

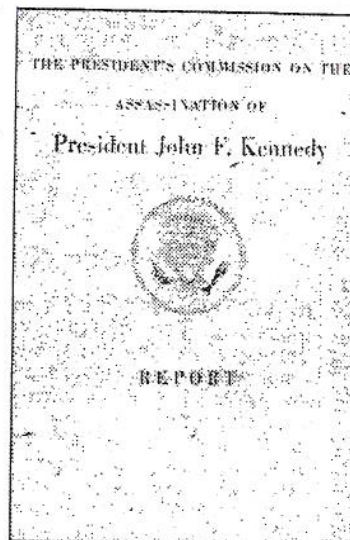
MAY, 1964: "Who Killed Kennedy?" The author, Buchanan, who was fired from an American newspaper over membership in the Communist Party, wrote his book from Paris without actually visiting Dallas. The assassination, he claimed, was the work of Texas oilmen, and Oswald was a minor figure who killed only patrolman Tippit

## Oswald: Assassin OR Fall Guy?

Joachim  
Joesten

*Is the Warren Report the final word?*

JUNE, 1964: "Oswald: Assassin or Fall Guy?" by Joachim Joesten. Based largely on newspaper reports, this suggested that Oswald was working for the F.B.I. Joesten claimed that Oswald did not kill either Kennedy or Tippit; but he implied that there was a conspiracy by right-wing extremists, the F.B.I and the C.I.A

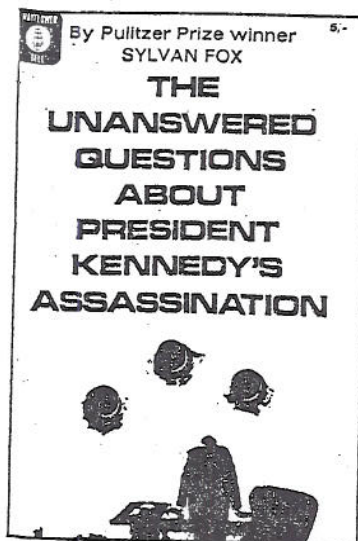


SEPTEMBER, 1964: Report of the President's Commission on the Assassination of President John F. Kennedy. Welcomed as the authoritative verdict, it claimed that Oswald alone killed both Kennedy and Tippit. Answered some of the theorists (notably Buchanan and Joesten) in detail. But the 26 volumes of evidence were not published until two months later

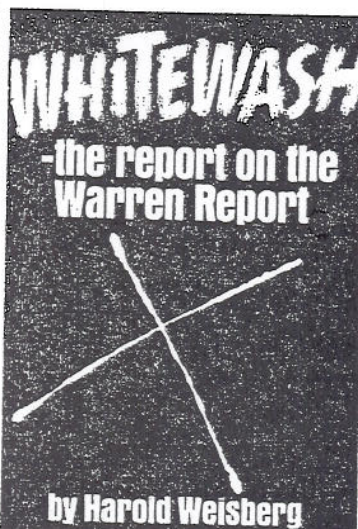


DECEMBER, 1964: Hugh Trevor-Roper, in the Sunday Times claims that the Warren Report is "slovenly". Mentions in some detail confusion over whether Kennedy had a wound in the front: article strongly refuted by pro-Warren lobby. Warden Sparrow of All Souls replied: "Nothing is easier to create than an atmosphere of suspicion"

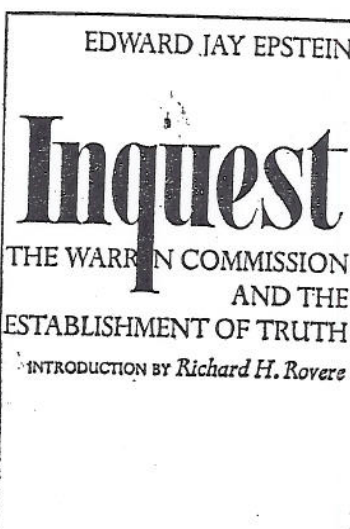
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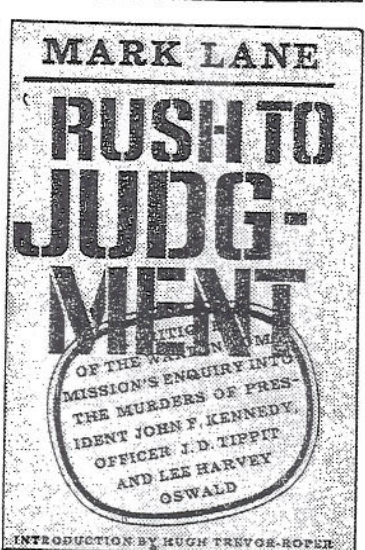
OCTOBER, 1965: "The Unanswered Questions about President Kennedy's Assassination," by Sylvan Fox, New York newspaper editor. Contends that Oswald was guilty of participation in the Kennedy murder, but suggests that more than one person was shooting. Somewhat lightweight, and produced only very little public reaction



JUNE, 1966: "Whitewash," by Harold Weisberg. Hotly-worded, privately-published work, based on detailed reading of 26 volumes of evidence. Claims that evidence against Oswald on both counts is flimsy, and suggests that the Commission tried to cover up the truth. After selling 10,000 in private edition, soon to be published professionally



JUNE, 1966: "Inquest" by Edward Jay Epstein. Reveals the inner workings of the Commission—based on interviews with its staff. Indicates that Commission's work was indeed slovenly in several respects. It focuses sharply on weaknesses of the "single-assassin" theory, pointing up confusion over nature of Kennedy's wounds. To be published here September 26



AUGUST, 1966: "Rush to Judgment," by Mark Lane. Most wide-ranging critique yet of Warren Commission, involving heavily-documented analysis of evidence, and numerous interviews with witnesses. Finds Warren Report at best a prosecution document against Oswald, and claims the evidence is thin, but advances no counter-theory. Publishing here September 22



# Kennedy's death: how

## **INSIGHT** on the new crop of books that cast doubt on Warren

LEE HARVEY OSWALD, acting alone, murdered President Kennedy on November 22, 1963. That was what the august Warren Commission reported to a grateful, relieved America on September 27, 1964. Doubt is now mounting against that weighty conclusion.

Last week the latest, most ambitious of a flurry of anti-Warren books came out: "Rush to Judgment" by Mark Lane, the New York lawyer who all along has been the central figure among the doubters. Commuting rapidly between TV appearances last week, New York lawyer Lane suddenly found himself transformed from a derided nut-case to something of a national figure, imperatively in demand.

"There's been a real change-round," Lane exulted. For the first time since the publication of the Warren Report, it was the official version which was clearly on the defensive.

Lane claims that the question "who killed Kennedy" remains open. And *all* the critics allege, in varying degrees, that the Commission headed by the Chief Justice of the United States maltreated the cause of truth.

Last week, Lane was claiming to have *more* new evidence: a film, taken in Dallas on assassination-day, which clashes with the Warren account of the finding of the crucial bullet that tied Oswald's Mannlicher-Carcano rifle to the shooting.

Adding fuel to the flames was yet another in the series of deaths which have overtaken

several lesser actors in the assassination drama. Lee Bowers (a vital witness if the question of the origin of the shots should be reopened) died in a Texas car crash on August 9.

No sinister explanations are needed to see that much of the evidence necessary to a re-examination of the Kennedy story is crumbling away in the flow of time. Meanwhile in Washington attention is focusing sharply on a sub-mystery: who has seen the photographs and X-rays which were taken during the autopsy on Ken-

nedy's body?

The argument is that these pictures must show exactly the paths the bullets took in Kennedy's body. This is critical information in deciding whether a single rifleman could have inflicted all the wounds.

The Commission only published drawings. And now the X-rays and pictures are matters of contention.

Such puzzles are typical of the silent, discouraging face official America has chosen to show the new inquiries. But it is an attitude difficult to maintain, and on Tuesday an eagerly-awaited confrontation will take place between chief-sceptic Lane and his opposition. Lane will debate on television with Albert E. Jenner, one of the Warren Commission's counsel.

This kind of clash seems likely to become more frequent during the next few months. But the process by which the doubters gradually ascended into a respectability sufficient to

begin to demand answers has been long, painful and confusing.

"Oswald the lone assassin" was the concept put forward by the Dallas authorities within a few hours of the shooting, and adopted with little variation by the Warren Commission after more formal inquiry. Opposition to this official view has appeared in three "waves", which have become progressively more damaging as they have eschewed counter-theory and concentrated on knocking holes in the official view.

However, it was the first wave, appearing in early 1964 within a few months of the killing which gave the critics their damaging public image as "wild men." Central to this development was the work of Thomas Buchanan, whose book "Who Killed Kennedy?" sold 80,000 copies in Europe.

Buchanan's book "revealed"—on a basis of exiguous evidence—that the assassination of Kennedy was the work of the "Dallas oligarchy." The Buchanan book itself, written largely



from Paris, soon sank into obscurity. But its effect has lingered on in the form of a widespread belief that all of the critics are trying to prove that there was a "great conspiracy" behind the assassination.

The net effect was an irony: the official view was strengthened, because all its opponents were tarred with the same melodramatic brush.

Even more ironically, many of these early theorists seemed

to rely for much of their data on Lane's work.

Certainly Lane had been one of the first in the field. At the time of the assassination Lane was a 36-year-old Manhattan criminal lawyer and Democratic politician. And his first interest in the case was as a lawyer. It seemed to him a remarkable example of the "trial by newspaper" which is a much-criticized aspect of American judicial procedure.

Within a few days of Oswald's death Lane wrote an article dealing with this question, entitled "A Defence Brief for Oswald". To his surprise, he could not get it published, although he claims to have tried virtually every liberal journal in America. Finally, it was

accepted by the National Guardian, a small-circulation Left-wing paper.

When a copy reached Mrs Marguerite Oswald, mother of Lee Harvey, she asked Lane to look after her dead son's interests before the Warren Commission, which had been set up by President Johnson on November 29.

The Commission would not accept Lane. Instead, Walter Craig, president of the American Bar Association, was appointed to hold a watching brief for Oswald. (He attended only two out of 51 sessions.)

Despite this Lane began inquiring into the case, and interviewing witnesses. He appeared twice before the Commission himself, and got some tough handling: in particular, when the head of the FBI, J. Edgar Hoover, abused Lane powerfully in his testimony before the Commission. He said it was evidence of Marguerite Oswald's "emotional instability" that she retained Lane, a lawyer nobody would retain if they were seriously trying "to get down to the facts."

Lane formed a Citizen's Committee of Inquiry to investigate the assassination. No American public figures would support him.

But in Europe, where the issue was less loaded emotionally, his work had more impact.

This was particularly true in Britain, where a "Who Killed Kennedy Committee" was formed early in 1964. Its chairman was Bertrand Russell, and although its members were mainly leftists—Michael Foot, Victor Gollancz, the Bishop of Southwark, etc—it also included the conservative historian Hugh Trevor-Roper.

And it was Trevor-Roper who played a leading part in the second "wave" of criticism which followed the publication of the Warren Report at the end of 1964.

The Report, an 888-page volume written with cool, legal elegance was received with acclaim almost everywhere in the world. Time magazine praised it for being "amazing in its detail, remarkable in its judicious caution and restraint, yet utterly convincing in its major conclusions. . . ." The Times said it "established beyond doubt that the assassin was Lee Harvey Oswald . . . and that neither he nor Jack Ruby his murderer was part of any conspiracy."

Professor Trevor-Roper disagreed. He wrote in the Sunday Times that the report "accepted impossible axioms, constructed invalid arguments and failed to ask elementary and essential questions." Coming from the Regius Professor of Modern History at Oxford, this created quite a stir.

At once, powerful forces rallied to the defence of the Warren Report. In the next issue of the Sunday Times John Sparrow, Warden of All Souls described Trevor-Roper's work as "a travesty, marred by bias and blotted with inaccuracies."

Today, Trevor-Roper's critique may look remarkably prescient. But at the time he seemed to lose the debate by a wide margin. Sparrow was able to find highly-effective points to attack, such as Trevor-Roper's unsubstantiated claim that the Dallas police or the FBI must have destroyed the record of Oswald's interrogation.

The effect of this deflation was inevitably to undermine even the degree of support Lane had obtained this side of the Atlantic.

The critics, it was assumed, would be buried for ever under

the weight of the Commission's 26 thick, unindexed volumes of evidence. But this was not so: and oddly enough it has taken three of them—Mark Lane, Edward Jay Epstein and Harold Weisberg—just about the same time to burrow their way out again.

Epstein's book *Inquest* is mildly worded, and ostensibly limits its scope to assessing the Commission's work from the standpoint of a political scientist.

As such, Epstein got interviews with most of the Commission's legal staff. Several of them made amazing admissions, and one, Wesley Liebler, presented Epstein with a full set of working-papers — including FBI autopsy reports, then classified, which clashed with the Commission's published autopsy reports.

Epstein does not challenge the Commission's finding that Oswald killed Tippit, nor does he deny that Oswald fired at Kennedy. But he devastatingly criticises the Commission for its failure to investigate detailed reports of Oswald's FBI connections.

Even more devastatingly, he attacks the Warren Report thesis that a single bullet passed through Kennedy's neck (before the fatal head-wound) and passed on to inflict Governor Connally's wounds as well.

Norman Redlich, the Commission lawyer who wrote most of the report, told Epstein: "To say that they were hit by separate bullets is synonymous with saying that there were two assassins."

Analysis in a home-movie

# the controversy was reborn



film of the two victims' positions showed that if they were not wounded simultaneously they were wounded within 1.8 seconds of each other. Yet the antiquated Mannlicher-Carcano bolt-action rifle could not fire twice in less than 2.3 seconds.

Examining the photographs of Kennedy's clothing printed in the Commission's evidence volumes, and the FBI reports, Epstein was able to cast heavy doubt on the "single-bullet theory." So far, beyond a tacit suggestion that the FBI made a gigantic blunder in its most important-ever case, the only reply to Epstein has come from Commission staff members who claim that they have been misquoted, or like counsel Francis Adams, that they "do not remember" talking to Epstein.

Last week Epstein had a blunt reply to Adams: "I had an hour interview with him and if he claims he doesn't remember, he's either poor memorywise or lying."

Lane, in his book *Rush to Judgment*, though preserving almost as cool a tone as Epstein, ranges wider. Besides challenging the "single-bullet" theory, he attacks with considerable effect the Commission's evidence that Oswald shot at Kennedy, and dismantles virtually all of its evidence that Oswald shot Tippit. Painstakingly, he shows that the Warren Report was guilty of amazing misrepresentations of its own evidence on such vital matters as Oswald's shooting ability.

When Harold Weisberg set out to do the same job, he did it noisily and often ~~tendentiously~~ ~~so~~ his difficulties in finding a publisher, which ended in his publishing privately, are at least understandable. Lane's difficulty, however, is surprising.

His contract with Grove Press of New York, was broken in 1965 because the book was not ready. Subsequently, he claims, his draft was rejected by 15 American publishers — often after complimentary reactions — including the cream of the liberal publishers like Random House, Macmillan, Simon and Schuster, and Epstein's publishers, Viking.

Finally, he came to Britain, and was accepted by the Bodley Head. Only then did he get an American publisher — Holt, Winston and Rinehart. "I hadn't thought of them," Lane confesses. "They publish J. Edgar Hoover, and they're 10 per cent owned by a Texas oil millionaire.

"Once I was accepted by Holt Winston Rinehart things began to change," he said. "That was when the television offers began to come in." It signified, in fact,

the emergence of Lane's cause from "underground," when he had been able to pack any halls at universities anywhere in America and England, but could not get a hearing from newspapers or publishers.

And this new acceptance is already beginning to turn up new evidence for the anti-Warren case. Last week, a New York TV station asked Lane to look through some footage for a programme he was to appear on: suddenly, Lane found himself looking at a film he had searched for in vain of a press-conference given by a Dallas hospital doctor describing the wounds of Governor Connally.

The doctor says that the bullet — this would be the bullet that hit both men — is still in Connally's body. Yet the news-conference took place *after* the time when the Warren Commission claim that the bullet was found on a stretcher, having apparently fallen out of a wound.

If the X-rays and photographs can show a convincing path for a single bullet to traverse Kennedy's body and strike Connally, much of the dissenters' argument must fall. An interesting development on this front is an interview given by the Commission counsel who handled the question.

This was Arlen Specter, now District Attorney of Philadelphia, and he told the *Greater Philadelphia* magazine: "I was interested in seeing the photographs and X-rays. . . . The Commission considered whether they should be put into the record . . . and the Commission reached the conclusion that it was not necessary. . . . I specifically leave out my personal attitude on the subject because I don't think it's really a main factor."

Whether or not the Commission prevented Specter from investigating the "single-bullet theory" to the end may not be resolved for a long time. But already one of the Commissioners — Senator John Sherman Cooper — has intimated that he does not believe the "single bullet theory," although he thinks Oswald was the lone killer.

And Epstein claims that another Commissioner, Senator Richard Russell, was only persuaded to accept the theory on the pleading of J. Lee Rankin, the Commission's General Counsel.

Next month some of the interest in the debate will shift to Britain, when Lane arrives for the British publication of his book. During his "underground" days, despite numerous challenges, none of the defenders of the Warren Report would debate with him here. What reaction will he get this time?



HENRY BRANDON reports on Washington reactions to the controversy

# All too distressing

IT IS perhaps still too early to judge what will be the ultimate impact on American public opinion of the new crop of books casting doubt on the Warren Commission's findings. So far, the ferment is among small groups of intellectuals near university campuses. Most Americans seem already to have made up their minds that this is a closed case, too distressing, too disturbing to think again. And for the country at large, the assassination literature is too sophisticated, too complicated, too tenuous and too inconclusive.

The press discussion of the books is so far almost entirely limited to the literary pages. All important publications have given them extensive reviews, mostly written by competent and responsible men and the majority confirming that the books left them with reasonable doubts about the Warren Commission's conclusions.

Two reviews aroused more attention than the others. One by Richard N. Goodwin, because he ended up by suggesting that an "independent group should look at the charges and determine whether the Commission investigation was so defective that another inquiry is necessary," and because as a friend of Senator Robert Kennedy some assumed that he may have offered this conclusion after consultation with the Senator. The other was in the New York Review of Books, which offered its own rather far-fetched conspiracy theory.

In one or two publications much was made of a mysterious

disappearance of a collection of X-rays and photographs which allegedly had remained hidden for three years. In fact, the Warren Commission did inspect the X-ray plates on the basis of which the autopsy was made. It is correct that the Commission could never get itself somehow to ask for the photographs of the President's mutilated body for some sort of human inhibitions and because it was thought that they could not offer any new additional evidence beyond that gleaned from the X-rays. Also they do exist and they are, I believe, in Senator Robert Kennedy's possession.

But off the literary pages, among the public at large, and even at Washington dinner tables (which normally thrive on controversy) the subject has gained little momentum. Americans find it difficult to conceive of some sort of a great conspiracy behind the assassination. This is not the way their mind works. The rational is closer to it than the irrational and furthermore historic precedent favours the madman rather than the conspirator.

But apart from these psychological reasons there is also the commanding one, that none of these private investigators—in the positive sense of finding an alternative theory to fit the facts—has been able to open up anything more than conjectures and mostly tenuous ones, however disturbing. I therefore doubt whether, on the basis of what has been written so far, the case will be reopened.

Mr Goodwin says that the re-

action to his proposal for a reinvestigation has been mainly among a limited circle of intellectuals. He also says that he never showed his review to Robert Kennedy, or that he consulted him about it, though I would not be surprised if the Kennedy family did not regret the fact that all these various doubts have arisen.

Some of the Commission members readily admit flaws and loopholes in the Report, also that they had grave doubts about some of the theories developed. Senator Russell and Senator Cooper, both commission members, did not believe, for instance, that the same bullet hit the President and Governor Connally, yet at the same time they could not unearth proof of an alternative.

A new official inquiry would need either a move by the President or a Congressional resolution and there is no public pressure for either. Nor is there a likelihood of a member of the Kennedy family to take the initiative. Both Robert and Edward Kennedy still believe that the conclusions reached by the Warren Commission are valid. An outside group of experts would not have much of a chance because it would lack the power to compel witnesses to testify and to subpoena documents. Therefore unless a new witness with some new confessions opening up new clues or confirming some of the current theories turns up, this case will—at least in the minds of some—rank as the greatest unresolved murder mystery of all time.