RUSH TO JUDGMENT

A Conversation with Mark Lane and Emile De Antonio,
Producers of RUSH TO JUDGMENT

Mark Lane, left, and Emile de Antonio in the cutting room at Movielab, New York.

Captions by Emile de Antonio

Seymour Linden gave special assistance to
FILM COMMENT in preparing photographs for
this RUSH TO JUDGMENT section.

Photo Neil Cox
RUSH TO JUDGMENT is:


B) Not only a court-room drama and a detective story but also the first time in which an actor in history becomes an actor in film: Mark Lane.

C) The first time a film is a plea for the defense: Lee Harvey Oswald.

D) A film with a precise activist goal. That goal is: by exposing filmlcally the errors, omissions and distortions of the Warren Commission, to press for the re-opening of the case, with Mark Lane as counsel for Lee Harvey Oswald.

Emile de Antonio, Director, RUSH TO JUDGMENT

De Antonio: This is the first time in the history of film, to my knowledge, that a documentary has addressed itself to a frontal attack on a major report by an existing government. This is one of the major importance of the film.

Lane: I have loved and I have served this country, for example, in World War II. But I hate America when it's wrong, as with the Warren Report. It's a responsibility of a good American to support America, when it's right and to oppose it when it's wrong. As for Kennedy, he endorsed me in 1960 when I ran in New York City for Assemblyman, and because of that I was elected to the State Legislature. As a Reform Democrat, I was an active Kennedy supporter before he was nominated in Los Angeles.

De Antonio: We have a picture that Mark and I both intentionally wanted to be spare, unsparking, didactic. It's a kind of Brechtian cinema, it's the theatre of fact, it's the theatre of argumentation, it's the theatre of judicial investigation, the theatre of attack on the Establishment and government. This is a very hot potato.

We might go to England and have a winner with this picture, and we will go to France and Italy, where we will have winners. But we face distribution problems here. I find this personally disturbing, and Mark does, too, because we are Americans and this is an American experience, an American film, an American issue—this is where RUSH TO JUDGMENT belongs. I would like to have the film run simultaneously in Dallas, Washington and New York. Mark and I would be happy to go to Dallas for the opening.

This movie in a sense concerns how Lee Harvey Oswald was executed, and then tried, and without a defense attorney. In a real sense, this film is his defense. And so we are not impartial. A defense attorney does not have to provide a second theory; he simply has to indicate that the facts leveled against his client are not consistent. Lane: I never felt in any case that I have tried that it was necessary to bring in the real culprit by the scruff of his neck and say here's the man who really did it—now, acquit my client. We don't really know who killed President John F. Kennedy. We all have our own guesses, but they are not in my book and they are not in the film. We leave conjectures and speculations to the Warren Commission. They have pre-empted the field. Our position is merely to present the testimony of the witnesses—those who testified before the Commission and others whom the Commission did not call but who were there with something to see and something to say. When one hears what they have to say, one cannot believe the Warren Report.

I do believe that when the time comes for the American people to reject the Warren Report—which I hope will be in the near future—then there will be sufficient pressure to say, well, if Oswald was not the lone assassin, possibly not involved at all, as I believe, but certainly not the lone assassin, then who killed Kennedy? This question remains open, and let's find out about that. Let's open up the archives, find out what the government has suppressed, which they say they have suppressed for reasons of relevancy or reasons of taste. Open up the archives for all to see. They have a picture of the sixth floor window as the shots were fired. The government has that. There are pictures of that window taken by Mary Moorman. They've never been published. The Commission has them, seized them, and kept them. What's in the picture we don't know. If it shows Oswald firing alone that would be on the cover of the Warren Report. Obviously, it doesn't show that. And what does it show? Nobody up there? Two people up there? I don't know. But I think there is sufficient dissatisfaction with the Warren Report. There is a just demand to find out what the government really has in this case. When they publish those pictures and release the evidence, we'll have some ideas of who killed the President and why he was killed.

De Antonio: We have twenty-eight hours of negative right now, and if we had another $100,000 we could produce a twenty-four hour film. We could match the Warren Report. We could at least produce a typescript document which could be as detailed. But in this kind of production you simply have a terrible time getting money, and we were operating on very little. The money came from extraordinary sources, really—from private individuals and friends of Mark's, and from people in England—Oscar Lewenstein, the producer of TOM JONES and MADEMOISELLE, who is now doing a film with Truffaut. And John Osborne and John Arden, the playwrights. And Tony Richardson, the director. And some well-to-do young people in England.

It's a very low-budget picture,
about $60,000. One reason it's low-budget is that, like everything else, it's history now. It's no longer consistent. The Smith-Midleton Mirror, a newspaper in the little town twenty-five miles outside of Dallas, probably the most consistent on-the-spot investigator who has great doubts about the Warren Report. He said—"You just have to be insane to remain in Dallas. I'll find a motel for you outside, and you'll get into Dallas in twenty minutes' anyway, and you're outside of the jurisdiction of the Dallas police." He did find a very nice motel for us in Arlington, nineteen miles outside of Dallas, and we moved there the next night. If the Dallas police had wanted to talk to us, they would not have had the jurisdiction. But they never did bother us again. We remained in Arlington until we left, and all contacts, all phone calls were always made either by De or by Robert Blake. We never told any of the witnesses who I was. It was merely a question of doing a documentary film on the assassination.

De Antonio: People respond to film more than they do to ordinary types of interrogation. You'd think that they'd resist the idea of invading their houses, but in fact . . .

Actually, in making the film, we uncovered witnesses who weren't available to Mark in writing the book, or witnesses who the Warren Commission had said did not exist, as in the case of one of the witnesses of the Tippit killing, a woman called Acquilla Clemons. The Warren Commission said this woman does not exist—and we have her on film telling exactly what she saw.

Lane: Her testimony was very uncomfortable for the Commission because it would indicate that two people were involved in killing Officer Tippit. The one who actually had the pistol in his hand was short and heavy and had bushy hair. Oswald, of course, was medium height, almost painfully thin, and had thin hair which was receding. And she said that this man—the short man with somewhat bushy hair—was the one who had the pistol in his hand just after the shots were fired, and he waved to another man who ran in a different direction from that in which the gunman ran. The Commission stated that one man did it, Oswald did it. Her testimony would have been extremely inconvenient for that conclusion. So the Commission concluded that she didn't exist. But as De said, she's on film.

De Antonio: We filmed in Dallas about a month. We kept very much undercover except when we actually had to go to a person. The witnesses
had been intimidated. One of the main witnesses to the actual assassination— I don’t know if we should put this in print because of her—

De Antonio: All right, Mrs. Jean Hill, a school teacher in Dallas. A friend of hers was probably as close to the Presidential car as anybody. Her friend, Mary Moorman, was actually taking a still photo at the precise time the President was shot, and she anged in such a way that the Book Depository Building was in the rear of the photo. The FBI seized that photo on the site and never returned it to her. Now, Jean Hill maintains an absolutely different story than the Commission’s version, and yet when we went to see her it was like some bad mystery story. A kid answered the door and said—“My mother doesn’t want to talk to you—she’s asleep.” And we said—“Okay, thank you very much, tell your mother.” And we started off and suddenly she came to the door and said—“Okay, I’ll talk with you.” So we sat down and talked to her for a hell of a long time. And she said—“I’m a liberal,” the only liberal we talked to down there. And she said—“The principal of my school said the next time I am in the papers or anything is written about me, my job is finished.” So we can understand why she was leery to do it. Her testimony before the Commission was completely contrary to the Commission’s conclusion in two respects—number one, the shots came from behind the fence, she said there was no question about that.

And number two, there were at least four or five shots. The Commission said there were only three because with the antiquated rifle they said they found on the sixth floor of the Book Depository Building, tested by the FBI, only three shots could be fired in the period of time which elapsed. Here was a witness right close to the President who said that the shots came from behind the wooden fence, not from the Book Depository, and that there were at least four shots, maybe as many as five or six. She said—“I told the truth for two years. This country doesn’t want to hear the truth. I know the Warren Report is a lie, but I’ve two small children to support. I’m a public school teacher in Dallas, and I just can’t do any more.”

Lane: She said—“You know, Mark Lane called me.” I was then Robert Blake in this interview. I had called her very early when I heard of her name. This was one of the taped recorded interviews I conducted by phone. “After Mark Lane called me the FBI was here all the time, practically lived in my house. I could not get rid of them, and so I can’t do it any more. It’s just that simple, I don’t want to be involved any more.”

De Antonio: A lot of these people have extraordinary guts. They knew what they were doing. They were being filmed by us, and we were very clear about what we were doing—we were not hoodwinking anybody. They did it, having been told by the FBI or the local police, by relatives, or by a combination of all of these, not to go into this. We thought about how it was possible to spend a month in Dallas without great trouble, and my conclusion is that anything they did to try to stop us would be helpful. Publicity would be helpful, and killing us out—that would be almost an admission of guilt.

Penn Jones of the Midlothian Mirror— somebody threw a fire bomb into his office and blew it up. He’s promised a long series of articles about the Warren Commission. He raises the point that a number of people have died who were connected in a major way or peripherally to the events around the assassination.

After the police visited me in Dallas, one of the crew from San Francisco wanted to go home. He was sure there’d be trouble. Every day the crew waited for me to open the door of the car, and I’m not kidding. They were waiting for me to turn the key in the car. I like to drive, and they were very careful to hang back.

Lane: We had to get this other witness, Williams, back to where he lived in the Negro community in Dallas. We were in Arlington. And we called upon our assistant cameraman, a very strong...

De Antonio: I played basketball with him the day before, and he slaughtered me.

Lane: The assistant cameraman said—“I am afraid to go. I won’t be seen with this man.” Our assistant producer, whatever he’s called, said—“No, I won’t go. My wife is here and she’s from Denmark, and...
she doesn't know about problems like this in America," I said to her.

"Would you drive him back?"

And she said—"Sure." She drove him to Dallas and that really did create a problem, because she's blond and they had to stop for gas and she was riding alongside this Negro and people stared in a threatening fashion.

I have been in Dallas seven times. No one ever shot at me. I don't think anyone ever will, frankly, no matter where I go in Dallas. I think no one will ever arrest me. The administration in Dallas has already taken a position that the worst thing would be for anything to happen to me while I am down there. But I feel safer in Dallas than I do in New York. I feel still safer in London or in Copenhagen. But I think that De and I certainly felt safer in London or in Copenhagen.

But I think that De and I certainly both underplay any terror or problems which might befall us in Dallas.

De Antonio: I talked to General Walker five times. In fact, one of the people we filmed is the man called Warren Reynolds who was, I think, a right-wing sympathizer, and he was a very person. His story didn't quite jibe with the Commission's and with that of the Dallas police.

Lane: He was in court because he saw a man leave the scene of the Tippit killing, and in him at rather close range. He did not identify that man as Oswald.

De Antonio: He does now.

Lane: Yes, he does, but earlier he had told the FBI that he could not say it was Oswald and he doubted it was Oswald.

De Antonio: The Commission assumed on rather flimsy evidence that it was Oswald who made the attempt on General Walker's life. The only actual witness to the event is a young boy who lived next to Walker who saw two people, neither one of them was Oswald. General Walker said that he didn't believe that it was Oswald who did the shooting.

Lane: He did it beautifully—Walker used the language you would have expected Warren to have used, and the Commission used the language you might have expected someone like Walker to have used. The Commission said that although there's no evidence, in essence, we conclude that Oswald shot at Walker. Walker said—"I believe in the presumption of innocence, I believe that it's a cornerstone to American criminal jurisprudence, and I have no evidence to show that Oswald shot at me."

Walker said that he was sure that Oswald was the assassin and that Kennedy was part of an international Communist conspiracy. But he said—"As far as I can see, in reference to the attack on me, there is nothing to show that Oswald shot at me, and so I must rest upon the basic American presumption that a man is innocent unless proven guilty, and so I presume that he didn't do it." But the Commission took the position that an extremist would take.

But Warren Reynolds told the FBI that the man that he saw flee from the scene did not meet Oswald's description. Sometime thereafter, Reynolds was shot through the head, was on the critical list for a long time—the bullet went into his temple and came out his jaw, and he finally testified before the Commission. He said he had his house ringed with lights, he was given a big dog, and said he was living in absolute terror. He then went before the Commission and said—"Well, yes, I believe it was Oswald I saw flee from the scene." At that point the Commission reported merely that at first Reynolds did not believe it was Oswald but upon reflection he believed it was Oswald, leaving out the fact that there was no copper and zinc. Now—because the Commission concluded that Oswald was a lone assassin, plus the fact that there was no copper in this bullet-hole, meant that Oswald could not have fired that particular bullet. If Oswald didn't fire it nobody could have fired it, therefore it had no role to play.

Lane: I talked to Ronnie Dugger, the editor of the Texas Observer, a weekly liberal paper. He is a very decent guy—in fact he had practically announced his candidacy for the Senate, I think, some months ago, and then some weeks later withdrew. He expressed great interest in all this. In my book I rely upon some of the interviews he conducted on the scene. When I saw him, he played it very much close to the chest. He was writing a whole series of articles, he said, to prove that the Warren Report was a fraudulent document. That was a year and a half ago, and the articles never appeared, they just never appeared. So, I don't know what happened, but I just did not call him during my last visit. We had very little time there, and we used it almost exclusively for witnesses. Dugger is a very decent guy, and it's a very tough state to live in for a liberal, of course, and I am sure he's had his problems there.

We thought we'd finished with every witness when we had this police officer, this Negro named Napoleon Daniels. Daniels had seen Jack Ruby enter the police building basement, walk right past the police...
officer beside a sign to keep people out. Daniels said—"The police officer must have seen me look right at him, and Ruby had his hand in his pocket. I thought he had a gun there quite frankly, then he went down and he shot Oswald." De Antonio: It's rather consistent among people who knew Ruby that Ruby knew hundreds of police officers. And the Commission accommodated itself to Chief Curry's guess that it was twenty-five to fifty—they accepted that statement although the FBI questioned perhaps 25% of the Dallas police officers in reference to other matters, who said—"Yes, I know Jack Ruby, I've known him for years." The Commission published in its twenty-six volumes the statements of seventy-six Dallas police officers who said that they knew Ruby well—seventy-six—yet the Commission itself said that Ruby knew no more than twenty-five to fifty, like paying no attention to the FBI report that had been submitted to them. And so the terrible thing I think is the way the Commission functioned, seeking to fasten itself upon a theory.

We had one witness, the woman Mark interviewed in Maine when we were all up there. She was a stripper who worked with Ruby and was now married to somebody up there. Actually, she was not a stripper at that time but the manager at Ruby's Carousel Club, and she really gave me an extraordinary story somewhat at odds with the one

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Rush to Judgment, has been extremely valuable to me. It played a large part in convincing me to begin the investigation of the conspiracy which led to the assassination of President Kennedy.

All America is indebted to Mark Lane. He held the door open until the rest of us decided to examine the Warren Commission Report critically.

JIM GARRISON

THE FILM RUSH TO JUDGMENT
NOW AVAILABLE TO THE PUBLIC.

A film by Emile de Antonio and Mark Lane

Impact Films, Inc., 144 Bleecker St., New York, headed by film maker Lionel Rogosin, distributes RUSH TO JUDGMENT. This is the advertisement used in New York City newspapers in announcing the opening of the film.
she gave the Commission.

And then we also interviewed Delgado, Oswald's friend in the Marine Corps. If you read the Report about Delgado, it says, "off the record," and he put it back on the record as far as we're concerned. He gave us on film what he said he told the Commission off the record. The reason we got all this was Mark's research. No one had ever gone through with this with such thoroughness. Most people who worked on this thing don't even know who the hell these witnesses are. This includes the books which share our point of view.

Let's face it, even the books that share our point of view were not done properly. If you mention the name of Nancy Perrin Rich to the average person who regards himself as a specialist in this field it would be meaningless, and yet Perrin was hired by Ruby the day she arrived in Dallas because the Dallas police took her there and said give this girl a job.

Lane: You're not allowed to serve liquor anywhere in Dallas. You can buy liquor and bring it to the restaurant, but you can't buy a mixed drink because they don't believe in anything in moderation. Obviously. But she served free liquor illegally to the Dallas police upon the order of Jack Ruby. Henry Wade, the Dallas District Attorney who was going to prosecute and instead prosecuted Ruby, was in the club, according to her, and also had free liquor there. Everybody from the Dallas leadership was there.

The Commission said that Ruby knew only twenty-five to fifty Dallas police officers, based upon the estimate of the Chief of the Dallas police force, who is hardly someone whose opinion one should accept. So the Commission took this guess, escalated it into a certainty and said Ruby did not know more than twenty-five to fifty. But we have Nancy Perrin saying that Ruby knew half of the Dallas police force well.

I said—"Well, you know, there are about 1,200 police officers," and she said—"Yes, that's right, about 600."

We have Joe Johnson—who was Ruby's band-leader for seven years at the Vegas, his other club. We interviewed him and he laughed about it and said—"Oh, Jack's a fine guy, I like him very much." I said—"How many police officers did he know?" and he said—"Oh, they're heard all the time, always came in and Ruby treated them royally. Oh, I'd say he knew at least half of the police force." I said—"Well, Mr. Johnson, you know there are about 1,200 police officers here," and he said—"That's right, I'd say about 600 or 700."

De Antonio: About the errors of the Warren Commission—the FBI, the Secret Service and the Dallas Police were the only groups to supply facts to it, as the Commission had no fact-finding body by itself. It had seven lawyers and some advisors but the basic material fed to the Commission was incestuous. It came from the very agencies who might come under attack, where as an impartial body wouldn't. If there was no conspiracy, if Lee Oswald alone killed the President of the United States, then goddammit at least the FBI was negligent because the FBI had Oswald on its list as potentially dangerous.

Lane: After I testified before the Warren Commission I called Henry Gonzalez, a liberal congressman from Texas, and said—"Oh yes, come up and see me."

He was just great. We talked for four hours. He said "I don't believe a word about what the government says about this case. I flew down on the same plane with President Kennedy and I said to him—'President Kennedy, don't go to Dallas. Please. I ran for state-wide office a little while ago and I had to go through Dallas and I was almost killed myself down there. It's dangerous. I'd be afraid to ride in the same car with you.' " And he said the President turned and said "Henry, the Secret Service told me that they had taken care of everything—there's nothing to worry about." Gonzalez said—"I was in the motorcade a few cars away, and after the assassination I came back to Washington. I was so upset I just couldn't sleep that night, and I dictated into my machine that night, five hours, all the doubts and questions I had. I asked my secretary to type it up, and you know, it's all disappeared. I don't know what happened to it." And then about a week later his car was broken into and the film he took that day was stolen and he said—"I'm really terribly disturbed, I don't understand the whole thing."

We have no conclusion, and I have no conclusion in my book, and the film has none except that we present what the witnesses told the Warren Commission, what they saw, and what they said they saw. We show how the Commission has ignored that which the witnesses told them if it did not conform to the Commission's preconceived conclusions that Oswald did it and did it alone from the sixth floor Book Depository Building. Of if they did not ignore it, they distorted it.

Let me give you one example. There's a man, Lee Bowers, who died in August 1966, whose testimony I read two years ago when the twenty-six volumes were released. He was in a railway tower behind a wooden fence—the fence was just to the right of the President's limousine when the third shot was fired. There's a great wealth of testimony from most of those on the railroad overpass just above the President's car, a little bit in front of it, that when that shot was fired it came from behind that wooden fence. Not from the Book Depository Building, but from behind the wooden fence just to the right of the President's limousine. They heard the sound come from there, they looked there, and they saw a puff of smoke come from over the wooden fence.

Lee Bowers was the railroad employee who ran the tower, which was set perhaps seventy-five yards behind the wooden fence. He had a view of the fence and he testified that—"At the time the shots were fired something attracted my attention to that fence, something that . . ." and then there's a dash in the record, and the Counsel for the Commission then asked a question about another matter entirely and never permitted him to tell what it was that attracted his attention to that fence. And for two years I've been wondering what the rest of that sentence would have been. When we went to Dallas we found Mr. Bowers, who was an extremely articulate gentleman with a great sense of humor, who has no vested interest at all regarding one thing or another that happened November 22. And he strikes me as being a perfectly honest and credible witness. I told him that it seemed to me that he was interrupted at that point, and he said to
We read this portion of the Warren Commission Report to Holland — the only place his name appears in the Report — and it is quite plain that his testimony is used as proof of the fact that no shots came from behind the fence. And he said — "Well, that's impossible, the whole force of my testimony is that shots came from behind the fence. I know there were shots from behind the fence. I heard them, I locked up, I saw smoke come from behind the fence. I know that at least one shot came from back there, but it took me about two minutes to get behind the fence because of the sea of cars that were parked there. Most of them were Dallas deputy sheriff cars parked in that area illegally, and I had to climb over hoods, around cars, under cars, and by the time I got there whoever had done the firing had left. It was the easiest thing in the world for him to just walk to his left around the fence and mingle with the crowd, or jump in the trunk of one of the cars parked there." The Dallas police or the FBI never looked into the trunks of the cars.

Here we have a witness, Holland, whose whole statement would indicate that the shots came from behind the fence but whose partial and distorted statement was used by the Commission to show that no shots could have come from there. And that's basically what the film does — it takes the Commission's evaluation of the witnesses' statements, and contrasts them with what the witnesses themselves said to us. In some cases we were fortunate enough to have witnesses who would read the Warren Report and comment on it and say — "Well, it's completely contrary."

There is no shortage of photographs of the sixth floor of the Book Depository Building. In fact, here's a story. We were there behind the wooden fence after we interviewed Holland. He said he liked us very much, and he would do anything he could to help us. He was on the overpass and showed us exactly the various areas where he heard shots and saw the smoke. He led us behind the wooden fence, and all this on film. As I've said, this area is used illegally by the Dallas Sheriff's Department for parking the vehicles of the individual deputy sheriffs, instead of paying a quarter...
in the municipal parking lot where they are supposed to park. One of these sheriffs came up to us in a ten-gallon hat, a tall fellow with a gun in his holster, and he walked over and said—"What are you filming back here for? I've seen 50 or 100 cameramen in this area, but they are all taking pictures of the sixth floor Book Depository Building—the window is there. What are you back here for?" And I was thinking of some lies to tell him about the sunglasses on the window or something, but Holland said—"I'll tell you why—they want the facts. They know the shots came from back here." And the sheriff said—"Well, OK, I see. Would you mind moving your camera so I can get my car out of here?" That's all.

**De Antonio:** Holland said—"you are the first people who ever asked me all these things, including the Warren Commission. There were five people who worked for me who were on the overpass with me, Dodd, etc., etc., and the Warren Commission never introduced any of these people." These weren't bankers or anything, but they were ordinary Texas people who had no ax to grind, who weren't for or against any vested interests—the conspiracy theory or the single-guilt theory. The fact that they were omitted, as if they had never lived, is implausible. Mark and I went out more days, and there never was any evidence upon which the Commission could base their opinions.

**De Antonio:** That's right, and this is the key to it, this is the only witness we could not really get, Benavides. Benavides was one of the witnesses to the death of Tippit. He's a Mexican auto-repair worker, just a bystander. He was driving a pick-up truck. He was fifteen feet from the guy who killed Tippit. He was never brought to the police line-up to see Oswald, and the Commission explained that he was never brought there because he told the police that he could not identify the man. That's not a very good explanation, because the purpose of a lineup is to see if you can identify a man. There is no determination made in advance of looking at him.

**Lane:** When I saw him—my wife and I and one other person went to find him that afternoon, to Lancaster, Texas. I said—"Could you identify the man who killed Tippit?" He said—"Of course, I was ten or fifteen feet away. Of course I could. I told that to the Dallas police but they did not bring me to the lineup." All this is completely contrary to what the Commission said.

**De Antonio:** And he disappeared.

**Lane:** He never made a statement for us on film or on tape, because when the Dallas Homicide Squad visited De, they said that they had seen Benavides already. He was then due to see us the next morning. But he never showed up.

**De Antonio:** If you were to ask me—"What would you do if you had $100,000?"—my answer would be that we would go back to Dallas and we would break our asses to get Benavides.

And we would also try to get this other thing, which I find the most mysterious part of this whole business, about which I knew very little before. This is what I call the "shady-Oswald." There is a "shadow-Oswald" mentioned in the Report which would be fantastic in film and which in part we have. And part of it we were about to take up with CBS, then they drew the stock footage.

It really hinges on three things. There is first the shooting-range incident. A man who looked like Oswald on three different occasions turned up at a newly opened shoot-
ing-range just outside of Dallas; once he put three bullets in at 100 yards; on another occasion he put a bullet right in the center of somebody else’s target, drawing attention to himself and mentioning his name. He also had this rifle bored-sighted and a scope put on it by a boy who works there. It turns out this was Oswald, allegedly.

De Antonio: And the Warren Commission confirmed this. It is mentioned in the Report, but mentioned as something which is not accurate, that it was not Oswald. But then the question arises—"Who in the hell was it?"

And there’s the incident of a young man around the first of November 1963, who went to the Lincoln-Ford Agency and said—"My name is Lee Oswald. I want to buy a car and if I can’t get it I’m going back to the Soviet Union where I can get one." He said—"I’ll have a lot of money in two or three weeks but I would like the car now." And then he test-drove the car and obviously drew attention to himself as he drove the car 70 to 100 miles an hour down the Freeway. So the salesman came back frightened and said—"I’m going to quit this job!" The government then proved that Oswald wasn’t even around at that particular day. So again we ask—"Who in the hell was it? And why?"

And now there’s a third “shadow-Oswald.” We’d like to find this lady named Sylvia Odio, who lived in New Orleans and Dallas. Her father is a prominent anti-Castro, democratic-liberal type, who is now in a Cuban jail. She said that when she was living in New Orleans three men came to see her one night. One announced that he was Leon Oswald. The others didn’t announce themselves. The Leon Oswald type said—"You know, someone has got to kill Kennedy, because he is supporting Castro." And she also said that he said he was an expert rifleman.

Now the FBI submitted a report in Hoover’s name to the Commission on September 20, 1964, just before the Report is released on the 24th. The FBI said—"We have interviewed a man called Loran Eugene Hall of California. He said that he and two colleagues, Seymour and Howard, went to see Mrs. Odio in September of 1963 and that very likely she has confused us with Oswald and two others." Hoover stated—"You will note the phonetic resemblance between Loran Eugene Hall and Leon Oswald."

The Commission said—"While the FBI has not yet completed its investigation, we have concluded that Oswald was not in Mrs. Odio’s apartment." And that’s the way they published the Report.

Recently I learned that the FBI had earlier found Hall’s two colleagues. Seymour said it was a complete lie, that he had never seen anyone named Mrs. Odio and was never in Dallas during that time. Howard said, "I was never there with Seymour, and I never saw Mrs. Odio." The FBI then went back to Hall, and Hall said, "I made it all up, it wasn’t true. I’ve never seen any Mrs. Odio now that my two friends refresh my recollection."

All this was in the hands of the FBI on September 18th, but yet they sent only the original Hall report to the Commission on the 20th. So they had all the information—they had Hall’s recantation and the denial from the other two—but they just selectively sent the original story. So now the whole thing is out of the window, obviously now those three guys are not the three who saw Mrs. Odio.

Mrs. Odio said something else when she testified. "They had such detail about my father that I knew they must have seen a report or they got it from some governmental source, because they had fantastic tales about this jail in Cuba." The lawyer said—"Well, what did you do about this?" She said, "I wrote to my father, and he wrote back to me saying—I don’t know those three men, if they say they are friends of mine they are impostors." Of course, the Commission thought they really scored here because the Counsel said, "You mean to tell us that you can get letters from jail from Cuba today?" She said yes and she takes out the letters and shows them to him.

So we now end up with someone going to see Sylvia Odio in September of 1963, two months before the assassination, saying his name is Leon Oswald. Miss Odio saw a picture of him and said it looked very much like that man, and the Com-
mission said it couldn't have been Oswald, he was in Mexico at the time. But someone went there using Oswald's name, saying he was a rifleman, saying he was an ex-mem-
ber of the Marine Corps, and saying that the president should be assassinated. And who was it, if it wasn't Oswald? The minute you say it was not Oswald, it's surely in-
cumbent upon you to ask— who was it? But the Commission just dropped it.

Lane: I don't think Kennedy was dropped it. I don't know who killed him, but what Kennedy stood for prior to his assassination—as compared with where the country has gone since his assassination—is a clue to who killed him. After the assassination there was a great investment of hope in Presi-
dent Johnson. Nobody wanted to rock the boat. Since then, among thinking people in America, there is the feeling that Johnson is not a great president, that he's responsible for the escalation of the war in Vietnam, that anything can be done to discredit him. This is my per-
sonal view of the change in climate in America.

Two months before the assassi-
nation Kennedy withdrew 1,000 troops from Vietnam, bringing the forces down to 16,000. And during November 1963, just before the assassination, he brought it down to 15,000. Now we have a half-
million troops there. So there is this feeling among thinking people that Johnson is not the President that we wanted to elect. De Antonio: The Report was an anthropological exorcism actually. It allayed and soothed the fears of the American people. It is three years. The Warren Hearings is very long, twenty-six volumes, plus the briefer Report. There are only 2,500 copies apparently. Who the hell is going to go through those volumes?— even people who are interested? Can you imagine how much work Mark did tracking through twenty-six volumes? Lane: At least two people were involved in the killing. At least one shot came from the rear and at least one shot came from the right front, indicating at least two people. I see no evidence that either one was Oswald. I think there is evidence that shots were fired from two different areas, but who was involved I don't know. Either Oswald was involved two months in advance of the assassination, which both I and the Commission doubt, or someone planned to set up Oswald in advance, or both. May-
be Oswald was partially involved—there's that possibility. De Antonio: We are avoiding all speculation in the film as to what may have happened. Besides, Mark and I do not have unanimity of opinion, for example, about Os-
wald's role, although our major con-
clusions are about the same. But the film is not setting up conjectures. In other words, we have a tension between two points of view—that is the Warren Report, and there is our point of view. My reading of direct quotations in context from the Warren Report plays off against what Mark says. For example, when the Warren Report says that there exists no credible evidence to be-
lieve that shots came from any-
where other than the Book Depos-
tory Building. I read that line and then—bang! you'll have six wit-
esses and other material indicating at least some doubt about that. Everywhere it is possible, we make a frontal attack on the Warren con-
clusion, when it can be done filmi-
cally.

I will speak this narration offering the Warren point of view. We were going to get an actor, but on second thought it seems that an actor—in a completely documentary situation— detracts from the at-
mosphere of facts that we create. Although Mark and I more or less share the same point of view, since it's our film, I will read the other side, off-camera. This does not mean that I adhere to those con-
clusions. As a matter of fact, I ad-
here to quite the opposite conclu-
sions. Appearing visually is material that buttresses and explains the ex-
cerpts from the text of the Warren Report—a shot of the Book De-
pository Building, a shot of the fence, a shot of the Presidential ca-
valcade—sequences put together out of stock footage.

Of the Warren Report, we obvi-
ously cannot present the entire work, but we present it wherever it impinges on our material—pre-

tented in context, in direct quo-
tation. In other words, we don't re-
do their lines; we take the lines that are relevant and put them in the film in that form.

We have stock footage of Mark shot by the networks. Never shown, but shot. Back in December 1963 and January 1964. Mark had initial doubts about Oswald's guilt before there was any Commission. Mark was questioning these witnesses throughout. Mark is an attorney, and Mark becomes a vehicle which binds together our entire position.

One thing we did with the Grin-
berg stock footage film library was to make a deal on a sliding scale—we used twenty minutes of their stock footage for so many thousand dollars; if we use thirty minutes, then so much more, but it's quite a liberal deal. There is one great stock footage shot we can't get . . . Warren is there surrounded by the august members of the Commission pre-
senting the Report to Johnson— I saw it on TV live, it's great—and Johnson takes it and says—"It's very heavy." We can't get this foot-
age. We went to the Grinberg Lib-

dary, and they said— "You know, there's a lot of footage we can't get anymore." For example, there's a great live TV shot of Johnson pulling up his shirt and saying "See this scar— " CBS said they had destroyed it; NBC said they never had it; I saw it on both these net-

tworks on TV at the time. It's dis-
appeared.

In trying to get stock footage here in the U.S., we found that with NBC the answer is always no, and with ABC and CBS the answers were— "We're working on a show of our own." This is a legitimate response really, but we suspected that they weren't really working on a show of their own which could be related in any way to what we were doing. The thing sort of trun-
dled on that way. Mark was in London working on the book and dealing with Bodley Head, the pub-
lishers, and I went there to direct a show for the BBC about Ameri-
can urban problems. Mark and I discovered an enormous amount of stock footage in Visnews, an Eng-
lish stock footage house, and at a very low price. So we started ac-
quiring stock footage—as you do in these films with a little bit of money and promises and that kind of thing. We came back here in Christmas of 1965 and found out that suddenly we could get access to the entire Sherman Grinberg Li-

dary of ABC, which is not all of
De, I've made a terrible mistake. They called Mark and me—the woman I dealt with had dealt with me for POINT OF ORDER—and she said—"De, you know, we did a show in September 1964 called 26 WITNESSES, which dealt with twenty-six witnesses in Dallas, and we have seventy-five hours of outtakes, and if you and Mr. Lane would like to look at them that would be great, they're for sale. You'll have to come at night because we're very busy." So Mark and I went one night at ten dollars an hour and looked at this stuff, six hours, and we found some fairly incredible material—it's true, tremendous. We found some of the ghost theory material, the imaginary Oswald material which the Warren Commission later admitted is imaginary. So we were very pleased after six hours of looking, and the next morning I called and said—"Great, we'd like to just keep going" and she said—"Oh, De, I've made a terrible mistake. I've just been told by the head of the company that we're going to destroy it anyway, because here is the raw history and to the world.

Lane: We were there with CBS months before that, and De raised with her in her office the question of this footage and she said she didn't think it was available. So it was months after that we raised it again, and there must have been some decision-making apparatus at work when they agreed that we could look at it and buy it. After we did see it, the next day it was no longer any good. But it's hard to believe that she had made an error. She had too many months to get it checked out before that.

De Antonio: For another project, I had to go through an interview to get some Nuremberg footage. I finally got this introduction to Senator Javits, but I had to see a State Department guy, and he introduced another guy who said he was from State. I immediately suspected he was from the CIA. He talked to me for an hour and asked what my opinion was of Vietnam and a lot of things. Of course, this film had nothing to do with Vietnam. He asked me in a roundabout fashion what my political beliefs were. I wanted to make the film like hell so I didn't lie to him, but I kept it all very cool, and I said precisely what I had felt about all these things. I mean, to lie would have been the end of it anyway. Of course, it was the end of it anyway, because the people who were backing it decided the world didn't need such a film.

Lane: The outstanding example of the irresponsibility of the media was a story written by Anthony Lewis, now a London correspondent for The New York Times, who was then a Washington correspondent or at least the man assigned by the Times to write the major story when the twenty-six volumes were released. He appeared in the Times, November 24, 1964, but his article was written November 23rd, minutes after the twenty-six volumes were released. Lewis said the twenty-six volumes released today prove conclusively that the Commission was right, that Oswald was the lone assassin, that he was an unhappy man, that he was aided by no one else. Well, to say that the twenty-six volumes "prove" anything indicated that one has at least scanned the twenty-six volumes, but Lewis wrote this article the day that the volumes were released to the public without having seen them. It's simply material lost to America and to
public and to him. It's taken me—as a lawyer for fifteen years reading testimony, and I think that I read at least at an average speed—it's taken me more than two years to go through those volumes. Lewis evidently did it in a few minutes.

This has really been the role of the media, of complete acceptance of the Commission, saying "this is correct" when they could not possibly have any basis for that statement.

De Antonio: The nature of subtle intimidation in the media is also remarkable. In the case of Seth Kantor, whom I called. He is a very important witness, a trained journalist who worked for Scripps-Howard for three years in Dallas, and he's now head Congressional reporter for the chain in Washington. He said two things to the Commission which interested us. He said—"I was in Parkland Memorial Hospital in Dallas shortly after one o'clock. I felt a tug at my sleeve and turned around—there was Jack Ruby. I knew Jack Ruby very well because he'd given me about ten stories since I'd been in Dallas. He'd once given me a story about a suburban housewife who was a stripper and had a snake around her. I wrote it as a feature story. Yes, I knew Jack very well, and he said to me—"Do you think I should close the club for three days since the President's death?" and I said—"Yeah, I think it'd be a great idea." Because I was in a hurry I rushed off." And then later in his testimony to the Commission, Jack Ruby said "I decided to close the club for three days." The Commission now interviews Kantor but said that Kantor was mistaken and that Ruby was not there. Then we uncover another witness who not only saw Ruby but completely identified his clothing, which was substantiated by Ruby's sister.

Now, the other fascinating thing that happened was that when Kantor went into the Dallas jail the day Oswald was shot, Kantor was stopped three times, and at one time they wouldn't let him in even though he had a White House pass and the Texas Ranger State Police pass, and then we uncovered a fantastic witness who said that he saw Ruby just walk right in there without being stopped by anybody. I called Kantor up and said—'May I come down to Washington to film you?' and he said—"Sure, when do you want to come?" I called the next day to confirm the time, and I said—"What about Sunday?" and he said "Great," and I said—"I'll get a car and a camera crew and drive down and I'll see you about 2:30 at the Scripps-Howard Building in Washington," and he said "Great," and half an hour later he called and said—"Look, my wife would really be upset if I saw you tomorrow because we are having people in for lunch and cocktails and all." I said —"I'll meet you any time you want, midnight or anything," and he said—"No, it will be too upsetting. Why don't you write me a letter and tell me who you are." So I wrote a letter—"Dear Mr. Kantor, I never feel it necessary to give my credentials but we'd still like to film you." I can't believe he got to all those decisions by himself—to say "Yes, sure, great," and again to say no the next day. I simply can't believe he changed of his own volition. This is only a guess—I think he called somebody in the FBI.

The press and film world in this country have never properly treated the subject of the assassination and the events subsequent to it. Television has done an outstanding dis-service to truth, as television almost always does. Almost without exception, in dealing with any controversial issue, television seems to take an Establishment point of view. I think that the great disservice to this country is that we are trying everywhere to get a unanimity of opinion. But the only way democracy can function is to have a diversity of opinion. I don't know what the answer is with television because the non-commercial channels are too gutless, and the commercial channels are simply too interested in money, and so it's a wholly depressing prospect.

For instance, they will now treat the topic of certain drugs but they avoid the issue of the rights of individuals who take marijuana, which is demonstrably less harmful than alcohol and probably less harmful than tobacco. Yet marijuana is treated in these television documentaries as if it were a great social terror. There is always the implication that it leads to something else. It is always treated very gingerly.

Whenever the government comes out hard on an idea, the television medium backs it. I don't think this is the function of television. Yet, in a curious way, it's in television that we need more government scrutiny in order to make for more diversity. One answer is to have an independent television authority as you have in England, but run by private individuals, maybe operated with government funds, given carte blanche to produce twenty hours of television per day of any kind and even seek out real controversy.

I think that if the Federal Communications Commission would bear down on the television networks it would make them face up to their public responsibility. The networks treat the air as their air, their time. The biggest phony phrase in the U.S. today is "free enterprise." I mean—who's free, what enterprise? Three networks control most of our air, but it's OUR air, the air of the American people. And yet Stanton and Paley and Saroff and Goldenson have got their mitts on the stuff.

As long as CBS looks like General Motors you are not going to have decent programming. They pat themselves on the back because of "Death of a Salesman," but what else has CBS done in a year? CBS is proud of the fact that it has the ten top ratings in daytime television, and do you know what this means, when you look at The New York Times to see what daytime television is about? My answer to that is fuck them. Those people have nothing to do with me. They have nothing to do with the world that interests me; nothing to do with art; nothing to do with politics—real politics; nothing to do with controversy; nothing to do with excitement.

Lane: ABC-TV decided to have a great debate between me and Melvin Belli, who was Ruby's lawyer and who believes the Warren Report. Les Crain was to be moderator, when he had his own program. All of a sudden Les Crain calls up and says—"Geez, Mark, can't you have you on the show." I said "Why?" and he said—"Meet me in the bar," and I did and we spend about two hours talking. "ABC-TV said you can't debate Melvin Belli. You would confuse the audience because you would have affidavits and facts and things like that, and it would just
confuse the people." So they decided that Melvin Belli would debate Marguerite Oswald. And so there was a great debate. It was, as you can imagine, a very sad program whereby things were said like—"Do you deny that your son did such and such," and she said—"Well, I'm not a lawyer but I just believe in my son's innocence." And that's the way the medium used her.

We have a tape of a West German show. The guy tried to be faithful to the Warren Commission, but it was done badly. My wife saw it on Channel 13, and in two minutes of it she found four errors in terms of what the Commission said. For example, Warren had Oswald shooting out of the window and taking the rifle and putting it right down and running right downstairs, which would explain how he could get downstairs so quickly, but doesn't explain how they found the rifle 100 yards away on the sixth floor in some boxes.

De Antonio: The German show was really directed at the psychological Oswald—the characteristic one of the loner who couldn't fit into society, who expressed a desire to be known to posterity by becoming involved in a major historical event.

Lane: Oswald's mother retained me to represent his interests before the Warren Commission, but I remained independent of her and investigated on my own and presented those positions that I thought were sound. She agreed to that. We have much of her on stock footage, but frankly she's really no asset to the case.

We aren't in this for the money. Congressman Gerald Ford of the Warren Commission sold his book for a great deal of money to Simon and Schuster, but when Marguerite Oswald wanted to make a speech at Town Hall and had no money for a decent dress, I gave her $50. This was our only financial exchange in those two years while representing her son's interests.

Money was never the objective. When I was active in Denmark writing, a conservative newspaper in Denmark wrote that I was wealthy and morally bankrupt. I hope the opposite is true. And so I sued then in the Danish court. At the trial I showed my money accounts during this period since all my time was devoted to this. The Danish court ruled for us. We won the libel suit. The "responsible editor"—so-called in Denmark, although he didn't write the material—could have been sent to jail for two years, but I pleaded not to have him sent to jail and withdrew that portion of the case. I was given 2,500 Danish crowns, not a lot but more than I sued for, to pay for my court and other costs. The court spoke of me as a man of integrity, that no one would believe those charges against me, etc. I was pleased by the decision, and people who think I have made money on this Oswald thing can be referred to that case.

De Antonio: Mark had started his work on the assassination right after it happened. He and I had mutual friends, and we had lunch together back in early 1964. I told Mark I'd be very interested in working on the film with him, and we both agreed that the movie would have to wait until the completion of his book.

Lane: I've been working on the book basically since January 1964. It's published here by Holt, Rinehart and Winston, and in England by Bodley Head and by Penguin, and in several other countries as well. The title, *Rush To Judgment*, comes from a statement made on behalf of the man charged with the attempted assassination of King George III, in London in 1800. Thomas Erskine, one of the greatest Lord Chancellors of all time, said—"An act against the King is an act of parricide in which the judges, the jury, and even the witnesses are the children—it is fit on that account that there be a solemn pause before we rush to judgment." And, of course, in Dallas fifteen minutes after the shots were fired, the police were looking for Lee Harvey Oswald. And they caught him, and the FBI, the Dallas Police the Secret Service, and the media said he had done it. There was no question about it. Within two days he was dead. And with no opportunity to defend himself—although he does say, and we have him on stock footage saying—"I don't know what they're talking about—I didn't kill anybody—will someone please get me a lawyer?" And a reporter asked him—"How did you get that mark on your head?" He had a
bleeding gash on the side of his head. He leans into the camera and says—"A police officer hit me," at which point the three Dallas police officers attached to him dragged him away from the camera, concluding the interview. I began to work on the case actually in December of 1963, I wrote an article about the obvious inconsistencies in the District Attorney dissertation.

De Antonio: What Mark started right there, of course, was to write the book, and now the film. It's something that ran from the beginning to right now.

Mark had a book nobody would take—I mean nobody in this country would touch it. Although I wasn't involved at all in writing the book, I worked a little bit on trying to sell it. We saw a great many important publishers here, and in most cases they didn't want to look at it. Regrettably, in the book and the film industries, things like that.
in visual imagery. But I had no interest in film. What got me started was a film which I am not sure is that interesting any more, PULL MY DAISY, which I distributed. I went into documentary films because it was the only way a person my age could begin making films.

I think that it is much harder to make a fiction film—I mean, the kind of fiction film that I would like to make—which would have to do with the world in a different way, in which the visual images would be different from those in a Hollywood film. I couldn't have done it, even if I had had the money five years ago. I have learned something about film making through the documentary. I am working on one other semi-documentary right now.

There's no money for documentaries. The one I'd most like to do, I'd have to give up anything in the world to do, is the subject of the American Indian. I've been collecting much material and have a tremendous file on this. To do it right is a $300,000 picture, the ultimate statement could be made about the American Indian, who is worse off than the American Negro. I mean the American Indian is the one race being exterminated from the face of the earth like the Nazis were doing to the Jews. The Indian who is left is still being robbed and cheated by the U.S. government. I'd like to make this long and tough and beautiful. The only people who would sponsor this would be a foundation, and foundations want too much control. I haven't gone to anybody.

The intended Indian project is somewhat related to my earlier film, POINT OF ORDER, made in association with Dan Talbot. POINT OF ORDER is about what most interests me philosophically—the failure of American culture. The film is about the Army-McCarthy Hearings. McCarthyism is the triumph of advertising—saying absolutely nothing, a triumph of technique over content. McCarthy was in the business of saying nothing, but doing it with consummate artistry which McCarthy did have. Joseph Welch was a right-wing Republican, and in the film he finally used the same ad hominem approach that McCarthy used. Welch was not a hero; he was simply a brilliant tactician and great lawyer and a fantastic actor—a man whose dramatic ability was unquestioned, although his morality might be questioned. His technique certainly has a very close resemblance to McCarthy's own techniques.

I have never been so depressed in my life as when those first rather glorious reviews of POINT OF ORDER came out, because I didn't read one review showing understanding of the film. All people assumed that the film was an attack on McCarthy, which it was not. People assumed that Welch was a hero, which he was not, nor did I intend him to be. Mark is one of the few people who got the point. POINT OF ORDER was first of all an attack on the idea of complicity, an attack on the American Establishment, an attack on the pusillanimity of the Army—Stevens and Adams and those silly generals. Sure, it's also an attack on McCarthy, but not McCarthy more than the others.

The beauty of POINT OF ORDER was that all I had was 188 hours of the raw material of history, and the only thing I resented in the reviews of POINT OF ORDER was that people wrote about it as though it were a simple re-creation when in fact everything was wrenched out of chronology. Everything was wrenched out of context to make what I considered at the time the truthful case. The truth in history was that the Army-McCarthy Hearings were a vast, amorphous, rambling shambles that came to a little squeaky halt without any conclusion. I tacked on a conclusion by inventing that little scene in the hearing room which never happened.

There was no narration in POINT OF ORDER. My voice was on the black leader outside the film. The dramatic interest of POINT OF ORDER lies in the characters; we have no such characters here in RUSH TO JUDGMENT.

Henry M. Wade, Dallas District Attorney, now a federal judge.
Lane: There is a final point about RUSH TO JUDGMENT that I'd like to make. I was in the archives quite recently, and there are 1,550 documents listed in the archive index that they were kind enough to show me, called "Basic Source Materials Relied Upon By The Commission." Of those 1,550, 580 are classified and can't be seen. No one can see them. I saw the list though. But the list is deceptive because one might be called—"FBI Report, Subject: Assassination of President Kennedy, Classified." You have no idea of how many pages or what's in there.

There are thirty-nine reports in the archive which deals with my own activities after the assassination. Every single lecture which I gave in the U.S. has been tape-recorded by agents of the FBI. I read this in the archives. Some reports were classified. Others said—"Mark Lane's appearance in San Francisco, seven lectures, forty-nine rolls of tape." Several of them had been declassified, and I saw those. One, for example, was my speech in a Unitarian Church in Buffalo. Nine reels of tape. What amazes me are the comments including things like "the main points made by Lane.—" Obviously, all my lectures in seventy-five universities were recorded by the local police and the various city subversive squads. And the FBI recorded material. What the classified documents contained I don't know—probably phone calls to our offices. I suspect that's why they're classified, since phone taping is illegal activity by the federal authorities.

But this is minor compared to the treatment received by Joachim Joesten. He's a German-born author who wrote a book called Oswald—Assassin Or Fallguy? which incurred the wrath of the Commission because it so differs from their position. It came out before the Commission report had been released. One extremely interesting document—I haven't seen it yet—is a report submitted to the Warren Commission by Helms, the Acting Deputy Director of Plans of the CIA, which was nothing more than a report written by the Gestapo on November 11, 1937, upon the background of Joachim Joesten. He left Germany in 1933, and here was the CIA submitting to the Warren Com-
Two authentic films of the Left, two films of extraordinary talent, two unequaled witnesses of American society, have just appeared on our screens in the midst of general indifference and the apathy of a literally exhausted criticism. Because these two films make no call to demagoguery, because they are “straight” like real bourbon, they have been purely and simply ignored. Let us attempt to repair the neglect.

Emile de Antonio, director of RUSH TO JUDGMENT, professor of literature by training, but also an enthusiastic experimenter, associated with a number of avant garde undertakings in the U.S. (most prominently those of the choreographer Merce Cunningham and composer John Cage), represents in the cinema one of the last authentic adventurers, a man always ready to take all the risks.

His POINT OF ORDER had earlier expressed his obsession with documenting American society and putting into question the foundations of this society. The film was characterized by the same surgical concern, the same desire to analyze how people really think and speak, how things really happen.

De Antonio, in a short written preface, terms his film “art brut” — that is to say, raw material of a reflective and poetic import, but not reworked, not dramatically and plastically remolded, as the canons dear as much to Jean Mitry and Philippe Esnault as to the two Francoises, Truffaut and Chevassu, require. We are up to the neck in what I like to call, in what must more and more be called, the “cinema direct,” that also of Richard Leacock, unequaled master of the modern film, and of Pierre Perrault: a cinema that catches at life with its light-weight equipment, where, contrary to what almost all my compatriots imagine, the question is not to shoot no matter how, but where the spoken word illuminates and plays a primordial role. If there is a crisis today in cinematography (in the Bressonian sense), if structuralism well-apprehended is going to oblige us to rethink radically all our Evangelical truths, it is through such works as RUSH TO JUDGMENT that truly constructive reflection can be exercised.

The real problem — does this type of cinema have a public, as Karel Reisz, absolute admirer of RUSH TO JUDGMENT as the equal of a Chris Marker film, said to me the other day in London. In the current climate of intellectual laziness, in this cultural desert where everything resembles everything and therefore nothing, I would not know how to reply. I only know that television, whether French or American, rarely would have or will have the self-assurance to bring into question the values of the society which creates it. Nowhere else have we been offered a document as prodigious in invading the collective and therefore individual thought, with its corollaries concerning the omnipotence of the police on all levels and the ontological conformity of Homo Americanus, a conformity demonstrated repeatedly as the film shows witnesses offering evidence contradicting the Warren Report but aligning themselves with it in order to keep their consciences clean. Every Preminger will pass, and also the current Hollywood, while RUSH TO JUDGMENT will retain its impact and will deliver to posterity an historic judgment.

Perhaps it is time to re-think the cinema in view of new exigencies formulated by films like RUSH TO JUDGMENT, and above all by the great Canadians and New Yorkers—Groulx, Brault, Perrault, Leacock, Maysles, De Antonio. We realize that a new way of feeling and of perceiving for the cinematographer is in the process of being designed, if not of being decisively affirmed. This does not imply that all dramatization is to be rejected... rather, the spectator must pose to himself the new exigencies, must ask himself what he expects from the cinema.
At left, Oswald; center, a figure in front of the Book Depository at the time of shooting; and right, Billy Lovelady. Who is the center figure?

Photos United Press International and Wide World
James Altgens, an Associated Press photographer for more than twenty-five years, ran to the south side of Elm Street, camera in hand, as the motorcade drove west on Elm. The Presidential limousine was about thirty feet away from him when he snapped a picture, and as he did so he heard a shot. Altgens' photograph soon became universally well known; it assumed a prodigious significance when people all over the country thought they saw Lee Harvey Oswald in the picture. Oswald, or someone looking like Oswald, was in the background, standing on the steps of the Book Depository Building.

Probably nothing fostered more doubts about the case against him than that picture. How could Oswald have been downstairs watching the motorcade at the same time that he was allegedly upstairs shooting the President? Was it Oswald? The San Francisco Chronicle published the photograph together with one of Oswald taken shortly after his arrest and boldly asked if Oswald might be the man in the doorway of the Book Depository. Months later, the photograph appeared in The New York Herald Tribune Sunday supplement, giving a new and particular prominence to all unanswered questions.

The Commission sought to dispose of the man in the doorway with these words. "The Commission has determined that the employee who identified himself in the picture was employed by the San Francisco Chronicle, and no evidence suggests that his picture was shown to the Commissioners. The Associated Press was unable to secure a picture of Billy Lovelady when requested to do so by the San Francisco Chronicle. A private photographer who sought to take Lovelady's photograph was, according to The New York Herald Tribune, taken to police headquarters, questioned in the police surveillance office and then released. He was then advised by the police to leave Dallas, The Tribune reported, without a picture.

Two volunteer investigators for the Citizens Committee of Inquiry, an organization formed by Mr. Lane, then went to Dallas and took a picture of Billy Lovelady. It is published here for the first time along with a picture of the man in the doorway and a picture of Oswald at the time of his arrest. In comparing the photographs it should be remembered that Lovelady has stated that he was wearing a red and white striped sport shirt buttoned near the neck when he witnessed the assassination. He wore no jacket, he said.

—Mark Lane

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*5 overseas

FILM AS PART OF SPRING FESTIVAL ON CINCINNATI CAMPUS

New forms in film, drama, art, music and dance were presented at the University of Cincinnati Union's Spring Arts Festival April 15-30, 1967. This was the second annual event, made possible by the coordinated efforts of many campus and community departments. "This coordination in itself is rare," states Program Director Barry Zelikovsky in a letter to FILM COMMENT. "Feedback suggests that our program was one of the outstanding events of its kind ever presented in our area. More participation and excitement were evident than we have seen at other art-oriented events. To a large extent, what people saw here was new to them. Whether or not we all fully understood seems less important in the light of realizing original experiences, perceptions and ideas."

Among the film highlights were screenings of Andy Warhol's THE CHELSEA GIRLS; Carl Dreyer's GERTRUD; Jonas Mekas's MY DIARIES, in its world premiere; a Retrospective of Stan Brakhage; Stan Vanderbeek's Mixed Media presentation; Len Lye's lecture with films on Kinetic Sculpture; and a Cinema '67 Symposium with Vanderbeek, Brakhage, Mekas, John Cage (composer in residence for 1967), and James McGinnis, Chairman of the faculty film committee.

Three hundred persons attended the Symposium, which occurred in the two-weeks festival. "The Symposium challenged our thinking in film much beyond previously held values," state Zelikovsky. "In fact, so many cameras were in attendance and clicking away that what was being said about 'the opening-up of cinema' and 'new freedoms to the film makers' seemed to be acted out for us simultaneously. When Mekas credited our current culture with making 'every teenager a film maker,' one needed only to look around for verification."
Peck: It was true that the assassin took careful aim at the President of the United States. It was true that at the precise moment the assassin waited for—the trigger was pulled. And it was true that the President was killed. But it was also true that the assassin missed his target for he wanted John Kennedy to die. And that he was unable to do. For no man can take away years of lightning with a single day of drums.

The decade was new, the dreams were high, the man was John Kennedy. In the early snow of 1961 an avalanche of people came through the streets of Washington with expectation and joy. They would come again in the autumn of 1963—the same people through the same streets to the same building. They would come again in 1963 without smiles, without cheers. For death like a thief in the afternoon would place a casket in the Rotunda of the Capital, the same room in which he had walked to his inauguration.

Warren: You, John Fitzgerald Kennedy, do solemnly swear... Kennedy: I, John Fitzgerald Kennedy, do solemnly swear... Warren: That you will faithfully execute the office of President of the United States... Kennedy: That I will faithfully execute the office of President of the United States...

Warren: And will, to the best of your ability... Kennedy: And will, to the best of my ability... Warren: Preserve, protect and defend the Constitution of the United States... Kennedy: Preserve, protect and defend the Constitution of the United States...

Warren: So help you God. Kennedy: So help me God.

Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to insure the survival and the success of liberty. To those people in the huts and villages of half the globe, struggling to break the bonds of mass fettering, we pledge our best efforts to help them help themselves for whatever period is required, not because the Communists may be doing it, not because we seek their votes, but because it is right. If a free society cannot help the many who are poor, it cannot save the few who are rich. So let all our neighbors know that we shall join with them to oppose aggression or subversion anywhere in the Americas. And let every other power know that this hemisphere intends to remain the master of its own house.

Peck: Pennsylvania Avenue was a proud host. Cutting across Washington, the avenue was no stranger to processions and eager crowds. It assumed its role of importance