

### **Presumptions From Facts**

**R**EFERRING to Harry Golden's portion of "Two Looks at the Warren Report Critics" in The News, Sept. 9.

It seems to me that Mr. Golden's position was most clearly revealed in a single sentence mid-way in his article — "I see no reason why men cannot make presumptions from facts".

As I read this sentence Mr. Golden is saying "It is a fact that somebody was shot; it is a fact that we caught somebody, therefore, who we caught must, without question, be guilty!"

I would suggest that such reasoning not only misses the entire point the critics are trying to make but smells most strongly of lynch mob rationale.

L. D. K. MARTIN

# Two Looks at the Warren Report Critics

NEWS 9/9/66

## By Harry Golden



LET'S start a rumor, you and I. There will be a point to it.

Charles Whitman, the psychotic sniper, sat the night before he wrought his carnage writing a letter. He told his friend, Larry Fuess, he was writing to a friend in Washington whom he hadn't seen in five years.

This was one of the letters the grand jury in Austin suppressed. The grand jury suppressed Whitman's last thoughts because, it argued, his letters libeled innocent people. But let's say they didn't libel innocent people; let's say they were inflammatory, let's say they contained terrible charges.

Who would he charge?

Well, we can only make rumors. But we can guess that Charles Whitman served in the Marines about the same time another famous sniper named Lee Harvey Oswald served. Perhaps they knew each other. Why not?

And if they knew each other, is there any reason why Charles Whitman couldn't have been the second assassin? The assassin who some believe helped Oswald murder President John F. Kennedy? Maybe that suppressed letter is a confession.

But my rumor, hereby rescinded, is no more implausible than the spate of books which now question the findings of the Warren Commission. I can think of four off-hand: Mark Lane's "Rush to Judgment" (Holt, Rinehart & Winston, \$5.95); Harold Weisberg's "Whitewash" (Harold Weisberg, \$4.95); Edward Jay Epstein's "Inquest" (Viking, \$5); and Jean Stafford's "A Mother in History" (Farrar, Straus & Giroux, \$3.95).

Many critics insist there must have been two assassins. The basis for this insistence is that if Oswald succeeded he needed a fantastic amount of luck. Which I believe is precisely why Oswald did succeed. He had a maniacal courage and there is something about maniacal courage which commands luck.

The main criticism leveled at the Warren Commission is that it proceeded on the assumption of Lee Harvey Oswald's guilt. I see no reason why men cannot make presumptions about facts. The Mark Lane book makes much of the nonsense that Jack Ruby was in on it because he had such easy access to police headquarters.

What Mark Lane doesn't know is that every town in America has at least one Jack Ruby; the fellow whose pockets are filled with Police and Sheriff "courtesy" cards, and who is always "butting in." No only do you see him at Police Headquarters when they are bringing in someone, but you'll also see him at big fires wearing a fireman's hat. And any semi-intelligent conspirator would have had to be insane to take a Jack Ruby into his confidence.

But to say that the Warren Report withheld vital evidence, as two of these books charge, is to say also that the Chief Justice and his colleagues, who included at least three very "tough" men; Dulles, Rankin, and Gerald Ford, were in on a conspiracy to protect Jack Ruby. Why? But there's no need to ask why? You are involved here with the renunciation of logic against which no logic can prevail.

All of this is to say nothing of the brother of the murdered president, who, next to the widow, was the most devastated human being in America; another "tough" man, who happened also to be the Attorney General of the entire United States. Two months after the tragedy, Robert Kennedy told me, "... the family is satisfied it was this one fellow."

## By William F. Buckley Jr.



THE literature of skepticism concerning the official history of the assassination of President Kennedy grows and grows.

For a while the Warren Commission benefited from the ideological cast of the criticism.

In France, particularly, during 1964, the sophisticates were seriously explaining to each other that Mr. Kennedy was the victim of an elaborate plot involving the Dallas police, Texas billionaires, Lyndon Johnson, and the Widow McCarthy. I mean, in all seriousness.

The conclusion which is intellectually responsible as a result of the probing of these critics is not so much the rejection of the conclusions of the Warren Commission, which would be premature, but a reevaluation of the Commission's competence. That is to say, the critics appear to have made the case cogently that the Commission showed itself more concerned to substantiate the national postulates about the assassination — that Oswald was the executioner, and the lone executioner — than to investigate and assimilate all the discoverable evidence; presumably for fear that, properly weighed, such evidence might tend to different conclusions.

One asks hastily: why might the Warren Commission fear other conclusions? The answer to which is possibly alarmist, tho not necessarily so. Going from one end of the spectrum to the other, the Warren Commission might subconsciously have feared to discover a) that Oswald executed Mr. Kennedy acting upon a directive of an agent of the Communist Party; or z) at the other end of the imaginative spectrum, that Oswald executed Mr. Kennedy at the instigation of Dallas right-wingers.

In the event of a), the popular indignation of the people could — conceivably — have triggered a world war. In the event of z), it could have triggered a national program against right-wingers. And even in between a) and z) — a finding that Oswald was not the executioner; or if he was the executioner, that he had accomplices, might have resulted in a public torment at not knowing who-all were responsible for the awful deed — a traumatizing torment leading to suspicion, resentment, frustration.

My own judgment is that the presumptions of the Warren Commission are still plausible. But it does seem that the better part of wisdom is to stand by to reactivate the Warren Commission, or at least spokesmen for the Commission. And the best way to do that, it seems to me, was suggested by Mr. Richard Goodwin, formerly of President Kennedy's staff. His proposal is that a panel of respectable and qualified gentlemen be established to winnow the vast amount of material, intending to come up with one of the following conclusions:

- (1) That the Warren Commission investigations do in fact contain the evidence necessary to dispose of the doubters' doubts;
- (2) That the Warren Commission's investigations, altho they do not successfully cope with the anomalies unearthed by the critics, nevertheless present such irrefutable evidence to back the conclusion that Oswald was the lone killer, as to make unnecessary any further investigation. Or, of course,
- (3) That the Warren Commission's investigations have been proved inadequate, and altho there is as yet no evidence that Oswald had an accomplice or that he acted as someone else's agent, neither is the evidence to the contrary conclusive; and investigations should resume.