspiracy," he said. "Well, bullshit. We proved that there was a legal conspiracy to kill the President, and we raised the sound suspicion that if the legal conspiracy had a wider ramification, it would be of the most serious, sinister character."

While Blakey made that emphatic statement, two acoustical experts from Queens College in New York were examining the Dallas Police Department's long-ignored tape recording and the data from Dr. Barger's test firings. These two scientists, Mark Weiss and Ernest Aschkenasy, enjoy a good reputation in their field, and the committee had employed them previously, in a review of some of Barger's preliminary work. These two experts were arriving at the same conclusion that Blakey had reached: that the chances of a second assassin having fired from the grassy knoll were very good indeed. Moreover, Barger now also agreed. This news hit the papers on December 21, and on December 29, just a few days before the House committee went out of existence, Blakey staged one final public hearing. TV cameras occupied the Caucus Room in force.

Dr. Barger and the two other scientists were the principal witnesses. All three experts agreed that the apparent shot from the grassy knoll was not "random noise," not some "false alarm." They said that if it was a gunshot, it was fired in the general direction of the presidential limousine. Barger stated that the chances of this sound having been the sound of the gun were something like eight in ten.

No other hard evidence of a gunner on the knoll existed—no bullet, no traces of one. Having reviewed their own studies, the committee's pathologists maintained that if a second assassin had in fact fired from the knoll, that assassin had certainly missed. However, the acoustical evidence was consis-

tent with the Zapruder film and with a substantial amount of old eyewitness testimony.

There seemed little doubt that the new acoustical evidence consummated Blakey's hopes. At the final hearing, he praised the committee, his staff, and himself for having carried on like the famous football teams of his alma mater, Notre Dame—like those teams, the committee hadn't quit until the end of the game, he said. Blakey seemed to be saying that the committee had won a contest with the evidence, that unearthing evidence of a conspiracy was a goal they had wanted to achieve. But if Blakey saw the acoustics as final proof that he had done a good job, if the scientists had come to the conclusion he had hoped for, there was no evidence that he had pushed them toward it. "I had no impression of what Mr. Blakey or the committee thought ought to happen," Dr. Barger told me. "And I didn't solicit their views, because I most emphatically didn't want them."

In the first installment of their final report, the committee wrote that there had "probably" been a conspiracy to kill Kennedy. At the moment, this seemed the only reasonable conclusion, but perhaps it was not the wisest possible course. Congressman Bob Edgar of Pennsylvania dissented from this finding, not because he was sure that his colleagues on the committee were wrong, but because he felt that the conclusion was hasty and should have been preceded by further research and analysis.

Before and after the final hearings, some observers expressed strong, even angry skepticism about the claim of probable conspiracy. Some of the dissent clearly lacked substance. One veteran reporter actually suggested that if two people had set out to shoot at Kennedy, it might have been just coincidence that they had chosen the same spot and moment for the deed. On a more serious level, some members of the Dallas Police Department claimed that the motorcycle with the open microphone was not in Dealey Plaza at the time of the assassination.

The scientists from Queens College insisted that the open microphone had to be in Dealey Plaza. The acoustical analysis established this independent of other evidence, they said. Asked how he would react if someone told him the transmitter was located somewhere else, one scientist replied, "I would go there and I would expect to see a replica of Dealey Plaza in that location."

Had a probable conspiracy been established? Or should the acoustical evidence be disregarded? The committee, of course, had little choice but to say that they stood by the scientists. These were by reputation eminent, careful experts, and I felt inclined to trust them, but with reservations. Probably no gunshots in history have ever been subjected to such close scrutiny as the three or four fired at JFK, but at the final hearing several congressmen warned the acoustical experts that their findings would certainly be subjected to further hard analysis, and undoubtedly that prophecy will prove accurate. "Maybe the scientists forgot something," Congressman Edgar said. It was a possibility that Dr. Barger himself would not rule out.

## To the edge of the forest

There is something magnanimous about the Kennedy case. It will provide some basis for whatever one chooses to make of it. Assume, however, that the

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committee's majority had it right: a second assassin stood on the grassy knoll, and what the critics have for so long alleged, conspiracy, was afoot in Dallas. What does this signify?

If accepted, the three scientists' testimony demolishes once and for all the popularized image of Oswald as a "loner." But it doesn't prove him innocent; as I saw it, the committee established his guilt beyond any doubt.

It is clear, and has been for some time, that federal agencies withheld important information from the Warren Commission, and if they had not done so, perhaps the question of conspiracy would have been investigated thoroughly while leads were still fresh. But the tape recording hardly indicates an official attempt to cover up traces of conspiracy. The recording was apparently overlooked, not suppressed by the joint chiefs of staff, CIA, FBI, Dallas police, or Warren Commission.

Some critics claimed that the acoustical evidence "vindicated" them. They were right. But only up to a point, for the main evidence of conspiracy lies in the neglected tape recording, not in most of the areas where the critics thought it lay.

Most important, the acoustical evidence does not describe the nature of this "probable" conspiracy. It carries one only to the edge of the forest. In November, Blakey delivered to me a ratiocination not much different from the committee's preliminary conclusions. He said that the investigation had exculpated a long list of candidates for villain: the CIA, FBI, DOD, oil millionaires, Vietnamese, Chinese, Communists, pro- and anti-Castro Cubans, and the Russians' KGB. Blakey went on to say that he believed in a conspiracy and that he felt it had consisted of one of two plots: either "Oswald and a small group of associates," or some subgroup, some "rogue elephant," within the Mafia. "You have a serious suspicion of the Mafia. But, hey, this is fifteen years afterwards. You're not gonna make a case against those guys now." He went on: "There is no question left in the sense that we have gone as far as you can. Hey, life has loose ends. Maybe the beginning of sanity is to identify the ones that can be tied down and the ones that cannot and make sure that the next time this happens things are done in such a way that there won't be so many loose strings."

Safe to say, however, that only one phase of the case had ended. Although the Justice Department promised to review the committee's final report, early indications were that they would not be launching a large investigation of their own. But I talked to a number of the private investigators. They left no doubt that they would go on.

They wanted and expected much more. Carl Oglesby of the Assassination Information Bureau said, "What you hear now is deep throbbing music . . . Living politicians are gonna be implicated when people begin to see the dimension of the cover-up."

The search through documents would go on. The researchers were finding and would continue to search to unearth new bits of evidence; no matter how many questions are answered in this case, there always seem to be others to replace them. And if the crime would not yield up its secrets to the critics, they could turn to the question of cover-up. This is an area that many were ardently exploring, and the House committee's investigation was itself a subject of interest to them. Had the committee set up a second line of defense against the truth, in which conspiracy was admitted but government involvement was not? Researchers would look for answers to such questions in the committee's full final report, which was expected to come in some twenty volumes, and which, one critic estimated, would take about five years to analyze fully. "That will certainly give me something to do," said the researcher, Paul Hoch, jokingly.

What is the attraction? What binds cheerful, intelligent people to this case? What are the critics looking for? I felt that some were after more than what David Lifton has called "the capital-c Conspiracy." It is as if critics viewed the terrible and disillusioning events of recent American history as products of a very complex, infernal machine. This is a dire but perhaps a comforting way of seeing the world; it asserts that evil can be fully understood. For the moment, though, the machine has managed to withhold its essential blueprints. —TRACY KIDDER

REPORTS & COMMENT CONTRIBUTOR

Tracy Kidder has reported on a variety of subjects for this magazine, including, recently, the Vietnam veterans and the Clamshell Alliance.