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SERIALIZATION OF EXCERPTS FROM THE BOOK

The Garrison Case

A Study in Abuse of Power

By Milton E. Brainer

By every available yardstick, Garrison's rapport with the silent public continued unabated. The increasing popularity of the cliché that "Garrison must have something" was unaffected by local critics and heightened by the ridicule of the national press. The National Broadcasting Company's hour-long documentary on the Garrison case June 19 had completely backfired in New Orleans. Though the telecast was praised editorially throughout the country and, no doubt, let considerable air out of Garrison's balloon at the national level, local reaction was one of sympathy for him and outrage at the temerity of NBC for its vigorous attack on a local hero.

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"My heart goes out to you in your fight for justice . . ." said one letter to Garrison. Another informed Garrison that "the poor ignorant public (me) is searching for a champion, so don't let us down . . ."

SEVERAL months later, despite successive exposures of incidents suggestive of bribery or intimidation by Garrison's office, a secret statewide poll by

Last of a Series

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a reputable concern with a history for accuracy indicated Garrison to be the most popular public official in the state; and his highest rating of popularity was in his own bailiwick of New Orleans.

None of this was lost on Shaw's attorneys. And none of

it indicated any sound reason for departing from the dogma by which most defense attorneys live: time is on the side of the defendant.

(There follows a long narrative discussion of the defense motions—for delay, for information, and for change of venue—and of appeals to state and federal courts to judicial rulings on them—Ed.)

THE TRIAL never quite got off the ground. Garrison still had his followers. And they still expected complete vindication of their hero and a full revelation of the true story behind the assassination.

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But somehow the same excitement wasn't there. Two years had passed and much had happened. High emotional pitch can be maintained only for so long.

The jury deliberated a little less than an hour. They voted only once. Nine of the twelve were needed for a verdict. All twelve found themselves in agreement, however.

At 1:04 a.m. March 1, the jury filed back into the courtroom. They gave the verdict to the Judge, who read it silently and handed it to the Minute Clerk. The Minute Clerk read it aloud to the hushed courtroom.

He announced what every sensible person who had given more than passing thought to the Garrison case had known for almost two years.

Clay Shaw was not guilty.

SO IT ended. On many prior occasions Garrison had been on the losing end of judicial contests, though time has proven he has seldom gained less than a draw in his never-ending battles for public approval. Within a few days following Shaw's acquittal, signs appeared indicating the clear possibility he did no worse in

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this one.

Reporters from the eastern press dispatched to New Orleans to describe the general disillusionment with Garrison were forced to revise completely the nature of their proposed stories, and the tenor of local opinion has left them puzzled and perplexed: Garrison alone had gamely fought to establish the truth, but the odds were simply too great. The entire federal establishment was arrayed against him. Moreover, it is absurd to condemn a prosecutor for losing a case; he should be commended for trying.

Only time can tell the extent, if any, to which his hammerlock on public opinion has been weakened.

HOW CAN the phenomenon be explained? Perhaps it cannot.

There is little doubt but that Garrison believed at least the central themes of his investigation with every fiber of his being. To that extent, the use of the word "fraud" as a conscious, deliberate attempt to

deceive may not be quite accurate.

Many others who were never persuaded by Garrison's forensics will argue that he was mistaken; that he was misguided; that he has poor judgment, but that he is "sincere." They, on the other hand, are too charitable.

If sincerity means belief in one's own convictions, Garrison was sincere. He has always possessed an unusual power to convince himself of anything he wished. And his massive ego has never permitted any suspicion that the product of his logic could be erroneous; or that a vigorous critic could be in good faith. Every stray thought that passes through any of the multitudinous recesses of his mind he deems to have divine conception, else why would it be found in such a hallowed place? This remarkable proclivity of self-deception has been the secret of his success. He has been singularly able to defraud himself before defrauding others.

HIS SINCERITY, or lack of sincerity, is not important. Nor is the Garrison case itself of any intrinsic importance. It will probably rate not even a foot-

note in any serious study of the assassination.

The reaction of those around it and the frightening implications involved cannot be dismissed so lightly. It brought out the sheep in human nature.

To all appearances, Garrison was a powerful individual. And many gathered round as though seeking shelter in the shade of a great oak. He is seldom alone. He is always trailed or surrounded by a goodly number of the palace guard.

A FEW, very few, of Garrison's aides may have believed virtually everything their boss had said. Most stayed for other reasons. The future of some was

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inextricably bound with the D.A.'s Office. They aspired to Criminal Court judgeships or other offices. Some were bound by economics. Others were personally attracted to the still charming and genial individual that Garrison could be, and often was when off stage. Some almost literally worshipped their leader and were blinded to the fate of his victims.

The importance of Garrison's case is not that he failed, but that he could have succeeded. The important thing is not that so many dismissed it as a fraud or a fantasy, but that so many believed it in the face of all the evidence, not because of anything Garrison said, but because of the convincing way in which he said it.

WHATEVER lessons may have been learned from the sorry tale may or may not make the way a little more difficult for the next charlatan to reach for power through skilled demagoguery. It is most doubtful that it will seriously impede Garrison's career. His hold on the imagination of the New Orleans public may be well-nigh unbreakable.

Emotional attachments, once made, are difficult to dissolve; they do not yield to reason. Not only has he probably not been thwarted, but, as was soon made clear, he has been chastened by the fiasco not in the slightest degree. The end of "the Garrison case" is not by any means the end of the Garrison story.