

By James R. Phelan

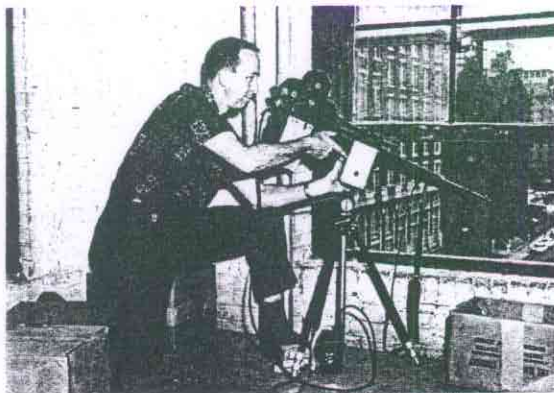
Because of the difficulty of "proving negatives"—proving that something did not occur—"the possibility of others being involved with either Oswald or Ruby cannot be established categorically," wrote the Warren Commission, "but if there is any such evidence it has been beyond the reach of all the investigative agencies and resources of the United States and has not come to the attention of this Commission."

Yet today, 12 years after the assassination of President Kennedy, public-opinion polls indicate that the great majority of the American people—two-thirds or even more—reject the commission's finding that Lee Harvey Oswald was the lone assassin. Since the alternative is two or more assassins, most Americans have apparently come to believe what the Warren Commission said it could not establish—that John F. Kennedy's life was snuffed out by a conspiracy.

This shift in public opinion is not the result of any hard new evidence. No other gunmen firing in Dealey Plaza have been identified or accused. No guns besides Oswald's Mannlicher-Carcano have been tied to the murder. No bullets besides those from Oswald's rifle have been uncovered and linked ballistically to the assassination. There have been no confessions of complicity. In the single instance where a person was charged as a conspirator against Kennedy, the case proved a fiasco and collapsed in a heap of rubble. In spite of all this, the will to disbelieve the Warren Report has spread from a small group of conspiracy buffs into the American mainstream.

In the past year or so, a fresh outpouring of books and articles attacking the Warren Report has crested on the surge of post-Watergate distrust of any Government-endorsed finding. Complaining that the Warren Commission "failed to adequately explain various situations which possibly contradicted the theory of the lone assassin," the lower house of the California Legislature, by a vote of 47 to 1, has approved a resolution urging that the assassination be re-examined by an independent agency. In the House of Representatives, Henry Gonzalez, Democrat of Texas, and Thomas Downing, Democrat of Virginia, have introduced resolutions seeking a new investigation. In the Senate, under authority from the Select Committee on Intelligence Activities, Republican Richard Schweiker of Pennsylvania and Democrat Gary Hart of Colorado have begun looking into three possible hypotheses—that Kennedy was killed in a foreign Communist plot, that he was the victim of a domestic right-wing conspiracy, or that he was done in by anti-Castro Cubans. "The only thing I'm certain about," Schweiker said, "is that we don't know the truth about the Kennedy assassination."

In appealing to the House for support for his resolution, Representative Gonzalez declared, "We must settle once and for all, in the interest of the welfare of our country and the future of its people, the truth of what happened at Dallas on Nov. 22, 1963, and what Lee Harvey Oswald carried to his grave. . . . There are many more disquieting questions to be resolved. . . . but they must be answered with calmness, objectivity, dispassion and fairness." These are admirable words. Unfortunately, they fly in the face of a harsh reality. The Kennedy assassination has become a bitter battleground in which calmness, objectivity, dispassion and fairness were the earliest casualties.



As the Warren Commission re-enacted the crime: Step 1, the rifle, with camera attached, is aimed at President Kennedy's automobile.



Step 2, the path of the assassin's bullets.



Detectives reconstruct the Warren Commission's hypothesis that Kennedy, in the back seat, and Connally, in front of him, were hit by the same bullet.



Bullet hole in Kennedy's jacket.

The murder in Dallas was a tangle of events observed in a sudden eruption of chaos, confusion and horror, leaving a legacy of wildly contradictory accounts. Felix Frankfurter once observed that the greatest single source of miscarriage of justice is eyewitness testimony. That people saw Oswald in various places that would indicate his innocence, or remembered other men running with guns, or heard six shots instead of three, or felt bullets whistle past them from directions other than the Texas Book Depository—these were the expectable product of human frailty. The case was muddled by inept Dallas law-enforcement work, and enormously complicated by the killing of police officer J. D. Tippit by Oswald, and of Oswald by Jack Ruby. The swift sequence of three murders, all lacking clear motive, and the circumstantial nature of the evidence against Oswald in the President's death, laid down a hothouse bed for the cultivation of doubt and conjecture.

The Warren Commission, which sat from Dec. 5, 1963, to Sept. 24, 1964, rested its case against Oswald on these principal points:

(1) The consensus of witnesses was that three shots were fired at the President's car as it moved

slowly along Elm Street, with John Kennedy sitting in the back and Gov. John Connally sitting on the jump seat in front of him.

(2) Three empty cartridge cases were found on the sixth floor of the Texas Book Depository, where Oswald worked, and where he was on duty at the time of the assassination.

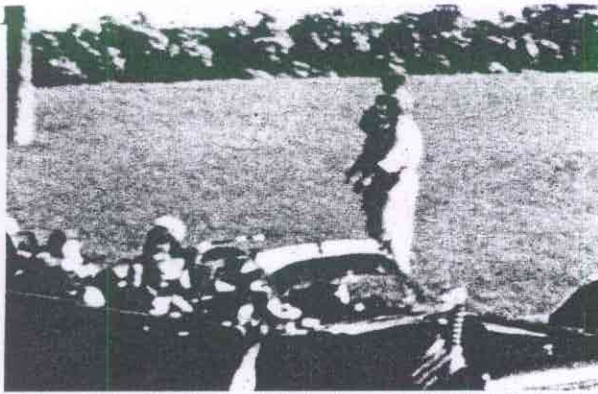
(3) Ballistic tests showed that these cartridge cases were fired by the Mannlicher-Carcano rifle ordered by Oswald, in his handwriting, from a Chicago mail-order firm under the alias of A. J. Hidell. The rifle had been shipped to a post-office box rented by Oswald and was found on the sixth floor of the Book Depository after the assassination. In Oswald's possession when he was arrested was an identification card in the name of Hidell, with the signature in Oswald's handwriting.

(4) Ballistic tests of two bullet fragments recovered from the Kennedy car, and of a nearly whole bullet recovered from a stretcher at Parkland Hospital, where Kennedy and the wounded Governor Connally had been taken, determined that they were fired from Oswald's rifle.

(5) The three doctors who performed the autopsy on Kennedy testified that the two shots that

## THE ASSASSINATION

Critics of the Warren Report have produced no hard new evidence, but their irresponsible



The way it happened: A movie taken by a bystander shows John Kennedy, (with Jacqueline beside him and Governor Connally in front of him) at the instant he was hit by the first shot.

Commission exhibit: A sketch of how the first shot pierced Kennedy's neck.



Lee Harvey Oswald is killed by Jack Ruby in a Dallas police station, as millions watch on TV. This is a picture of the murder taken by a news photographer.

Mark Lane, one of the critics of the Warren Report, looks over a model of the assassination scene.

hit him came from behind and above him—from the direction of the Book Depository.

(6) A witness on the street saw a gunman fire the third and last shot from a sixth-floor window of the Book Depository, and two newsmen saw a rifle being withdrawn at the same window.

(7) A Book Depository worker on the fifth floor heard the cartridges drop on the floor above him after the shots were fired.

(8) Oswald had been working on the sixth floor of the Book Depository, and minutes after the assassination he left the building without telling anyone.

(9) Oswald went by bus and taxi to his room, and then left hurriedly with a pistol, which had been ordered from another mail-order firm in the name of Hidell, in Oswald's handwriting, and had been delivered to Oswald's post-office box.

(10) Witnesses saw Oswald stopped by police officer Tippit shortly afterward—why remains a mystery to this day—and they identified Oswald as the man who shot the policeman and fled, shucking empty cartridge shells as he went. The cartridge cases were retrieved, and were identified by ballistic tests as having been fired from Oswald's handgun.

(11) Oswald was tracked by a series of witnesses to the Texas Theater, where he was arrested with the handgun in his possession.

The Warren Commission distilled the case into an 888-page report. Then, in what it viewed as an act of candor, the commission published 26 volumes of testimony, affidavits and exhibits. It was from these 26 volumes that the material for the early attacks on the Warren Report were largely mined.

As experienced lawyers, the commission staff had weighed the contradictions between witnesses and the other anomalies in this vast, disorganized mass, and had discarded some accounts because of the observed demeanor of witnesses or the thrust of other evidence. But to the early critics, few of whom were trained criminologists or experienced lawyers, the discovery of some material that did not support the summary of the one-volume Warren Report came as evidence of a biased or imperfect investigation. Much of the "research" of the early critics was the work of a dedicated group of women calling themselves the "Housewives Underground," who combed the 26 volumes for what they interpreted as "suppressed evidence" and who traded their findings in indignant chain letters.

This soon led to an uglier charge—that the Warren Commission had deliberately concealed some unpalatable truths. Harold Weisberg, a Maryland farmer, published four books at his own expense—"Whitewash I" to "Whitewash IV"—angrily impugning the motives of the commission and its staff, as well as of the Federal Bureau of Investigation, the Central Intelligence Agency, the Secret Service, the Dallas police and anyone who had a good word for the Warren Report. "Whitewash V" is now in preparation.

Others took up the cry. Their assaults came at a time when the public was already becoming suspicious of Government veracity, in view of disclosures of official deception about the Vietnam war. The thrust of this new wave of criticism was that the Warren Commission had presented only incriminating evidence against Oswald, while closing its eyes to evidence (Continued on Page 109)

James R. Phelan is a magazine writer who has been following the Kennedy assassination controversy for the past eight years.

# THAT WILL NOT DIE

polemics and absurd theories have left the public more dubious than ever.

# Assassination

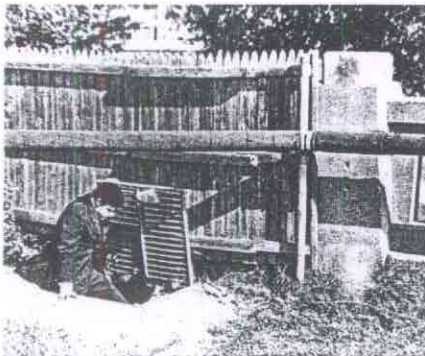
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pointing to his innocence. In 1967, the critics found a public official willing to arm their suspicions with subpoena power—New Orleans District Attorney Jim Garrison.

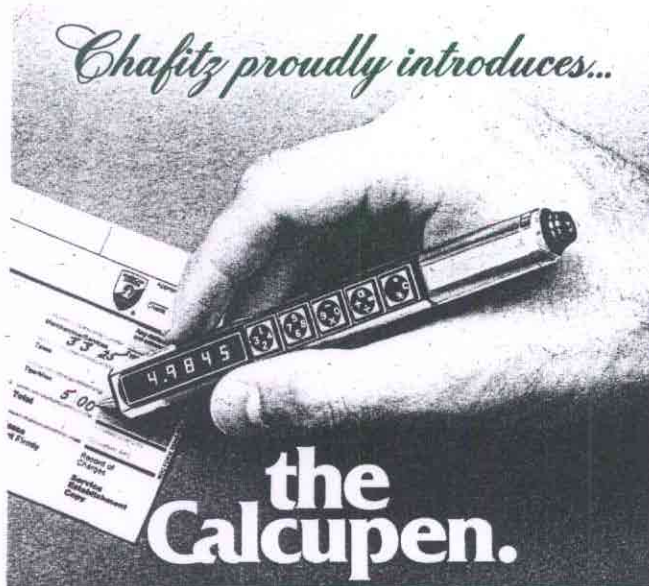
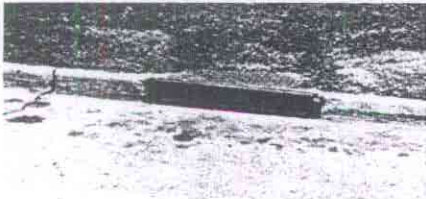
Largely as the result of reading Weisberg's first "Whitewash" volume, Garrison launched his own re-investigation. After four months of part-time sleuthing, he announced that he had uncovered a plot to kill Kennedy, that he knew the people involved, and that he would arrest and convict them and thus legally destroy the "greatest fraud in history." Echoing Weisberg, Garrison claimed that Oswald had not fired at anyone on Nov. 22, 1963. This claim was based on a paraffin test, made by the Dallas police after Oswald's arrest, which had not shown any powder marks on Oswald's cheek. What Weisberg and Garrison chose to ignore was that both the F.B.I. and an international seminar of 50 criminologists conducted by Interpol had found the paraffin test so faulty as to be useless even as a guide for investigators. Some of the foremost lu-

minaries among the Warren critics flocked to Garrison's banner. They included Mark Lane, author of the book "Rush to Judgment," who served as a volunteer prosecutor's adviser; Weisberg, who boasted of his role as Garrison's mentor; Prof. Richard Popkin, author of "The Second Oswald," who asserted his faith in Garrison in a lengthy article in The New York Review of Books, and William Turner, a former F.B.I. agent, who turned out a series of pro-Garrison articles for Ramparts magazine. They followed Garrison on his erratic course for two years while he brought financial ruin to a retired New Orleans businessman, Clay Shaw, whom he charged with conspiring to kill John Kennedy.

In pretrial magazine, television and radio interviews, Garrison made a series of claims that changed from month to month. He first asserted that Kennedy had been slain by a cabal of homosexuals in a "thrill killing" similar to the Loeb and Leopold murder of Bobby Franks. He soon abandoned that solution in favor of a



An operative in the 1967 investigation by Jim Garrison, then New Orleans District Attorney, enters a sewer complex to support one of Garrison's theories: that the shot that killed Kennedy was fired from a sewer opening, below, on Elm Street.



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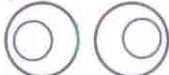
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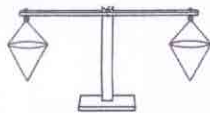


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plot by anti-Castro Cubans incensed at Kennedy over his mismanagement of the Bay of Pigs invasion. The web of the conspiracy he described grew steadily to include F.B.I. agents, the Dallas police, ultrarightist paramilitary Minutemen, Texas oil millionaires, elements of the defense establishment, White Russian émigrés, Jack Ruby, and a former Dallas song-and-dance man who had later taken his act to Las Vegas. Garrison even dispatched an investigator to Las Vegas to covertly tape-record the entertainer's act in search of incriminating evidence.

At one point, Garrison asserted that Kennedy was assassinated "by a precision guerrilla team of at least seven men." At another time, he said the fatal shot had been fired by a man who had wormed his way through a sewer pipe and had fired from a curb grating. He asserted flatly that this motley crew was orchestrated by the C.I.A. When he finally took Shaw to trial in 1969, the jury acquitted Shaw on its first ballot.

The Garrison fizzle dampened the Warren Commission critics for four or five years. Yet many of them remained convinced that the New Orleans prosecutor was on the right trail and had been cunningly nudged into a ditch by powerful hidden forces. The latest spate of books and magazine articles on the J.F.K. assassination owes a good deal to the cache of leads and theories he left behind. In fact, only last month, Mark Lane brought Garrison out from obscurity and presented him at a "first national conference" on the Kennedy assassination at the University of Hartford. Garrison told the convention that the C.I.A. has destroyed democracy in the United States and replaced it with a Fascist police state. He was given a standing ovation.

**P**resident Kennedy was struck twice — by a bullet that went through his neck and then by another bullet that hit his head and killed him. A short movie strip capturing the fatal shot, and the events immediately before and after, was made by a bystander named Abraham Zapruder, and the film has provided the Warren Commission critics with their best recruiting tool. The key frames show the top of the President's head being blown off. The film was purchased by Life magazine and was

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made available to the Warren Commission. In recent years, sharp copies of it have been acquired by the critics and shown widely around the country.

As Kennedy is hit by the fatal shot, his head moves briefly forward — and then is slammed sharply back and to the left. To the critics, this is "indisputable evidence" that this shot, which killed the President, came from the right front—not, like the first shot, from the Texas Book Depository behind him. That, so the argument goes, would mean that there were two guns firing. And two guns imply a conspiracy.

To the front and right of the President there was a grassy knoll, and the critics cite material culled from the Warren Report to bolster their argument that that was where the fatal shot came from. One witness testified that he saw a "puff of smoke" come from the trees on the knoll. Others saw two motorcycle officers jump the curb and race up the knoll as though in pursuit. A substantial number of witnesses testified that the gunfire sounded as though it came from the direction of the knoll. If, say the critics, the laws of physics have not been repealed by the Warren Commission, and if the commission hasn't moved the Book Depository, then President Kennedy was shot in the head from the front right — by someone other than Oswald.

The Zapruder film has won over many of its viewers, especially among college audiences. Representative Downing, according to press reports, introduced his resolution for a new investigation after his son was persuaded that the film invalidated the lone-assassin finding. Yet there are other possible explanations for the backward head movement that the believers in the conspiracy theory never mention. The movement could have been a neuromuscular spasm triggered by the head wound. Since Kennedy was trussed in a corsetlike device for his injured back, a spasm that straightened his legs could have driven his head backward with even greater force than otherwise. In any event, there is hard primary evidence that renders the Zapruder film irrelevant to the point at issue.

During the years that the autopsy material was sequestered by the Kennedy family, the nature of the President's wounds was the subject of rumor-mongering and specu-

(Continued on Page 120)



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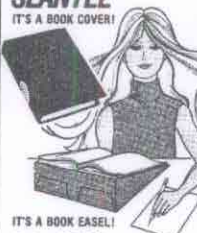
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hower. As a matter of fact, President Roosevelt was born in a house not far away, for this was the era when Gramercy Park, like the lower Fifth Avenue area generally, was the part of town that counted. These were the days when front and back doormen bowed guests inside, footmen were waiting to light the way and maid service was a 24-hour convenience.

Now the club tries to manage without even a superintendent—just an electrician, a plumber and a porter, backed up by a diligent house committee. And while the dining room still functions (indeed, resident members are each expected to take at least \$35 worth of meals there monthly) it is a rare member who eats there every night. Still, the club can say it is "in the black."

"We've had our trials and tribulations," reflected Richard Seyffert, who teaches at the Art Students League and has lived in the N.A.C. since

There is something in the atmosphere of a 130-year-old house that inhibits ill-considered improvements.

1952. He recalled that there had been a time before the Third Avenue El was torn down and after the gradual relocation of the affluent to the Upper East Side when the neighborhood suffered something of a decline. Things have been steadily changing for the better, however, and, like his fellow residents, Mr. Seyffert wouldn't live anywhere else. It isn't simply being in a quiet, solid building or having your own key to your own private Gramercy Park for a safe walk whenever you wish—or even having that good north light so important for painters. It is all of those things—the rich historical associations, the building's physical charm, the camaraderie—that make it another one of New York's matchless rarities. ■

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- If your geraniums refuse to bloom in winter no matter what you do, see page 61.
- How to grow an indoor tree under artificial light if you hate fluorescents (page 173).
- For people who keep their flowering plants in a sun-filled south window: Six plants that shouldn't be there.
- Five great plants you can grow in really dim light.

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By Joan Lee Faust  
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### ■ A FLOWERING PLANT THAT BLOOMS BEST IN THE BATHROOM. Page 110.

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3. Things you may be doing right without knowing it.
4. Things you may be doing wrong. For example, a plant with yellowing leaves can be helped by plant food, but it can also be hurt. How to tell the difference? See page 48.
5. FOR PEOPLE WHO LOVE PLANTS BUT HAVEN'T THE TIME OR PATIENCE TO FUSS WITH THEM. How to keep plants in fine condition for two months without watering (pages 43-45).
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The Warren panel, says one of its attorneys, helped foster 'all those wild stories' by agreeing to the sequestering of the autopsy data.

*Continued from Page 111*

lation; much was made of the fact that no one on the Warren Commission or its staff had actually viewed the autopsy material. Joseph Ball, the attorney who headed the staff team that put together the case against Oswald, says Chief Justice Earl Warren acceded to the sequestering of the X-rays and photographs out of concern for the sensibilities of the Kennedy family and against the bitter opposition of the staff lawyers. "All those wild stories that circulated in the mid-1960's were unnecessary," Ball says. "We finally got Burke Marshall, who was given control of the autopsy material by the Kennedy family, to make them available at the National Archives for inspection by medical experts." The X-rays and color photographs of the President's wounds, taken during the autopsy, were examined by a four-man panel of physicians in 1968, by three other physicians in the early 1970's and by a five-man panel early this year. All 12 agreed with the finding of the original three-man autopsy team that Kennedy was shot from behind.

The critics continue to gain

converts by showing the Zaprunder film, without mentioning the autopsy reviews. One of them, Mark Lane, has taken account of the review findings, and has attempted to counter them by citing a later comment by one of the 12 physicians — Dr. Cyril Wecht, coroner of Allegheny County, Pa.

Dr. Wecht had long been known as a critic of the Warren Commission and an opponent of the single-gunman finding. Nonetheless, after viewing the autopsy material, he wrote: "So far as the available medical evidence shows, all shots were fired from the rear. No support can be found for theories which postulate gunmen to the front or right-front of the Presidential car. The medical evidence indicates that the President's back was hit by one bullet and that his head was hit by one other bullet only."

Since filing his original finding, however, Dr. Wecht has written a letter to a Mark Lane fan saying, "The Zaprunder film and other evidence is not inconsistent with a shot from the side. Please differentiate this with a shot fired from the front."

Although all the other experts have stood firm in their

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testimony, Dr. Wecht's afterthought has been added to the critics' anthology—along with grainy blowups of photographs purporting to show a gunman on the "grassy knoll." lists of witnesses who heard gunfire from that direction, and the Zapruder film's "in-disputable evidence" of a conspiracy.

**A**part from the grassy knoll, the most hotly argued aspect of the Kennedy assassination deals with the so-called "single-bullet theory." This is the postulate that the bullet that pierced the President's neck went on to pierce Governor Connally's chest, go through his right wrist and enter his left thigh—and then to fall out onto Connally's stretcher at the Parkland Hospital, having retained its near-pristine shape and weight. The questions raised by this postulate are: How did the bullet fall out of the final wound it inflicted, and why wasn't it shattered or at least distorted after so many impacts during its flight? These questions have provided a potent weapon for assaults on the report's credibility. The "magic bullet," as the critics have labeled it, is their Exhibit A.

To sort out the issues involved, it is necessary to trace this aspect of the Warren investigation.

In the early days of the inquiry, it was believed that Oswald had scored three hits with three shots. The first bullet, the investigators adduced, pierced the President's neck. The second, they thought, wounded Connally; the Governor testified that he heard the first shot, turned to look, and then, while turning again to look over the other shoulder, felt himself hit in the back. The third bullet struck the President's head.

Then the investigators ran into trouble.

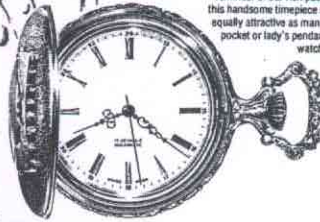
The bullet that shattered the President's head fragmented, and pieces of a bullet were found in the car.

The bullet that wounded Connally was, presumably, the one found in Parkland Hospital. Governor Connally had been removed from his stretcher; the stretcher stood next to another one in a corridor; a hospital orderly remembers shoving one of the two stretchers against the wall, and the bullet fell out. The three autopsy doctors agreed



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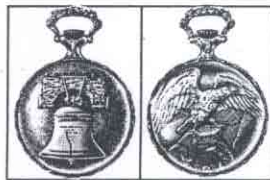
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'The single-bullet theory has been a sort of Rorschach ink blot in which different examiners seem to see what they wish to find.'

that this one bullet could have caused all his wounds.

But where was the bullet that pierced the President's neck? Since it had pierced only tissue, it would have exited at high speed, on a downward course, and presumably would have caused severe damage to the interior of the car. No such damage was found during an inch-by-inch examination of the car—and no bullet.

Moreover, tests of the Oswald rifle determined that after a gunman fired one shot, he would require a minimum of 2.25 seconds to get off the next shot. Yet analysis of the Zapruder film indicated that Kennedy's neck and Connally's back were struck almost simultaneously, within too brief an interval for a lone gunman to fire two shots from that rifle. But to theorize that there were two gunmen firing from the rear would be to postulate something for which the investigators had no credible evidence.

The explanation that reconciled these apparent anomalies was offered by David Belin, a staff attorney. This was that Kennedy's neck wound and Connally's wounds were inflicted by the same bullet, the one found at Parkland Hospital, and that the third shot fired from Oswald's rifle had missed. Supporting this theory was physical evidence that one bullet had missed, and had ricocheted off a curb, nicking a bystander. Joseph Ball and David Belin found further support for the hypothesis in a re-staging of the critical few seconds when the shots were fired.

"We sent the car [to Dallas]," Ball says, "with two dummies marked with the spots for the wounds. We had a man in the sixth-floor room [of the Book Depository] with the gun, with a movie camera on it. We moved the car on the route at 11 miles per hour, and we found that for a considerable length of time the two bodies were directly in line, so that a bullet fired from that gun had to go through those two bodies."

In that case, what of Connally's testimony that he had heard the first shot but had not been hit by it? In being

forced to accept the single-bullet theory, Belin and Ball discounted the Governor's recollection on that score. They concluded that he had simply suffered a delayed perception of his wounds. As Belin writes in his book "Nov. 22, 1963: You Are the Jury," a detailed reconstruction of the Warren Commission's work, "Governor Connally was simply wrong in his testimony . . . just as every witness to a sudden and startling event is incapable of being completely accurate."

The full commission, it must be noted, waffled on this point. In a relevant passage in its report, it said (1) that "there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wounds"; (2) that, on the other hand, "Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability"; but (3) that "it is not necessary to any essential finding of the Commission to determine just which shot hit Governor Connally." Belin and Ball flatly disagree. As Belin wrote in his book, "The plain fact is that it is absolutely necessary to the findings of the Commission to determine whether the same bullet that pierced the President's throat also caused Governor Connally's wounds." The uncertainty flowing from this passage in the Warren Report has doubtless contributed to the controversy. It appears that the commission fudged its language here to satisfy one of its members, the late Senator Richard B. Russell, who had trouble accepting the single-bullet theory. And ever since, the evidence for and against the "single bullet" has been a sort of Rorschach ink blot in which different examiners seem to see what they wish to find.

Dr. Wecht says his examination of the autopsy material leads him to the conclusion that the single-bullet theory is "untenable." He maintains that because of the right-to-left lateral angle of Kennedy's throat wound, the bullet could not have hit Connally where

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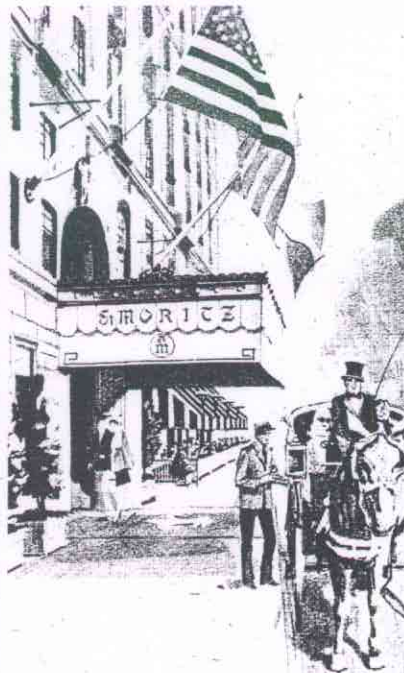
it did without making "an acute angular turn to the right in midair." To him, that "strongly suggests" a second gunman firing from the Texas Book Depository.

Jacob Cohen, an instructor in the Department of American Studies at Brandeis University, draws an opposite conclusion from his study of the Zapruder film. In view of Connally's movements and changes of posture during those fateful seconds, Cohen writes in a recent issue of Commentary magazine, the Governor could have received his several wounds from one bullet at the precise instant when the President was shot through the neck—and only at that instant. A bullet striking Connally a second or so later (which is when the critics claim he was hit) "would have had to exit from the chest at a downward angle, to have taken at least two sharp turns upward in mid-air—right and then left into the knuckle side of the wrist; and then, upon exiting on the palm side, further up in the air than the wound of entry, would have had to execute a very sharp U-turn into the thigh: plainly impossible."

Then there is the question of the "magic bullet's" well-nigh undamaged state. The tiny amount of metal lost by the bullet as it struck flesh and bone was quite consonant with the infinitesimal amount found in the wounds it is said to have inflicted on Kennedy and Connally; still, its imperviousness to greater distortion was abnormal. Dr. Wecht emphasizes that point in arguing that the single-bullet theory is untenable. For the bullet to have suffered so little damage does seem improbable. But it is not impossible.

Perhaps the strongest arguments for the single-bullet theory flow from the implications of the alternatives. Those who claim there was a conspiracy imply, or flatly charge, that the "magic bullet" was fired earlier (by an unnamed Someone) into cotton or water, from Oswald's rifle, and then planted at Parkland Hospital to incriminate him. Any conspirators who did that would have had to be both cunning and stupid. Why go through the extraordinary convolutions of obtaining a bullet fired in advance from Oswald's rifle and rushing it to the hospital to incriminate him—then plant a near-perfect bullet that would immediately arouse everyone's suspicions? Why not a badly

(Continued on Page 126)



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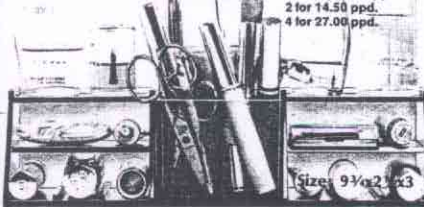
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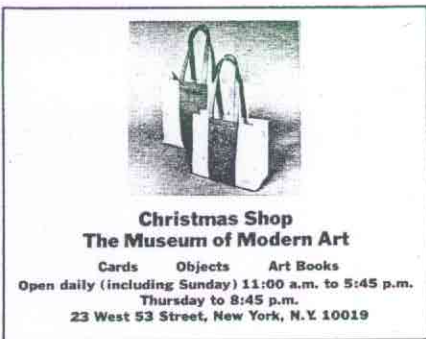
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Continued from Page 123

damaged bullet? And if the bullet was a plant, where was the bullet that did hit Connally? Where was the bullet that pierced Kennedy's neck? Did they disappear? Were they hidden? If so, how many people how close to the assassination scene would have had to have acted with uncanny prescience to secrete the two bullets—and without anyone else seeing them do it?

One charge that may fairly be laid against the critics is that in propagating their conspiracy theories they do not let their audiences in on anything that would tend to undermine or demolish this or that part of their grand mosaic. In a decade of largely unchallenged assault on the Warren Report, the critics have compiled a record of irresponsible polemics, misrepresentation of evidence, uncritical acceptance of unproven allegations, presentation of theory as though it were fact, and straining after solutions that violate evidence, logic and common sense. On the other hand, it could also be said that the Warren Commission, working under intense pressure from President Johnson to resolve the rumors that were sweeping the country, tried to impose a greater certainty on its central findings than was warranted by the evidence, thereby leaving the inevitable confusions and contradictions in the report all the more vulnerable to criticism. Also, what nags at many Americans, and reinforces the doubts played on by the critics, is the stamp of secrecy that continues to keep much of the commission material from the public eye. After brandishing unnamed demons before their audiences, the critics say there is a dreadful truth locked up in the Government files.

There is, in fact, a widely held belief that the "secret files" have been locked up until the year 2039. This date is the product of a 1964 statement by Dr. Robert Bahmer, of the National Archives, that investigatory records of the C.I.A., the F.B.I. and the Secret Service are normally not made public for 75 years. Nicholas deB. Katzenbach, then Attorney General, urged in 1965 that all agencies that had contributed to the Warren investigation seek early disclosure of their classified files. Some of the documents have since been released, but Bernard Fensterwald, director of a group of critics named the Committee



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The day before: President and Mrs. Kennedy—with Gov. and Mrs. John Connally—as they arrive in San Antonio, Nov. 21, 1963, for a three-day tour of Texas.

Continued from Page 126

on Assassinations, has compiled a list of 146 Warren Commission documents still being withheld. They bear such titles as "West German Federal Intelligence Service," "Statement of Fidel Castro," "Camba Embassy telephone call," and "Oswald safety deposit boxes in Laredo, Houston, Dallas - Fort Worth, Texas." "If the Government is certain of its case and has nothing to hide," Fensterwald said, "why not just bring everything out in the open?" "I'm all for that," says Ball. "There was nothing I saw that couldn't stand the light of day."

The need for disclosure has been heightened by recent reports that the F.B.I. withheld information from the commission, including an alleged letter from Oswald threatening to bomb the Dallas police headquarters if the F.B.I. continued interrogations of his Russian-born wife. Ball says the commission

was plagued by hostility from J. Edgar Hoover, who had wanted the Kennedy investigation for his own agency. Hoover had a long record of suppressing any information embarrassing to his bureau, and there have been persistent reports that Oswald's relationship with the F.B.I. might have gone beyond that of interrogatee. If he was some sort of low-level informant, Hoover might well have swept that information under the rug. If the relationship went still further, that too ought to be made known.

What could a new full-dress investigation, by Congress or some other entity, hope to accomplish? For 12 years now, the Dallas murder has been peered at, analyzed, dissected and speculated about. The critics feel they already know the truth. They want their truth confirmed and the Warren Report officially destroyed. They will not be satisfied with anything less. The majority of the critics want some "true assassins"—whom they

cannot name—put into the dock of history in the place of Lee Harvey Oswald. An investigation that did not accomplish that would undoubtedly be dismissed by them as a "new whitewash."

The effect on the general citizenry is another matter. A new investigation may not discover anything of any great significance that is new. But by compelling a public debate of the kind that was aborted when the Warren Commission went out of existence in 1964, leaving the field to the critics, a fresh investigation should put the old evidence—and the question—into clearer focus. That should have a beneficial effect on the country—all the more so if the investigators threw open the windows and doors and examined all the locked-up documents. Whatever the discoverable truth may be, it cannot be as dreadful as the fantasies spun by the critics from suppression of information. ■



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