Kevin Costner *as New Orleans DA Jim Garrison in "JFK."*

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'JFK' debate: Reassessing the assassination

IN THE WAKE of Oliver Stone's movie on the Kennedy assassination, Harvard law Professor Alan M. Dershowitz argues for release of all government files on the case.

Examiner columnist Noah W. Griffin, San Francisco Public Defender Jeff Brown and American Spectator editor Emmett R. Tyrrell Jr. also sound off on the movie and the case. [*Opinion, A-19*]

R. EMMETT TYRRELL JR.

One more fantasy for the meatheads of America

Washington

IT IS ONLY right that someone step forward to serve the needs of this country's ignoramuses. We have built vast libraries and schools for those who want to know what's what. But we have done very little for those who don't want to know the truth, who find the requisite thinking painful and the facts inscrutable. Something has to be done for the meatheads.

To answer the need, Oliver Stone has stepped forward from Hollywood to serve the needs of those neglected Americans who have no minds.

Stone gave us a fantasy about the war in Vietnam titled "Platoon." He gave us a fantasy about capitalism titled "Wall Street." Now he gives us a fantasy about the assassination of John F. Kennedy titled "JFK," exploiting the murdered president's name.

All of these movies are made for those dolts who can't remember the facts, and so Stone's message is a soothing one, to wit, that the facts don't matter. They have all been falsified by conspirators, hordes of conspirators. Just remember the fantasy, and maybe two or three facts. In the movie "JFK," it is a fact that the president died, his brother died and Martin Luther King Jr. died. Ipso facto, Stone attests, the deaths were "all linked."

Well, there is no arguing with an ignoramus (and, incidentally, to judge from a a CBS interview and a New York Times Op-Ed piece, it appears that Stone is pretty much an ignoramus, too). The ignoramus is too benighted to understand simple fact, orderly thought or the rules of evidence.

In "JFK," Stone, a practiced dope-fetcher, tells the dopes that President Kennedy was the victim of a conspiracy that included a group of New Orleans homosexuals, Cuban exiles, the FBI, the CIA, the American military and the martyred president's successor, Lyndon Johnson. Stone believes such enormities cry out for renewed investigation, though, given all the conspirators in the land, I cannot imagine whom Stone would trust to conduct it.

> Is LBJ really dead? How could one so powerful just up and die?

Stone says all he wants is to open sealed records of the House committee that investigated the assassination in the 1970s. It challenged the notion that only one gunman fired, but otherwise pretty much endorsed the Warren Commission's findings

MR. STONE, if you will allow me, I fear you are just skimming the surface of our national evil when you make such a milquetoast recommendation. Any committee so soft on the Warren Commission is obviously part of the conspiracy, and, anyway, you and your meatheads are already convinced that there was a conspiracy to kill the Kennedys and King. Now you should be urging an investigation into the cover-up!

True, the leader of the cover-up, Lyndon Johnson, is dead. Or at least he is reportedly dead. (You might want to investigate this, too. It is hard to believe as powerful a man as Johnson would just up and die.) But many of Johnson's aides

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are still around, for instance former Attorney General Nicholas Katzenbach, former Secretary of Defense Robert McNamara and former Sancho Panza to President Johnson, Bill Moyers. And where has former Secretary of State Dean Rusk been all these years? An investigation is in order.

Let us have an independent counsel subpoena Johnson's aides and have them testify as to what they saw in those dark days of the 1960s. If Pentagon generals plotted to thwart the good President Kennedy's attempts to end the Vietnam War, McNamara is the man to ask — and is it not interesting that he served both Kennedy and Johnson?

Then there is Bill Moyers. He was Johnson's shadow. What did he know about the cover-up, and when did he know it? Scores of other Johnson aides are all over Washington. An energetic independent counsel could surely dig up the dirt.

GETTING THE government to act will mean a massive public relations campaign. Fortunately, Stone loves this country. Surely, he will make available all profits from "JFK" for the campaign ahead. Every meathead in his audience believes as much.

JEFF BROWN

:one's, Garrison's fraud

EW FILMS AROUSE such passionate controversy as Oliver Stone's "JFK." The film claims Kennedy's assassination conspiracy by a military-inalist elite, and that former Orleans District Attorney Jim ion valiantly strove to expose uth about the killing.

one shrugs off all criticism ays that, if nothing else, his ighlights the many troubling ons about the reliability of Warren Commission Report. t is unconscionable for one laims to be a partisan of truth ort to the misrepresentations uses in portraying such an tant event. You do not exfraud by perpetrating anothid.

ere is nothing wrong with 's challenging the Warren t. There is also nothing new it. Serious, honest people been pointing out its flaws for t three decades. But Stone is to give hero's status to Jim ion, who conducted one of ost outrageous, unjust prose- in American history.

rrison's "case" began when cal press questioned his use olic funds to investigate the assassination. When reportonfronted him in February he promised to "solve" the assassination in a few days.

He attempted to arrest David Ferrie, a local gay who dabbled in anti-Castro activities. When Ferrie died shortly after the investigation began, Garrison ordered the arrest of Clay Shaw, a retired businessman, also gay, whom Garrison alleged was Clay Bertrand, supposedly an acquaintance of Oswald's.

A search of Shaw's house turned up whips, chains, hoods and a rope, which Garrison displayed to the press, as if Shaw's lifestyle was in some way relevant.

The "case" dragged on for another two years. Investigators quit in disgust, charging the whole affair was a bogus creation. Witnesses told how the prosecution tried to buy false testimony. One produced a tape of the bribe being offered. Garrison kept promising startling new developments that never materialized.

Garrison relied on witnesses like Perry Russo, a local con artist who, in one of several inconsistent statements, said he had overheard a conversation about the assassination between Ferrie and Shaw at a party.

A former psychiatric patient who related hearing a similar discussion between Ferrie and Shaw at a party, took the entire court on a tour of the French Quarter in a futile attempt to find the place where the party was held.

Another witness was Vernon Bundy, an ex-con and heroin addict, who claimed that, as he was giving himself a fix, he saw Shaw give money to Oswald.

Garrison's case resembled the treason trials against Henry VIII's enemies, in which incredible conspiracies rested on the claims of unbelievable witnesses.

After 55 minutes of deliberation, the jury acquitted Shaw. Garrison ordered Shaw charged with perjury for the testimony he gave in his own defense. He charged a defense witness with perjury and indicted a defense investigator for obstruction of justice for having obtained a copy of a prosecution memorandum. It took a federal judge, who found Garrison's actions in bad faith, to finally halt his reign of terror.

GARRISON HAD every right to investigate and to raise questions about the assassination.

But no prosecutor has a right to charge a person on worthless evidence in order to bring an issue to a public forum. Prosecutions are not sterile exercises in political correctness. They are criminal charges against human beings, horrible ordeals for the people on trial. For his own aggrandizement, Garrison brought a totally unsupportable case that destroyed Clay Shaw.

Jim Garrison's actions should not be heralded. They should be an object lesson in the study of abuse of power.

Brown is public defender of Francisco.

'JFK': REASSESSING THE DEATH OF A PRESIDENT

ALAN M. DERSHOWITZ

It's time for the government to give us the facts

OLIVER STONE'S new film "JFK" is the inevitable result of more than a quarter-century of governmental cover-up of the facts surrounding the assassination of President Kennedy. Stone takes full literary license not so much with facts as we know them, but rather with the facts that have been kept from us by questionable claims of national security.

Stone's artistic rendition encourages the viewer to speculate wildly about a massive conspiracy — he calls it a "coup d'etat" — involving the CIA, the FBI, the military and even Lyndon Johnson.

In the mind of Stone's unlikely hero, New Orleans District Attorney Jim Garrison, there are connections among the assassinations of Robert Kennedy, Martin Luther King and John F. Kennedy. The invisible hand of the "military-industrial complex" is at work, violently pre-empting any change that might put an end to the profitable wars that fuel the defense industry.

Alan M. Dershowitz is a professor of law at Harvard University.

Hard evidence is the best answer to soft theories

Six presidents — two Democrats and four Republicans — have been part of the cover-up, since none has demanded disclosure of the classified files. It's all a bit too politically correct and conspiratorial for my tastes, but it's precisely what is to be expected when the government deliberately keeps its citizens from making up their own minds on the basis of all the available facts.

The Warren Commission was denied crucial information by the CIA and other intelligence agencies during its "investigation." Even Professor John Hart Ely — a lawyer with the Warren Commission and a law clerk to Chief Justice Earl Warren before becoming a professor of law at Yale and Harvard and then dean of Stanford — now has some doubts about whether the Warren Commission was misled by intelligence agencies.

Ely has acknowledged that the Warren Commission had to rely on existing investigative agencies, namely the FBI, CIA and military intelligence. He points out that in 1964 "one had to be a genuine radical" to believe that these agencies might be withholding significant information from the Warren Commission.

Today — following Watergate, Iran-contra and disclosures about

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J. Edgar Hoover's secret files — it would take a person of unusual naivete to ignore that possibility.

Ely believes the Warren Commission's conclusions were probably right. But he is less confident than he was in 1964. If one discounts the information provided by government intelligence agencies and relies only on independently confirmable facts, the case for the commission's conclusions is hardly more compelling than some kind of conspiracy theory.

There are many unexplained facts, such as acoustical and ballistics evidence suggesting the presence of a second assassin and the deaths — mostly by assassination and "accident" — of many witnesses. Most important is the continued refusal of the intelligence agencies to declassify information that can pose no plausible danger to our national security.

Even the congressional committee that raised questions about some of the commission's conclusions has closed some of its files until well into the 21st century. There is no excuse for such secrecy.

I can easily imagine how the suppressed material could be embarrassing to those who have suppressed it. I can even imagine how it could destroy reputations. But I cannot imagine how it could endanger the national security of the strongest nation in the world, especially since the Cold War is over.

THE TIME HAS come to make full disclosure, to let the chips fall where they may and finally to learn as much of the truth as possible from the stale and incomplete evidence that today remains shrouded by a veil of secrecy.

The results of full disclosure may be disappointing. The suppressed evidence may not definitively resolve the "lone gunman" vs. "small conspiracy" vs. "massive conspiracy" dispute. It may simply provide more grist for the various conspiratorial mills. But we the people have the right to make up our own minds, on the basis of all the available evidence, about one of the most transforming events of American history.

No one who favors continued suppression of any available information about the murder of John Kennedy has the standing to criticize Oliver Stone's "JFK." Until history comes forward with facts, art is entitled to paint with a broad brush.

The best — indeed the only — answer to Stone's soft theories are hard facts. Those hard facts — at least those that have survived a quarter century of suppression — are in classified government files. If Stone's "JFK" contributes to the declassification of these suppressed facts, then Oliver Stone will deserve an Oscar for history as well as for cinematography.