

Conspiracy to End Conspiracies

TOM BETHELL

WHEN I HEARD Oliver Stone was delving into the mystery of the Kennedy assassination and making a high-budget movie about it, I felt a slight chill of apprehension. Would I be unmasked as a CIA agent? A friend of mine, who has been in regular contact with Stone in recent months, called me from Los Angeles. I asked him if he thought I could reach Stone by phone. Improbable, he said. Stone regarded me as a "serious enemy," and would be unlikely to grant me an interview on this subject or any other. I was relieved to learn that I was not actually going to be in the movie (scheduled for Christmas release). According to Robert Sam Anson's cover story in *Esquire*, Stone "needs his enemies to do good work." So I like to think that I may nonetheless have indirectly made an artistic contribution to Stone's latest opus.

Just to clear this up: through a series of flukes too tedious to relate, in the late fall of 1966 I found employment in District Attorney Jim Garrison's then-secret investigation of the Kennedy assassination. This meant going to Dallas, where I proved to be quite hopeless as a detective; then to Washington, D.C., where some English journalists taught me to play poker and I spent enjoyable hours at the National Archives perusing non-classified records of the investigation carried out by the FBI and Secret Service; then back to New Orleans.

Jim Garrison is the hero of Stone's movie—Kevin Costner plays the role. Garrison himself, recently retired from the Louisiana Court of Appeals, plays Earl Warren. Oliver Stone told Anson that he saw Garrison as "somewhat like a Jimmy Stewart character in an old Capra movie." Garrison is depicted as the truth-seeking official who bucks the establishment and presses forward against powerful, shadowy enemies. That's not my recollection of life in Garrison's office, however. The truth is that a quite hilarious movie could with accuracy have been made about the Garrison investigation. But that would hardly be Stone's style. At his best, Garrison did have a wonderful sense of humor. Most of the time, however, he lived in a strange world of his own imagination—which he sometimes confused with the real world. His most striking characteristic as DA was a truly astounding recklessness and irresponsibility.

We were an oddly assorted team. Among my fellow investigators was Mort Sahl, the satirist, who really did have credentials issued by the DA's office, and was in

fact fondly regarded at Garrison's HQ at Tulane and Broad. Unlike many other people who came to help out, Sahl didn't cause trouble for us by feeding Garrison's bizarre fantasies. Sahl, too, could be marvelously funny, and I do look back fondly on some very entertaining evenings with him, Garrison, a former FBI agent named Bill Turner, and one or two others.

Another and rather more somber gumshoe was a man known to us all as Bill Boxley, a stocky, grizzle-haired fellow, in demeanor very much the insurance-claims adjuster, with his ever-present briefcase and an air of diligent, sober appraisal. In fact, he told me that he was a reformed alcoholic, and I recall him sitting through many an evening, listening poker-faced to Garrison's fantastic soliloquies, drinking endless coffee and smoking cigarettes. Boxley had told Garrison that his real name was William Wood and that he had worked for the CIA in the 1950s. "Garrison started to make accusations about CIA involvement in the Kennedy assassination shortly after he hired Boxley to work on the case," I wrote over twenty years ago in an unpublished, still classified (by me) manuscript about the case. (The time is still not right for its release, I fear.)

BY DECEMBER 1968, however, Garrison's staff was beginning to tire of filing mischievous charges and subpoenaing unknown individuals all over the country—netting Garrison headlines, but leaving in their wake a stream of courtroom embarrassments for his lawyers to clean up. Boxley would have to go, Garrison's aides felt, and to achieve this they persuaded the boss that Boxley was not merely a former but a current CIA employee—and working actively to undermine his case by feeding him false leads. Garrison's chief trial lawyer, James Alcock, told me at the time: "I don't believe Boxley was an [active] agent, but he was giving Jim [Garrison] so much bull we had to get rid of him somehow." Poor old Boxley must have felt terribly let down. It's true that he led Garrison astray but he did so out of bad judgment, not perfidy. He certainly wasn't secretly plotting against Garrison with shadowy figures in Langley, Virginia.

The big test for Jim Garrison came early in 1969, with the trial of a New Orleans businessman named Clay Shaw. He had been charged with conspiring to assassinate Kennedy, along with Lee Harvey Oswald and an Eastern Air Lines pilot called David Ferrie. Ferrie himself had died (of a cerebral hemorrhage, the coroner ruled) a few days after news of Garrison's investigation was published in the *New Orleans States-Item*, on Feb-

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ruary 22, 1967. It's worth noting that there was great jubilation in Garrison's office when Ferrie so fortuitously died. The news of Garrison's investigation had generated worldwide publicity, and now his leading suspect was dead. The staff felt that this was a golden opportunity for Garrison to get out while he was ahead: Declare sadly that he had tried to find the truth but that Ferrie had mysteriously died. The assistant DAs and various police investigators working for Garrison assumed that the boss would quietly close down the investigation.

Instead Garrison forged ahead recklessly, charging Clay Shaw with plotting the assassination of the century. Everyone in Garrison's office knew that the case against Shaw was an embarrassment. The principal witness, Perry Russo, who claimed he had seen Shaw, Ferrie, and Oswald at a party discussing an assassination, was not credible, and his story was soon exposed by Jim Phelan in the *Saturday Evening Post*.

Nearly two years elapsed between the indictment and trial of Shaw. In that time Garrison would frequently reassure the staff that the trial would never take place. He was confident that Shaw, like Ferrie before him, would die unexpectedly, or perhaps that the Federal Government would close us down permanently, or that something drastic would intervene. The rest of us weren't quite so optimistic. The dreaded trial date kept approaching, and I remember Jim Alcock gloomily saying one day that "we're looking at a directed verdict." (In which the judge concludes that there is so little evidence that he directs the jury to acquit the defendant.)

Imagine the pleasure, then, when one day an accountant in New York contacted the office and told us he was prepared to testify that he had been at a party in New Orleans in 1963, and there had heard Ferrie and Shaw talking about killing Kennedy. His name was Charles Spiesel. Two lawyers were promptly dispatched to New York to interview the man.

On his return to New Orleans, one of them said of Spiesel: "Well, he'd make a great witness, but he's crazy." How crazy? "He fingerprints his children in the morning to make sure that the Federal Government hasn't substituted dead ringers in the middle of the night." Oh, that kind of crazy. But then again, apart from that . . . his demeanor was normal, he held down a good job, he did professional work. (Lingering in the air was the unstated question: Would defense counsel think to ask a surprise witness, Do you fingerprint your children?)

Later I found out that they really were planning to use Spiesel as a

witness against Shaw. There is no "discovery" law in Louisiana, meaning that the prosecution can put surprise witnesses on the stand at the last minute, without having to warn defense counsel. I knew Clay Shaw was innocent; in fact I think everyone in the DA's office also knew it, except for Garrison himself—who was incapable of thinking straight on the subject. For me, this was not an easy time. It seemed that the only result of my interest in the Kennedy assassination was going to be to help convict an innocent man of the crime. Earlier, I had met one of Clay Shaw's lawyers socially. Now I decided to help him, and so I transmitted to him a memo I had written, listing the names and addresses of those who would testify against Shaw, also summarizing their testimony (but nothing about their backgrounds or oddities of character).

I also told Garrison what I had done, before the Shaw trial began. In retrospect, especially in view of later testimony linking Garrison to organized crime, I may have been lucky to get out of there alive. (I always liked Garrison, though, and I think he knew that.) Anyway, the trial began, and I was later told that the private investigator's report on Spiesel, flown in from New York, only just arrived in time for the cross examination: he was already on the witness stand. Spiesel's background did come out. On the stand, he cheerfully estimated that he had been hypnotized against his will fifty or sixty times by secret enemies. Shaw was acquitted, the jury deliberating for less than an hour.

Great secrecy has surrounded the Stone movie, but various assassination buffs and reporters have acquired

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copies of the script. One who did so was George Lardner Jr. of the *Washington Post*. He reports that the character in the movie who leaks the witness list to Shaw's lawyers is William Boxley. With the trial about to begin an aide says to Garrison: "He [Boxley] is working for the Federal Government. It means they have everything, Jim. All our witnesses, our strategy for the trial." Lardner adds: "This serves as the excuse for the disastrous testimony of Charles Spiesel. 'He was one of Boxley's witnesses, chief,' the Stone script quotes one of Garrison's prosecutors as saying. 'I'm sorry. He was totally sane when we talked.'"

No, he wasn't. And Spiesel wasn't one of Boxley's witnesses, either. Nor was Boxley working for the feds. Why, then, is Boxley given this unflattering role in the movie, when I might have more appropriately been cast in the role? Boxley smoked too many cigarettes, and in 1980 died of emphysema. He can't sue. Was I working for the feds, or MI-6, or whatever? No, but I would guess Stone thinks otherwise.

Since learning that I was probably on Stone's enemies list, I have taken the trouble to see some of his movies (*Born on the Fourth of July*, *The Doors*, *Wall Street*). Even when one disagrees with the political point of view expressed—and his movies are intensely political—they strike me as being well made and eminently "watchable." I am told by someone who has seen parts of *JFK* that the Dealey Plaza scenes in Dallas are brilliantly reconstructed, and include footage from the home movie filmed by Abraham Zapruder. This shows Kennedy being thrown violently backward as he is hit in the head by a rifle bullet. Oswald and the Texas School Book Depository, of course, were behind the presidential limousine. Watching that sequence, one finds it very hard to believe that Oswald fired the fatal shot. About 56 per cent of Americans believe that Kennedy was killed as a result of a conspiracy. I imagine that number will increase after this film is released.

WAS THERE a conspiracy? Unexpectedly, I find myself more suspicious of the Warren Commission's "lone gunman" finding than I was when I last wrote about this subject (in the mid Seventies). Oswald must have been (at the least) involved in the assassination, however, and it is counterproductive to argue, as Jim Garrison does, that Oswald was "totally, unequivocally, completely innocent." If so, why did Garrison charge Shaw with conspiring with an innocent man? If an innocent Oswald was framed, as some think, it was certainly very obliging of him to show up for work on the morning of November 22 carrying a package of "curtain rods."

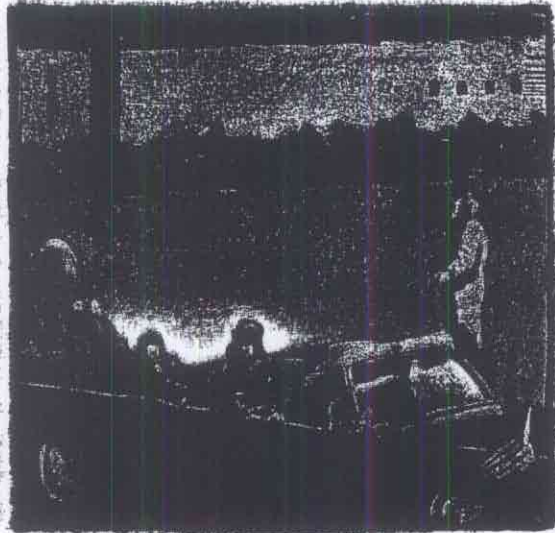
Still, Oswald's background is certainly very peculiar and doesn't fit the "lone assassin" profile. He worked as a radar technician at a U-2 base in Japan, later defecting to the Soviet Union. The U-2 spy plane was shot down while he was there, and the pilot, Gary Powers, later said that Oswald could have provided crucial information about its operation to the Soviet authorities. It's very hard to believe (as alleged) that the intelligence agencies were not interested in such a person on his return to the United States. Oswald's association with the mysterious Count George de Mohrenschildt in Dallas in 1962-63 raises many questions about intelligence links. (De Mohrenschildt wrote to Garrison and offered to help, but Garrison showed no interest and as far as I know never responded.)

Likewise, Oswald's employment by a firm where government-classified photographs were analyzed, his knowledge of "microdots," his visit to the Dallas FBI office a few days before the assassination, the note that he left there that was destroyed on the day of the assassination, his odd visit to the Cuban consulate in Mexico City in September 1963, his puzzling association with Cubans in New Orleans that summer (Garrison never got to the bottom of that), the (anti-Castro) "544 Camp Street" address on some of the pro-Castro literature Oswald was handing out in New Orleans (again, never cleared up by Garrison), and a number of other points, not to mention the physical and ballistic evidence in Dallas, are more than sufficient to explain why there is still a lot of interest in this baffling subject.

The House Committee's 1979 conclusion that President Kennedy "probably was assassinated as a result of a conspiracy" does not strike me as being entirely wrongheaded. It's a puzzle where the pieces just don't fit together properly and people are going to continue trying to reassemble them.

Shaping up in the news media has been something close to a "Stop Oliver Stone" campaign. It's interesting that this righteous wrath was never aroused by his earlier anti-Vietnam-War or decadence-celebrating movies. Anson mentioned Stone's "lengthening list of opponents, which unites foes who've been fighting over the Kennedy assassination for decades." Stone, he writes, has been accused of "sully[ing] the memory of a martyred President; of recklessness and irresponsibility, mendacity and McCarthyism, paranoia and dementia—even of treason."

It's enough to engender a certain sympathy for the man. It does strike me that if the Vietnam War is fair game for revisionism, so is the Kennedy assassination. Just so long as we remember that Clay Shaw and I had nothing to do with it. □



Tim Bower