

Dear Ed,

11/6/97

If I was involved in the Hannah Arendt controversy, I have no recollection of it. Or of ever having spoken to Phillips of A Partisan View.

With regard to that "snarling" and "smearing" comment, in those days when the intellectuals were hung up on Warren they frequently saw what was not to be seen and such comments were their substitution for the criticism of my work they could not make.

With regard to Schiller, although few will ever see it, I took good care of him in what I wrote about "Ailer's sad tales."

I was sent a copy of that first issue of Prevailing Winds, loaned it to someone and never got it back. I do not know if it continued publication after that issue but my recollection of it, confirmed by what you enclosed, is that there was no reason for it to continue. Except that it gave the ^{Scotts} and the Lerners (what is his first name? Can't remember it but I do his father's) a chance to show of what they regarded as their learning when it was and is no such thing. They were and they remain subject-matter ignoramuses.

In Scott's supposedly scholarly commentary of Posner's pap it is conspicuous that he made no reference to Max Case Open. But then in his entire piece he had no reference to say Post Mortem or any of the Whitewash series. Scholarship?

This is to ~~say~~ say that what you said about the major media is quite true but that it is true also of the minor media.

I'm surprised you remember that effective line for which none of the supporters of the official mythology ever had any appropriate refutation, that there was nothing wrong with the "old" evidence when it was understood and used properly.

As I believe I demonstrated.

Some of that Scott stuff is pretty sick, particularly for 1993.

Thanks and best,

Harold

10/29/96

Dear Hal,

Came across these references to your work. I had no idea you were involved in the Hammah Aronoff controversy. I thought Phillips took a cheap shot by saying you "were making an appointment".

Rather the time Lawrence Schiller took in "The Scavengers and" Critique of The Wason Report. See enclosed article for more on Schiller.

I note Schiller is now involved with Robert Kaldorjian the kind of "best friend" and lawyer one really needs! Ha Ha. Your old friend Donald Freed

Wrote a twelve week
on the O.J. Case "Killing
Time". All speculation and
rumors. Factual has not
changed.

That time, What's
wrong with the real evidence
is true. That is your work.
The government couldn't
answer the so called
"old" questions in 1965. And
it can't today.

The questions you
were asked in 1966 about
why is so much classified
remains true thirty years
later!

Why you were never
awarded the recognition
you deserved is a media
disgrace. But it wasn't
personal.

Look at Lawenstein. He
was ridiculed as crazy
for raising the issue.
Only the people wanted
the truth. Every other
interest group - right, left,
center was against the
truth.

You're an American
Zoo.

Best Wishes,

EO

A PARTISAN VIEW BY
WILLIAM PHILLIPS, STEIN AND
DAY, 1983. A Charmed Circle

It began in 1963
el called me one
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e from Philip Rahv,

who was still an editor of the magazine though not very active. Rahv did not like Arendt or what he called her conservatism and anti-Jewish bias. And he had on his side, as did Abel, the fact that respectable editorial practice dictated the printing of a commissioned piece unless it was libelous, or personally offensive, or intellectually below the level, or generally beyond the pale.

Admittedly, we were in the middle of a dilemma that had no clear resolution, certainly not to everyone's satisfaction. What was finally done—which was my decision—was to run Abel's piece and then open up the question in a wider discussion. In the next issue Daniel Bell tried to act as a peacemaker by judiciously weighing Abel's arguments against Arendt's thesis and lifting the whole issue to the contradiction between the ideals of justice and humanity and the more immediate questions of guilt and retribution involving the Jewish people.

In the following issue, we published comments by Mary McCarthy, Dwight Macdonald, Marie Syrkin, Irving Howe, Robert Lowell, Harold Weisberg, and myself, with a reply by Abel to his critics. Most of the comments, as I said in my piece, which was cast in the form of a letter to Mary McCarthy who had expressed some doubt about whether I would take a position on the controversy, were clever, some brilliant, but they were too polemical, too busy tripping each other up, to add much to the argument. Syrkin and Weisberg were snarling and sneering, Lowell Olympian and touching in his affection for Hannah, McCarthy brilliant, especially in the writing, and honest in stating her bias, though her division of the protagonists into Jewish and Gentile only fueled the polarization, and Macdonald journalistically sharp and agile, but going along with Mary's arguments. In my piece, I tried to be fair and judicious, but that is a thankless job, especially when extreme positions are fashionable, and it makes one look as though he is avoiding taking a strong stand. (Elizabeth Young-Bruehl's account of this incident in her biography of Arendt is neither full nor correct.)

The only tangible result of the whole controversy was that Hannah and I did not speak to each other for a few years. Hannah felt betrayed by me. And though I tried to explain that my conduct was the only proper one for an editor of a magazine that prided itself on being open to any serious view, and that you could not just kill things

CASE CLOSED OR OSWALD FRAMED?

Case Closed:

Lee Harvey Oswald and the Assassination of JFK

by Gerald Posner (New York: Random House).

A Book Review

by Peter Dale Scott, Ph. D.

This is a special book about a special case: The two, indeed, are part of a single phenomenon. From the outset, the Kennedy assassination has attracted — along with cranks, ideologues, paranoid obsessives, charlatans, and a clairvoyant — two special kinds of student: the lawyers and the scholars. From the outset there have been reasons (persuasive reasons) of state to close the case; and from the outset there have been glaring problems with the evidence which have kept it open. Over the years there has been no shortage of people (not just lawyers) meeting the persuasive needs of state, nor of people (including some lawyers) following the lure of truth.

If anything has become more clear about the case since the Warren Report, it is that officials of many government agencies have lied, sometimes repeatedly, to maintain the Warren Commission's conclusions. Congressional Committees have established that FBI agents lied about Oswald's visit to the Dallas FBI office before the assassination and that CIA officials gave false statements (even within the Agency) about CIA surveillance of Oswald at the Cuban and Soviet Embassies in Mexico City.¹ These official lies have created a touchstone against which new books about the assassination can be tested. Are lies transmitted uncritically, in lawyerly fashion, as evidence? Or are they exposed by scholarly investigation? As we shall see, Posner's performance is a mixed one (he deals with the FBI falsehoods, but not the CIA ones). On balance, unfortunately, it is a lawyerly performance.

Case Closed may seem to uninformed readers to be the most persuasive of the succession of books that have urged readers to accept the lone-assassin finding of the Warren Report. But to those who know the case it is also evidence of ongoing cover-up. For Posner often transmits without evaluation official statements that are now known to be false, or chooses discredited but compliant witnesses who have already disowned earlier helpful

stories that have been disproven. He even revives a wild allegation which the Warren Commission rejected, and reverses testimony to suggest its opposite.

These are serious charges. There are in fact books on both sides of the Kennedy assassination controversy about which similar accusations could be made, and normally one might conclude that such books did not merit a serious rebuttal. But *Case Closed* is a special book, in which Posner more than once acknowledges help from "confidential intelligence sources."² It has since been granted major publicity in the media, from U.S. *News and World Report* to the *Today* show and *20/20*.

There are many places where one can agree with Posner's rebuttal of particular critics on particular points. One must grant also that on a topic of this range and complexity no one's book will be flawless.

But in *Case Closed* some of the weakest sections of the Warren Commission argument have been strengthened by suspect methodologies and even falsehoods so systematic they call into question the good faith of his entire project.

"But in *Case Closed* some of the weakest sections of the Warren Commission argument have been strengthened by suspect methodologies and even falsehoods, so systematic they call into question the good faith of his entire project"

On the now-hoary question of whether Oswald's protector in Dallas, George de Mohrenschildt, had a CIA relationship, Posner reverts to the Warren Commission method of letting the CIA answer the question: "CIA officials have provided sworn testimony that there was no de Mohrenschildt-U.S. intelligence relationship."³ That will not work in 1993. In 1978 the House Select Committee on Assassinations revealed that, when leaving Dallas in May 1963 for Haiti, de Mohren-

schildt traveled to Washington and took part in a Pentagon-CIA meeting with de Mohrenschildt's business ally, a Haitian banker named Clemard Joseph Charles. A former CIA contract agent has since suggested that one of de Mohrenschildt's purposes in moving to Haiti was to oversee a CIA-approved plot to overthrow Haitian dictator Francois "Papa Doc" Duvalier.⁴

There is no excuse for Posner's repeating, uncritically and without footnotes, another old CIA claim, that at the time of the assassination, "Oswald's CIA file did not contain any photos" of Oswald.⁵ This false claim is an important one, since the CIA has used it to justify the false description of Oswald which it sent to other agencies on October 10, 1963, six weeks before the assassination. But as Anthony Summers pointed out thirteen years ago, the CIA preassassination file on Oswald contained four newspaper clippings of his defection to the Soviet Union in 1959, and two of these contained photographs of him.⁶ One could argue that the original error arose from an innocent oversight; although this is unlikely, since it is part of a larger pattern of CIA misrepresentations concerning the photos.⁷ One

cannot offer such an innocent defense for Posner's repetition of the falsehood. His discussion of the photo issue is a running argument with Summers; and indeed in this section he repeatedly disputes Summers' allegations.⁸

In short, this book is not "a model of historical research," as the historian Stephen Ambrose has claimed. It is a lawyer's brief.

Reversing the Verdict on Jack Ruby and Organized Crime

One would have thought that one issue now resolved beyond question is that Jack Ruby indeed had, as the House Select Committee on Assassinations concluded, a "significant number of associations" with organized crime leaders both nationally and in Dallas (AR 149). Eight pages on this topic in the House Committee Report were supplemented by a staff volume of over a thousand pages. Once this important point is conceded, it is hard not to agree that the Warren Commission's portrait of Ruby as a loner, based on misleading reports and suppression of evidence by the FBI, was a false one.

To avoid this problem, Posner has produced a witness who revives the Warren Report's portrait of Ruby as "a real low level loser," adding that only "conspiracy theorists" would "believe that Ruby was part of the mob." The witness is Tony Zoppi, whom Posner describes as a former "prominent entertainment reporter for the Dallas Morning News."⁹ He does not mention that Zoppi had been the source of an innocent explanation for Jack Ruby's 1959 visits to the Havana casinos, an explanation so swiftly demolished by the Committee that Zoppi himself retracted it. Thanks to this episode we now know that Zoppi, as well as Ruby, was close to a casino employee of Meyer Lansky's called Lewis McWillie and was himself working for a mob casino in Las Vegas, the Riviera, by the time the Committee interviewed him in 1978.¹⁰

Why would Posner choose a discredited casino employee to claim that Ruby was not connected to the mob? The answer, surely is, that he is a lawyer out, like the Warren Commission, to "close" a case. Posner opposes the thousand pages of House Committee documentation, not with new rebuttal documentation, but by extended oral interviews with just four witnesses, each of them dubious. One is Jack Ruby's brother Earl, investigated by the House Committee because of allegations that his business and personal incomes increased after Oswald's murder (AR 159). Another is former FBI agent William Roemer, from the Chicago FBI office that covered up Ruby's organized crime links in the first place. (The House Committee concluded that the FBI "was seriously delinquent in investigating the Ruby-underworld connections;" AR 243.)

The fourth is Dallas Deputy District Attorney Bill Alexander, who in November 1963 allegedly "prepared to charge Oswald with murdering the President as part of an international Communist conspiracy."¹¹ Posner transmits Alexander's admission to him (in the second of four interviews) that he has been an important liar about the case.¹² And yet Posner interviewed Alexander over "several days" (503), and cites him, as a "significant source," on at least sixteen different occasions.

Crucial to closing the case is rebuttal of the House Committee's finding that Ruby may have had "assistance" from Dallas

policemen in entering the Dallas Police Basement (AR 157). It learned that doors to another stairway had apparently been left unlocked, and the men guarding these doors reassigned elsewhere shortly before the murder. It learned also that "the Dallas Police Department withheld relevant information from the Warren Commission," particularly that at the time the sergeant responsible for the reassignments, Patrick Dean (an acquaintance of Dallas mob boss Joe Civello), had been given, and failed, a polygraph test (AR 158).

Posner ignores these disturbing indications of conspiracy. He writes (p. 393) that "it was never clear whether the door near the public elevators was properly locked," but offers no reason to counter the admission by Sergeant Dean, the officer in charge, that the door was not locked. Like the Warren Commission, he concludes that Ruby entered by a different route, a vehicle ramp, even though no witnesses saw Ruby enter that way and eight witnesses (Posner mentions only two) said that he did not.¹³ His only evidence for the ramp route is the Warren Commission's: Ruby's own sayso, as testified to later (but not at the time) by four Dallas policemen, one of them Dean.¹⁴

Here again Posner downplays an important Committee finding, by turning again to questionable witnesses and totally ignoring the evidence of official coverup, in this case by the Dallas Police.

Repeating Stories Which Even the Warren Commission Rejected

This lawyerly habit of preferring convenient but discredited witnesses is widespread throughout the book. With respect to Oswald's prior use of weapons (another highly disputable area), he accepts, as did the Warren Commission, the testimony of Marina Oswald. In so doing he does nothing to rebut the finding of Warren Commission Counsel Norman Redlich in February 1964 that Marina "has repeatedly lied to the Secret Service, the FBI, and this Commission on matters which are of vital concern."

Given this unrebutted memo, it is hard to excuse the Warren Commission for relying on Marina's testimony that the Mannlicher Carcano "was the 'fateful rifle of Lee Oswald.'"¹⁵ But Posner resuscitates a story from Marina which even the Warren Commission, knowing the story's history, discounted as having "no probative value."¹⁶

Marina said, "Then he got dressed and put on a good suit. I saw that he took a pistol. I asked him where he was going, and why he was getting dressed. He answered, 'Nixon is coming...'" She did not know who Nixon was but was determined that Lee should not leave the house with the pistol. She asked him to join her in the bathroom, and when he entered, she jumped out and slammed the door shut. Bracing her feet against the nearby wall, she struggled as hard as she could to keep the door closed against his efforts to push out. "I remember that I held him," she said. "We actually struggled for several minutes, and then he quieted down..." At first he was furious, but as he calmed, Oswald agreed to strip to his underwear, and stayed home reading

the remainder of the day.¹⁷

We can only repeat here a few of the problems with this story, which at the time engendered a number of supporting statements to the FBI that were later hastily recanted:

According to one version of this latest story from Marina, Oswald had "intended to shoot Nixon" in Dallas; and she "had locked Lee Harvey Oswald in the bathroom the entire day...to prevent him from doing so"... Faced with the fact that the Oswald bathroom — like all others — locked from the inside, Marina then told the FBI ... that in April 1963 "she forcibly held the bathroom door shut by holding on to the knob and bracing her feet against the wall"... Finally she would tell the Warren Commission ... that she and her much stronger husband "struggled for several minutes" *inside* the bathroom... Faced with other, irreducible difficulties in this Nixon story, the Warren Commission discreetly concluded it was of "no probative value."¹⁸

Note here that Posner has glossed over the inconsistencies in two incompatible stories by attempting to present them as one. In fact if Marina was outside holding on to the knob, she could not have simultaneously been inside struggling with her husband.

Twisting Testimony to Imply (or Even State) Its Opposite

But Posner's worst abuse of testimony occurs with respect to Oswald's location before the fatal shots. Posner inherits the Warren Commission's problem that a number of credible witnesses placed Oswald on the first or second floor of the School Book Depository, both shortly before and shortly after the fatal shots were fired from the sixth floor at 12:30 PM. The FBI Summary Report of December, 1963 suggested that Oswald had been observed on the fifth floor between 11:30 and 12:00, but the Warren Commission added that he had been seen (by Charles Givens, of whom more below) on the sixth floor. Posner, like earlier advocates of the lone assassin theory, reports another such alleged sighting as fact: "At 11:40 one of the workers, Bonnie Ray Williams, spotted Oswald on the east side of that floor, near the windows overlooking Dealey Plaza."¹⁹

The problem with this convenient story is that Williams, as if to satisfy his exigent examiners, had apparently changed his story not once but twice. An earlier FBI interview on November 23 had reported Williams as saying that he had seen Oswald on the fifth floor about 11:30 AM; and that Williams had returned to the sixth floor about noon *and had seen no one*.²⁰ One day earlier, only a few hours after the assassination, Williams had signed and sworn to a Dallas Police affidavit, stating categorically that "I didn't see Oswald any more, that I remember, after I saw him at 8 AM."²¹

The Warren Commission was quite aware of this problem. It quizzed Williams about his conflicting earlier statements to the FBI (though not to the Dallas police) and then discreetly declined to use his belated story about the sixth floor. And yet it relied heavily on Williams' account (in another story he had

failed to report earlier) *of hearing* the shots fired from one floor above him while watching the motorcade with two coworkers on the fifth floor. Commission Counsel Belin elicited vivid testimony from Williams on this point: "It sounded like it was right in the building ... it even shook the building, the side we were on. Cement fell on my head."²²

Williams' earlier amnesia about what he heard is compensated for by elaborate corroboration from his two alleged companions, "Junior" Jarman and Harold Norman. Indeed the corroboration is so precise that one's suspicions are raised, especially since none of the three had reported their important earwitness accounts to the Dallas police.²³ We even find these suspicions voiced by Stephen White, in one of the many earlier books which, like Posner's, has tried to persuade the American public that the Warren Commission was right:

Any student of the Report...must become uneasy at the testimony of the three men who stationed themselves at a fifth floor window in the Depository to watch the motorcade go by. Their stories dovetail admirably: They each heard three shots; they believed they were fired above them; one of them heard three shells hit the floor above them. It may well be so, but uneasiness is engendered when one learns that the Warren Commission stimulated their memories by a reenactment that duplicated in detail the account to which the investigators themselves were by then committed, and in so doing may have made concrete a recollection that had earlier been vague and indistinct.²⁴

The Warren Commission needed an eyewitness to Oswald on the sixth floor in order to rebut three eyewitness stories that Oswald had spent this period on the first or second floor of the building. Posner has no better rebuttal for one of these three downstairs witnesses (Eddie Piper) than to say that "Piper ... is clearly mistaken as five witnesses had placed Oswald on an upper floor, left behind by the elevators by that time."²⁵ The big problem here is that the witness score of five (for upstairs) versus three (for downstairs) had originally been one, or later two, (for upstairs) versus four (for downstairs). The problematic nature of this evidence had been noted in an early Warren Commission internal memo of February 25, 1964²⁶ All five who had declared for upstairs by March had changed their stories to do so. None had done so more suspiciously than the one witness, Charles Givens, whom Posner chooses (without any hint of this problem) as his main source.

There are three possible responses to the confusion and conflict in witness testimony about Oswald's location. There is the judicious or common-sense response (which was that of the House Committee): to conclude that the "inconsistencies in the statements ... created problems that defied resolution 15 [now 30] years after the events in Dallas."²⁷

There is the scholarly response: to gather more evidence, whether as to what happened inside the Depository, or about the alterations in the witnesses' stories, or about the forces which led to these alterations. Sylvia Meagher in 1971 looked more closely at "The Curious Testimony of Mr. Givens," which changed at least four times in five months and ended up with his switch from being a downstairs to an upstairs witness. According to an FBI memo of November 22, Givens had told the FBI that at 11:50 AM he had seen Oswald reading a paper in the

"domino room" on the first floor. In his Warren Commission testimony of April 8, 1964, Givens told counsel Belin that he had never made the earlier statement and claimed (for the first time in the official record) that he had seen Oswald on the sixth floor just before noon.²⁸

Meagher also reprinted an intervening statement on February 13, 1964 to the FBI by Dallas Police Lt. Jack Revill (a narcotics detective), "that Givens had previously been handled by the Special Services Bureau on a marijuana charge and he believes that Givens would change his story for money." And she denounced as "patently false" Revill's testimony to the Warren Commission (on May 13, 1964) that Givens had told him on November 22 he had seen Oswald on the sixth floor, on the grounds that Givens had never said this until April, 1964.²⁹

Finally there is the lawyerly approach: to tell less, not more, to suppress the difficulties with the testimony that is preferred, and to invent nonexistent problems with the testimony of witnesses one wishes to discredit. This is the approach of Posner in *Case Closed*. Instead of admitting, and discussing, the problems with the sixth floor witnesses who recanted their own testimony, Posner completely ignores these problems and creates the false impression that it is a key first floor witness who has contradicted herself.

Posner is especially concerned to impeach the testimony of Carolyn Arnold, which corroborated Oswald's own account of having lunch on the first floor, in opposition to the Warren Commission account of Oswald waiting on the sixth floor. In Posner's words:

Carolyn Arnold, a secretary to the Depository's vice-president, told Anthony Summers in 1978 that at 12:15 she entered the second floor lunch room and saw Oswald sitting in one of the booths. "He was alone as usual and appeared to be having lunch," Arnold said. Her interview with Summers was the first time she ever publicly told the story about seeing Oswald in the lunch room. But Arnold had given two different FBI statements shortly after the assassination. In one, she said she "could not be sure" but might have caught a fleeting glimpse of Oswald in the first floor hallway, and in the second statement said she did not see him at all. Arnold told Summers the FBI misquoted her, though she had signed her statement as correct. Four other women worked with Arnold and watched the motorcade with her that day. They support her original statements and not the story she told fifteen years later. Virgie Rachley and Betty Dragoo accompanied her when she left the second floor at 12:15. They did not see Oswald in the lunch room.

After this apparent demolition of Arnold, Posner dismisses the other two witnesses in a footnote:

William Shelley and Eddie Piper also thought they saw Oswald on the first floor shortly before noon. But Shelley later admitted he saw him at 11:45 A.M., before others noticed him on the sixth floor. Piper thought he saw Oswald at noon filling orders on the first floor, but he is clearly mistaken as five witnesses had placed Oswald on an upper floor, left behind by the elevators at that time.³⁰

DEEP POLITICS AND THE DEATH OF JFK

by Peter Dale Scott

PETER DALE SCOTT

DEEP POLITICS AND THE DEATH OF JFK

In this meticulously documented, eye-opening investigation, Peter Dale Scott uncovers the political secrets surrounding Kennedy's assassination. Offering a wholly new perspective—that JFK's death was not an isolated case, but rather a symptom of deeper processes—Scott examines the deep politics of early 60s American international and domestic policies. \$25.00 (tentative)

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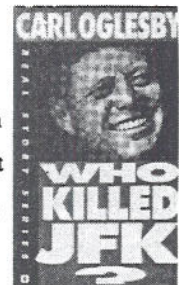
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WHO KILLED JFK

BY CARL OGLESBY

In this clear, readable book, prominent assassination researcher Carl Oglesby proves that JFK must have been killed by a conspiracy, not by a lone gunman. Even scarier, he knows that the U.S. government has been, and still is covering up that conspiracy. In the last chapter, he discusses who might actually have pulled the trigger.

PWR code #711 \$5.95



(These five witnesses had come up with the elevator story long after the assassination; and one of them, Charles Givens, had originally placed Oswald on the first floor).³¹

But the apparent problem with Arnold's testimony is an artifact of Posner's own lawyerly imagination:

1) Arnold never told the FBI "she did not see [Oswald] at all." She said that she "did not see Lee Harvey Oswald at the time President Kennedy was shot."³² This was in response to a narrow question asked of all Book Depository witnesses by the FBI, in accordance with a request from the Warren Commission. Similar if not identical answers were given by Roy Truly, who according to Posner saw Oswald two minutes (some say 90 seconds) after the assassination, and by five of Posner's alleged upper floor witnesses.³³

2) It is highly misleading to say that "Arnold told Summers the FBI misquoted her, though she had signed her statement as correct." Here Posner conflates two different FBI statements, one of November 26 about seeing Oswald on the first floor (where she later claimed to have been misquoted) and one of March 28 about not seeing Oswald at the time of the assassination (which she had signed as correct).

3) Thus there is no evidence that Arnold ever contradicted herself. One might normally suspect witnesses who denied making statements attributed to them by the FBI. But Posner has no grounds for doing so in this case. As he is quite aware, three of his upper floor witnesses (Givens, Williams, and Norman, whose final stories he reports as gospel) had denied under oath making earlier statements attributed to them by the FBI and/or Secret Service.³⁴ Arnold's different memory after fourteen years is hardly comparable to the dramatic differences in reported stories from Givens after a few weeks, or even hours.

I call Posner's treatment lawyerly, because he is trying both to make some very problematic sixth floor witnesses seem clearer than they were and to make a first floor witness seem more problematic than she really was. But at times his abuse of evidence goes beyond legal propriety.

On the same page, for example, he tries to rebut Oswald's own statement that he took his lunch in the first floor domino room by a seemingly persuasive barrage of conflicting testimony: "Danny Arce, Jack Dougherty, and Charles Givens [all three of them upper floor witnesses who had changed their stories] also ate in the first floor room up to 12:15 and said there was no sign of him."³⁵ The footnoted citation for this statement from Givens is to the Warren Commission Hearings, Volume Six, p. 352. But on that page we find the exact *opposite* testimony:

MR. BELIN: On November 22 did you eat inside the building?

MR. GIVENS: No Sir.

After this discovery, one can raise questions about the other alleged witnesses as well.³⁶

Not every page of Posner's book is as full of distortions as this one. Even here I have focused on the worst handling of evidence; there are indeed other credible witnesses who create problems for those who believe that Oswald in fact spent this time on the first floor.

But I have no trouble admitting that the evidence is confused, and the Depository witness testimony problematic. It is Posner,

in his desire to find the case closed, who must introduce a false simplicity that in fact is not to be found. There will be those who argue that Mr. Posner is after all a lawyer, and we should expect no better of him.

But my complaint is about the national media pundits who (like Tom Wicker) have hailed this book as "thoroughly documented" and "always conclusive." My complaint even more is with the prominent academics who (like Professor Stephen Ambrose) have hailed it as "a model of historical research." The case will certainly never be closed as long as the media tout such misrepresentations as the proper answer to the critics. □

Footnotes:

1. U.S. Cong., Senate, Intelligence Committee, *Performance of Intelligence Agencies*, Appendix B; House, Judiciary Committee, FBI Oversight Hearings, October 21 and December 11, 1975; Posner, 215-17 (Oswald and FBI in Dallas); House, Select Committee on Assassinations, "Lee Harvey Oswald, the CIA and Mexico City," Classified Staff Study (cited henceforth as *Lopez Report*, declassified 1993), 123, 164, 183-84, etc. (Oswald in Mexico City).

2. Posner, pp. 511, 514, etc.

3. Posner, 86.

4. 12 AH 5557; Summers, 248; Dick Russell, *The Man Who Knew Too Much* (New York: Carroll and Graf, 1992), 318-19; Warren Hinckle and William Turner, *The Fish Is Red* (New York: Harper and Row, 1981), 210 (contract agent); Peter Dale Scott, *Deep Politics and the Death of JFK* (Berkeley and Los Angeles: University of California Press, 1993), 78. There is also the problem of the alleged KGB defector, Yuri Nosenko, who came to America in 1964 with the claim that the KGB had nothing to do with Oswald. There are issues here that will probably never be resolved, but Posner, in order to close the case, makes light of them. He spends most of his time confirming what he calls "Nosenko's bona fides" (p. 41), and his arguments are quite persuasive. But even if Nosenko were a bona fide defector, it does not follow that all that he says about Oswald is true. On the contrary, the House Committee reported "significant inconsistencies" in statements Nosenko had given the FBI, the CIA, and the Committee (AR 102). Posner makes the valid rebuttal point (p. 45) that a 1967 CIA review found "massive errors in the translations of the interviews conducted before and during Nosenko's imprisonment," but he does not reveal to his readers that this finding related to CIA interviews only, leaving unexplained the reported major discrepancies between Nosenko's statements to the Committee and to the FBI. Thus there is still little justification for Posner's having relied so heavily on Nosenko as a principal source.

5. Posner, 186; emphasis in original. This false claim was originally made within the Agency by an anonymous official to CIA General Counsel Lawrence Houston. See Anthony Summers, *Conspiracy*, (New York: McGrawHill, 1980), 381.

6. Summers, 381; Warren Commission Document 692; CIA Document 590252.

7. *Lopez Report*, 13741. The Lopez Report called explanations offered by CIA employees on the matter of the false Oswald description "hard to accept" (139) and "implausible" (140).

8. Posner, 191 (footnotes 99 and 100), 193 (footnote 105). These cite pages in Summers immediately before and after the account of the photos in Oswald's file.

9. Posner, 355, 361.
10. Scott, 198-99; 5 AH 170ss; 9 AH 164-69. The stake of Meyer Lansky, Moe Dalitz, and the Chicago mob in the Riviera is confirmed by one of Posner's other Ruby witnesses, William Roemer, *War of The Godfathers* (New York: Donald I. Fine, 1990), 82, 167.
11. William Manchester, *The Death of a President* (New York: Harper and Row, 1967), 326; Scott, *Deep Politics*, 270. By the time Posner interviewed him, Alexander had become a fervid anticconspiratorialist (Posner, 361-62, 466-67). But Posner is usually scathing about witnesses who have changed their positions (e.g. 139, 227).
12. "Shortly after the *Inquirer* incident, Alexander and two local reporters concocted a story that Oswald had been FBI informer S-179 and had been paid \$200 a month. Lonnie Hudkins, one of the reporters, printed the story, attributing it to an unidentified source. The fallout was so great that the Warren Commission held a January 22, 1964, executive session to discuss the issue. 'I never much liked the federales,' Alexander says. 'I figured it was as good a way as any to keep them out of my way by having to run down that phony story.'" One of those who printed the "phony story" was Joe Goulden (*Philadelphia Inquirer*, December 8, 1963).
13. Posner, 395; G. Robert Blakey and Richard N. Billings, *The Plot to Kill the President* (New York: Times Books, 321-22).
14. Posner, 395-96. Posner says "three" Dallas policemen, instead of four. Is he mindful of the problem with Dean's testimony which he does not share with his readers? Accepting Jack Ruby's version as if it were authoritative, Posner also claims (396n) that the House Committee "ignored the fact that Secret Service agent Forrest Sorrels also said he heard Ruby tell [the Dallas police] ... that he had come down the ramp (*Dallas Morning News*, March 25, 1979)." He thus rebukes the Committee members for ignoring a "fact" that emerged after their report was published. In 1964 Sorrels testified under oath that he did not recall hearing Ruby comment on how he got into the basement area (13 WH 68).
15. WR 128, citing 1 WH 119, 14.
16. Warren Report, p. 189.
17. Posner, *Case Closed*, 120.
18. Scott, *Deep Politics*, 271, 289; cf. discussion at 28991 22 WH 596, 786; 5 WH 389-90.
19. Posner, 225, cf. 22 WH 681 (FBI interview of March 19, 1964); 3 WH 165.
20. WCD 5.330, emphasis added; cf. 3 WH 169.
21. 24 WH 229.
22. 3 WH 175; quoted in Posner, 242. Cf. 3 WH 179: "I heard three shots. But at first I told the FBI I only heard two they took me down — because I was so excited, and I couldn't remember too well. But later on, as everything began to die down, I got my memory even a little better than on the 22d, I remembered three shots."
23. Like Williams, Norman — when testifying to the Warren Commission — recanted details of an earlier statement he had made under oath (3 WH 194; cf. 17 WH 208).
24. Stephen White, *Should We Now Believe the Warren Report?* (New York: Macmillan, 1968), 57-58.
25. Posner, 227. For just some of the many problems of the alleged Oswald-by-the-elevator encounter (later doubled to become two Oswald-by-the-elevator encounters), see Gorden Miller, *The Third Decade* (September 1993), 33-35. Miller does not mention that Bonnie Ray Williams (3 AH 168) attributed to the first encounter an exchange of words between Givens and Oswald which Givens (6 AH 351) attributed to the second encounter (when Williams was not present). Posner, undaunted, reports both elevator-encounter stories, along with the Givens version of the exchange of words, as if they were incontestable facts. Posner also names Jack Dougherty as a witness to an 11:45 AM elevator-encounter, citing (without page reference) an "affidavit of Jack E. Dougherty, November 22, 1963" (Posner, 540, footnote 12). When Posner omits page references, one's suspicions are rightly aroused. The affidavit (24 WH 206) says nothing about an elevator encounter at all. There is also no elevator in the testimony (6 WH 377-78), where Dougherty stated, "It was about 11 o'clock; that was the last time I saw him."
26. Summarized in Sylvia Meagher, "The Curious Testimony of Mr. Givens," *Texas Observer*, August 13, 1971; reprinted in Peter Dale Scott, Paul L. Hoch, and Russell Stetler, *The Assassinations: Dallas and Beyond* (New York: Vintage, 1976), 246-47.
27. AR 50.
28. 6 WH 345-56; WR 143; cf. WCD 5.329 (FBI interview of 11/22/63); all summarized in Meagher, 245-47.
29. WCD 5.330 (FBI memo of 11/22/63); 6 WH 345-56, WR 143 (Givens testimony); WCD 735.296-97 (Revill to FBI), 5 WH 35-36 (Revill to Commission); Meagher, in Scott, Hoch, and Stetler, 245-48.
30. Posner, 227; emphasis added.
31. Posner does not supply a footnote for his statement that Shelley saw Oswald "at 11:45 A.M." What Shelley told the Commission, unambiguously, is that he saw Oswald on the first floor at "about ten to twelve." (6 WH 328). The difference of five minutes, trivial in practice, is devastating to Posner's logic; for 11:50 is the Commission's time for the first encounter at the elevator on the fifth floor. In other words, Shelley's testimony cannot be written off as compatible with the highly dubious elevator story.
32. 22 WH 635; FBI interview of March 18, 1964, emphasis added.
33. 22 WH 634 (Arce), 22 WH 645 (Dougherty), 22 WH 649 (Givens), 22 WH 655 (Jarman), 22 WH 666 (Norman); cf. Howard Roffman, *Presumed Guilty* (Rutherford, NJ: Fairleigh Dickinson University Press, 1975), 185.
34. 6 WH 354 (Givens); 3 WH 168, 171-72, 173, 180 (Williams); 3 WH 194 (Norman).
35. Posner, 227.
36. Givens' testimony is consistent with his original affidavit to the Dallas Police on November 22 that at twelve noon he took his lunch break and left the building. A very similar statement ("At lunch time at 12:00 noon I went down on the street") had been signed and sworn to by Danny Arce (24 WH 199). Arce's different statement to the Warren Commission, that he ate lunch in the "domino room" (6 WH 365), is thus open to question. This leaves only Jack Dougherty, a witness the Warren Report very understandably calls "confused" (WR 153) and who testified twice to Warren Commission Counsel Ball that the shots were fired "before I ate my lunch" (6 WH 379). □

Assassination Politics

Gerald Posner and the False Quotation Syndrome

Since this issue of *Prevailing Winds* contains Peter Dale Scott's masterful skewering of Gerald Posner's *Case Closed*, you may think we've dumped sufficient opprobrium on poor Gerry's noggin. Naah. We haven't even started. After all, we can't let future historians accept the JFK case as closed when new evidence indicates that media-hero Posner is a bit, shall we say, ethically challenged.

Of course, savvy folk knew Gerry had a wayward way with facts from his book's first sentence, which claims that more than 2000 books have been written about the Kennedy assassination.

The actual figure is somewhere under 400. Posner probably got the "2000" figure from the struggling Assassination Research Center in Washington, D.C., which does (or did) house roughly that number of books on its unsteady shelves. But those holdings include many titles not directly about the assassination.

Posner goes on to claim that this avalanche of assassinology, foisted on the public by avaricious writers, has presented only the pro-conspiracy side of the Kennedy question. Let's first clear up this business of alleged avarice: JFK books normally sell well only when a movie or some other newsworthy event pushes the case into the spotlight. At other times, books in the genre do *not* sell particularly well (trust me on this), with the exception of works by a few lucky authors — Lifton, Lane, maybe one or two others. Most assassination researchers don't quit their day job; they do what they do because they believe in the work.¹ And a book which sells, say, 5000 or 10,000 or even 20,000 copies can scarcely compete with the *millions* reached by Dan Rather, NBC, *Time*, *Life*, and *Newsweek*. All of these media outlets have steadfastly defended the "lone nut scenario" over the decades. If Posner asserts that the public hasn't had a chance to hear the Warren Commission's side of the story, he is (as Dave Letterman might say) just plain goofy.

He may be worse than that. Researchers Harold Weisberg and Walt Brown, as well as medical expert Dr. Gary Aguilar, have been double-checking Posner's claimed interview subjects. Apparently, the Warren Commission's foremost apologist

seriously misrepresented those he supposedly interviewed.

For example: Posner testified to the Conyers Committee on November 17, 1993, that he interviewed JFK's autopsists, Drs. James Humes and J. Thornton Boswell. Both allegedly told Posner the skull wound was high. On March 30, 1994, Aguilar called Humes and Boswell to get their side of the story. Dr. Humes confirmed that he had spoken to Posner, but denied changing his mind about the skull wound, which he has always said was low. But here's the kicker: Not only does Dr. Boswell continue to say that the wound was low, he insisted to Aguilar — twice, and without any equivocation — that *he had never spoken to Posner at all!*

If *that's* true, then Posner is guilty of lying before a congressional committee. In other words, his sense of ethics has gone North. But it gets worse:

Apparently, the Warren Commission's chief apologist has seriously misrepresented those he putatively interviewed.

Case Closed also draws on an alleged Posner interview of James Tague, the third man hit in Dealey Plaza that day. For thirty years, Tague has asserted that the first shot did *not* hit him — and his insistence on this point has, for various reasons, always caused grave problems for the Warren Commission and its avatars. Posner solved these problems by quoting from his alleged recent interviews with Tague, which, we are led to believe, were conducted on two successive days. (Never mind that Posner elsewhere expresses contempt for witnesses who change their original testi-

mony.) According to *Case Closed*, the "Third Man" now agrees that a fragment of the first shot *could* have hit him. This revised standard version of Tague's testimony greatly aids the book's reconstruction of the crime.

Dr. Aguilar and Harold Weisberg separately contacted Tague to ask why he told Posner a story differing from the one he has recited for years. The answer was clear and shocking: *James Tague never spoke to Gerald Posner at all!* And Tague stands by his oft-repeated story that the first shot most assuredly did not hit him.

Other instances of "false quotation syndrome" are only now coming to light. For example, there's the case of Harold Norman, a Dealey Plaza witness located under the alleged sniper's window. Norman *did* speak to Posner. But this witness told another writer, Walt Brown, that the information ascribed to him in *Case Closed* does not resemble what he actually said — "not by a long shot."

Inside the John F. Kennedy Assassination

by D.H. Christian

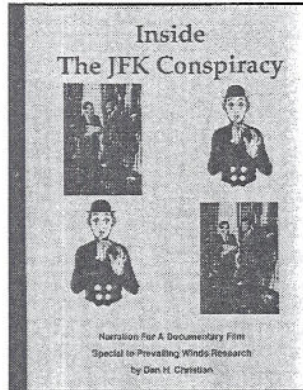
Based on William Torbitt's *Nomenclature of an Assassination Cabal*.

- 1) The Files of the Orleans Parish District Attorney's Office.
- 2) The Warren Commission Hearings.
- 3) Evidence of the House Select Committee on Assassinations.
- 4) The de-classified files of the FBI.
- 5) Eyewitness interviews and personal sources.

Special to Prevailing Winds Research from Dan H. Christian

Based on this documentary by D.H. Christian, a made-for-television special was created. It aired April 15, 1992, going out to over 150 markets nationwide and hosted by James Earl Jones.

Featuring Gaton Fonzi, Peter Dale Scott, Ralph Shoeman, John Judge, Dan Sheehan, Col. L. Fletcher Prouty, Victor Machetti and others. **PWR #878 \$15.95**



Posner even seems to have misquoted his own editor, Robert Loomis of Random House. The author of *Case Closed* has frequently recounted the story of his book's genesis, which was on this wise: In 1992, Random House hired him to write a book that would establish a conspiracy once and for all; Posner started investigating, found no evidence of a plot to kill JFK, and reported these findings to his publisher, who told him to go with what he found. 'Tis a pretty tale, and utter bullshit. Well before *Case Closed*, researcher Walt Brown sent a JFK assassination manuscript to Random House, and got a vehement rejection notice — signed by editor Loomis — stating in no uncertain terms that Random House would *never* publish any book critical of the Warren Commission's basic findings.

If Loomis wants to maintain such an attitude, that's his privilege, of course. But how can Gerald Posner claim that Loomis originally tasked him to produce a work open to the idea of conspiracy?

During the 1993-94 year's media orgasms over *Case Closed*, the public frequently heard glowing remarks about Posner's background. For example, we heard that he was a Wall Street lawyer, which was comforting. All America instinctively trusts Wall Street lawyers. We also heard that he had acted as the attorney for an organization called CANDLES, which represents victims of Dr. Josef Mengele's horrifying experiments at Auschwitz. CANDLES is run by a feisty and courageous woman named Eva Kor, an Auschwitz survivor now living in Terre Haute, Indiana. When I called her last February, she insisted that Gerald Posner *never* was a lawyer for her organization. She considers him untrustworthy and expresses contempt for anyone who conjures up a false association with her

group in order to bask in unearned moral authority. Posner, in her view, is "a real son of a...gun." (She's too ladylike to swear, but she's cute when she's tempted.)

As for Posner's much-vaunted computer analysis, which "proved" that the bullets came from the back: Despite the impression you might have gleaned from *Case Closed* and its media cheerleaders, that analysis was *not* done at Posner's behest. A computer firm called Failure Analysis did the work for a 1992 mock trial of Lee Harvey Oswald, staged by the American Bar Association. In fact, Failure Analysis did *two* computer analyses — one for the prosecution and one for the defense.² The president of Failure Analysis, Robert McCarthy, found the defense position more convincing.

Dr. Gary Aguilar had a few enlightening words on *l'affaire Posner* in a letter he sent to the *Federal Bar News and Journal* (March/April 1994). A few excerpts:

"Posner dismissed Rose Cheramie's remarkable clairvoyance that President Kennedy was to be killed in Dallas [memorably dramatized in the Stone film] by claiming that the witness to Cheramie's statements, Dr. Victor Weiss, reported that Cheramie only mentioned this after Oswald's death. This is flatly untrue, which Posner must know from the work of the 1978 House Select Committee on Assassinations (HSCA) which reported that, according to Dr. Weiss, 'Dr. Bowers allegedly told Weiss that the patient, Rose Cheramie, had stated *before the assassination* that President Kennedy was going to be killed.' Moreover, Posner certainly neglected to mention another unassailable, HSCA-cited witness, Louisiana state police lieutenant Francis Fruge. He reported Cheramie made the prediction directly to him two days before Kennedy's murder.

"Posner cited the testimony of Renatus Hartogs, the psychiatrist who examined Oswald as a teenage truant, arguing that Hartogs' findings suggested a violent potential. The Warren Commission dismissed Hartogs' testimony when an examination of his original report revealed the opposite conclusion ..."

Aguilar concludes: "While one is naturally loath to question the good faith of any author, especially one nominated for a Pulitzer Prize, Posner seems to be begging even Warren Commission loyalists to question his."

Normie and Larry (An Outing)

Posner's volume was only the first blow in a projected one-two-three attempt to knock out the conspiracists. Expect two more volleys in the near future. The next big Oswald-did-it book will come from Norman Mailer, by way of — you guessed it — Random House. And you thought *Case Closed* got big-time publicity...

Mailer, previously considered a friend to the assassination research community, has visited Russia to put together *Oswald In Minsk*. A depressed gathering of researchers got an awful earful of this work when Mailer gave the opening address at the 1993 Assassination Symposium on Kennedy (ASK) in Dallas. During this speech, Mailer thus assessed Oliver Stone: "He is a brute, but he has the honesty of a brute."

Yeah, well, that works both ways: Norman Mailer is a sophisticate, and he has the, er, honesty of a sophisticate.

He gave ample evidence of his sophisticated approach to matters of honesty during that evening's reading from his upcoming volume. The audience was particularly awed by Mailer's attempt to explain away one of the major mysteries of Oswald's 1959 trip to the Soviet Union: *How did Ozzie pay for it?* Plane fare alone cost at least \$1500, yet Oswald's bank account contained a paltry \$203.

Mailer hilariously suggested — without offering proof, or even an argument — that Oswald earned the funds working the streets as a homosexual prostitute. Presumably he kept the money in his mattress rather than his bank account (but *why?*) without his barracks-mates ever noticing. Of course, there's absolutely *no* evidence Oswald ever did anything of this nature. El Toro Marine Base certainly offered few opportunities for a would-be street hustler, there being no public streets nearby. For Oswald to earn so much so rapidly (at that era's rates), his head must have been bobbing up and down faster than one of those "drinking bird" bar toys.

If the rest of Mailer's book can achieve this level of surreal silliness, he should read it aloud on Comedy Central in between the *Monty Python* reruns.

Mailer's close partner in this Minsk mess is Lawrence Schiller, who has skulked around the famed writer for more than two decades. In Peter Manso's 1985 biography of Norman Mailer, Schiller's own words damn him as the sort of self-obsessive wheeler-dealer anyone even glancingly familiar with Hollywood has met and hated. Although he almost never actually writes anything, Schiller somehow regularly gets involved with high-profile book projects, such as Mailer's 1973 coffee-table book on Marilyn Monroe.

Schiller was the business agent of Jack Ruby. He first had a go at the Warren Commission critics back in 1967, when, as the "photographic expert" hired by CBS, he "authenticated" the negative of the famous backyard photograph showing Lee Harvey Oswald and the rifle. Oddly, the Warren Commission said they could find no negative. Jack White's video presentation on this matter has utterly convinced me that the image is a forgery — and I speak as a professional illustrator who has used an airbrush to alter many a photo.

At this same time, Richard Warren Lewis and Lawrence Schiller, posing as objective journalists, visited the assassination critics; their true intention was to write an attack book called *The Scavengers and Critics of the Warren Commission*. Mark Lane, in his *A Citizen's Dissent*, paints an amusing picture of Schiller as a man obsessed with money and Lane's allegedly "mod" outfit (actually a conservative suit). In a magazine article, Schiller and Lewis smeared Lane by noting his conviction for "breaching the peace in Jackson, Mississippi." The S&L team never mentioned that the arrest occurred because Lane and the leader of the NAACP deliberately stood together in the segregated Jackson airport. Did Schiller ever have the guts to challenge segregation laws?

In their 1967 book, S&L got numerous spellings, dates and facts wrong — for example, they grossly overestimated the speed of the "magic bullet." Worse, they damned the critics as monetarily motivated — which, coming from Schiller, was a major hoot. (Remember: Jack Ruby's business agent.) The aforementioned book by Manso portrayed Schiller — at least in *my* reading — as a man so in lust with money he would ravish a quarter if he could find an orifice.

by Howard Zinn

From the opening pages, an account of "The European invasion of the Indian settlements in the Americas," there is a reversal of perspective, a reshuffling of heroes and villains. The book bears the same relation to traditional text as a photographic negative does to a print: the areas of darkness and light have been reversed. The open-minded will profit from professor Zinn's account, and historians may well view it as a step toward a coherent new version of American history." -Eric Foner, New York Times book Review.

PWR code #727 \$12.95

PEOPLE'S HISTORY OF THE UNITED STATES

Yet only now are we getting the full story of Schiller's actions during that period. Newly released FBI documents in the possession of writer-investigator James DiEugenio prove — beyond all doubt — that Lawrence Schiller was an FBI informant. (We don't know if he was a *paid* informant, though it's hard to imagine him working for free.) To put it bluntly: Lawrence Schiller, Norman Mailer's research partner, has a history as a spy. Perhaps Mailer and Schiller will try to cobble together a rationalization for this spying; there's *always* a rationalization. But I doubt that they will convince any activist of that era who recalls the damage wrought by FBI harassment and infiltration. When you think of that damage, that backstabbing, that double-dealing, that covert tattling, think of Schiller. And think of Mailer, whose involvement with the left during the 1970s deserves a major reassessment. *Did FBI-guy Schiller get useful info from Norman Mailer?*

It gets worse. While spying for the FBI on the Garrison case, Schiller contacted homosexual acquaintances of the defendant, Clay Shaw. These sources (two in San Francisco, three in New Orleans) all confirmed that Shaw used pseudonyms, including the name Clay Bertrand. Schiller and the FBI knew that Garrison was correct concerning a key disputed point in his case. Yet they never made their knowledge public.

Perhaps the most interesting comment on Schiller's honesty came, oddly enough, from Mailer himself, who once told a columnist (*New York Daily News*, April 5, 1984): "When it comes to lying, Larry Schiller makes Baron von Munchausen look like George Washington."

So why has Mailer made this man his partner?

I don't know. But I feel that financial worries may be one key to the mysteries of Mailer, whose legendary tax problems bring Willie Nelson to mind. For many years, Mailer dodged (and for all I know may still be dodging) the IRS. In Manso's biography, we find the following quotes from Mailer's sixth wife: "All the while Norman was writing *The Executioner's Song* he was in serious financial trouble, and we were borrowing money every month." "After going through all the records and the bills, I realized what idiocies had been committed by his financial people." "The nut was \$1000 a day, a staggering figure." "So it's a given — owing number of dollars a year — and he's got to work like crazy to pay for it." In the late '70s, the debt to his publisher alone was \$300,000. Mailer even resorted to borrowing a further \$90,000 from his own mother.

Has this scramble after bucks ever affected the accuracy of Mailer's reportage? To answer that question, one need only turn

to the last chapter of Donald Spoto's excellent 1993 biography of Marilyn Monroe, in which Spoto recounts the controversy over Mailer's over-hyped *Marilyn* book of two decades previous. In that fluffy 1973 work, Mailer dropped none-too-subtle hints that Robert F. Kennedy was involved with the death of the actress. Did Mailer really believe this? Apparently not: He told *60 Minutes* that he felt Marilyn had died accidentally. Then why did Mailer smear RFK? "I needed money very badly," he told his TV interviewer.

In 1983, Mailer came into big money when he left Little Brown, his longtime publisher, for Random House, which signed a \$4,000,000 four-book deal with the author. *Ancient Evenings*, *Tough Guys Don't Dance*, and *Harlot's Ghost* followed. When he completes *Oswald in Minsk*, his publisher will have finally gotten what they paid for.

In a way, Mailer's most recent fiction work bears a deliciously appropriate title. As a literary figure, he has become a ghost of his former self. And as a historian, he has become quite the...

...nope. Better not finish that thought. But I wanted to register the temptation.

"They Call Me Gus!" (Another Outing)

The third big Oswald-did-it book will come from a fellow named Gus Russo (pronounced *ruse-oh*) who is worth a few words, none of them kind. Forgive the upright pronouns in the following section, but this one's personal.

More than eighteen months ago, I got an out-of-the-blue call from Russo, then known as an assassination buff who had helped edit the published screenplay of Oliver Stone's *JFK*. "If Stone trusts him, he's gotta be cool," I reasoned, and so I spoke as freely to Russo as one would to a best friend.

He explained that he was heavily involved with a PBS *Frontline* special on Lee Harvey Oswald. This special, he maintained, would prove the case for conspiracy. Specifically: *Frontline* would air declassified documents establishing that Oswald worked for the Office of Naval Intelligence. Russo repeatedly assured me that the show would demonstrate Oswald's spookery *beyond any doubt*.

Pretty impressive. Naturally, I wanted to assist this *Frontline* investigation in any way possible.

Russo said he wanted to know anything and everything about the people visiting Guy Banister's office before the assassination. (Anyone who has seen the Stone film knows who Banister is.) I told him that acquaintances of mine were close to tracking down an elusive, little-known witness who had performed key duties in the Banister operation.³

Cut to November, 1993: Gus Russo's *Frontline* special airs, and I discover that his telephone call was about as misleading as those famous signs reading *Arbeit Macht Frei*. Nearly the entire documentary is an ode to the glories of Posner. The show also features Patricia Johnson MacMillan, author of the unconvincing *Marina and Lee*; Newly released CIA documents identify her as a witting Agency asset, a fact never mentioned by PBS. *Frontline* pooh-poohs the very idea of conspiracy. No mention of "documents" proving Oswald's work for ONI.

By this point, I couldn't help suspecting that Gus Russo was as spooky as Caspar, and a lot of other people felt likewise. These suspicions deepened when files from the House Select Committee on Assassinations started to come out. Turns out that Banister witness I had discussed with Russo knew a *lot* of interesting stuff and had spilled many a bean to the HSCA investigators after they granted him immunity. Alas, Russo (with PBS funding, a luxury envied by other researchers) tracked this witness down in 1993 and got him to deny what he had said some fifteen years earlier.

This denial raises questions of its own: If the witness told a bogus tale in the 1970s, why did he demand immunity at that time? But the damage was done. Russo found out — from *me*, dammit! — that other researchers were pursuing an overlooked lead, a lead more significant than anyone realized, and he got to the witness in question first.

File this one under M for Mouth, as in me-and-my-big.

Now Gus Russo has reportedly received an advance of *one quarter of a million dollars* to write a book about the assassination. Unbelievable! Can you name *any* other first-time author (not counting celebrities) who has ever received that kind of money?⁴ Especially for yet another book on JFK? Titles on this subject may have sold well immediately after the Stone film, but they're not hot-sellers these days — many stores don't even stock the newer works.

Russo has told differing stories about this forthcoming book to various JFK researchers (Peter Cross, John Newman, Gary Aguilar, etc.), but a general image of the quarter-million-dollar volume has come into view. The Russo bottom line: Oswald did it, the Warren Commission said so, and that settles it. The Russo kicker: Oswald did it on behalf of Fidel Castro, and those darned Kennedys hushed up the true facts of the assassination to protect the deceased President's image. It seems that John the Blood-thirsty desperately wanted to see Fidel's bearded head dancing on a spear, and he forced those nice boys at CIA to concoct assassination schemes against the Cuban leader, even though they didn't really want to.

This last bit of balderdash will probably go over well with leftists of a certain stripe, the kind for whom all weapons are fair in their ongoing war against Main Enemy JFK. (I'm sure Noam Chomsky will love Russo's "revelations" — of course, Chomsky once blamed the murder of Patrice Lumumba on JFK, even though Lumumba died before Kennedy took the oath of office.) But the whole idea is disproven by a newly released 1967 report, written by the Inspector General of the CIA, giving the full history of the Castro assassination plots. Those plots began in 1959, and the Agency desperately tried to keep them secret from the President. JFK had, in fact, been seeking a detente with the Cubans directly before the assassination, sending peace-feeler messages through ambassador William Attwood to Cuba's U.N. ambassador Carlos Lechuga.

Where, you might ask, is Gus Russo getting his "information?" Good question. Here, as Paul Harvey would say, is the rest of the story:

By Russo's own admission, he's been cozying up to none other than *William Colby and Theodore Shackley*. (He originally told a JFK researcher that these meetings also included Richard Helms, but he later retracted that story.) Anyone who has read anything about the CIA knows these individuals and their horrifying history. But Russo is proud to have struck up an acquaint-

tance with these gentlemen. He's been quoted as crowing proudly, "They call me *Gus!*"
I can think of other names.

— M.C.

Notes:

1. By contrast, the begetter of a book like, oh, say, *Recycled Doonesbury* can hardly claim that he isn't in it for the money.

2. Posner finally got around to mentioning this business in the paperback edition of *Case Closed*. (Compare the first footnote for chapter 14 in both the hardcover and softcover editions.) He tries to save face by claiming that the Failure Analysis defense team presented a weak case. Indeed it did. By the company's own admission, the computer team working defense did not set out to prove a conspiracy, but merely to raise doubts about Oswald's guilt in the jurors' minds. The fact that the defense made only a limited effort hardly bolsters Posner's argument; quite the opposite.

Failure Analysis participated in the ABA mock trial in order to demonstrate to lawyers the effectiveness of using computer graphics in presenting a legal case. The company used computer graphics to *illustrate* the defense and prosecution positions, not to recreate fully the assassination. The correspondence between the company and Harold Weisberg, reprinted in his book *Case Open*, makes this point quite clear. No computer can truly recreate the JFK assassination; a genuine recreation would involve firing weapons in Dealey Plaza.

Weisberg makes another good point: To illustrate the case for the prosecution, the Failure Analysis team relied on information gleaned from second hand sources. (Garbage in, garbage out.) Had they gone to first hand sources — the varying testimonies of the Parkland and Bethesda doctors, the interviews with the Dallas nurses, the questioned X-rays, and so forth — they would have come up against all the same controversies and inconsistencies that medical specialists like Dr. Gary Aguilar and Dr. David Mantick are now trying to resolve.

Incidentally, during the initial flush of Posner hype, Tom Brokaw and other media heavies pretended that *Case Closed* represented the first application of computer technology to the JFK case. In fact, the Warren Commission critics have used computers for decades — for example, some early pro-conspiracy photographic analyses first appeared in the technical journal *Computers and Automation*.

3. I give only sketchy details of this business in order not to step on the toes of another writer, who wants to pursue this topic.

4. By comparison: Anne Rice stunned many when she received the queenly sum of \$12,000 for her first novel, *Interview With the Vampire*. Russo has beaten her badly. And I'm sure it's the kind of beating she disapproves of. □

Yes, Virginia, There Is a Lone Nut

Pretend that you live in the most secure residence in North America: bodyguards everywhere, anti-aircraft guns on the roof, impenetrable wrought-iron fences. Then imagine that you visit a part of the world thronged with suicidal mass-killers of opposing religious faiths who ALL hate your guts. And yet you return home without receiving even a paper cut.

Then pretend, if you can, that before you left, a man whose name nobody now remembers dive-bombed his airplane into your yard a few feet from your bedroom. And then imagine that "Security" and the newsmedia explain the incident by saying the dead pilot was "despondent." And then, after you've returned unscathed from Suicide-Killer-City, some unimpeded bozo peppers your family's house with 30 bullets from a public sidewalk and nobody, not a soul, has the slightest idea why.

And then imagine that, at this very same time, you're being viciously assailed as a leader of vile far-left political forces you actually never had anything to do with. Would you think that something, er, fishy, was going on, that there might be some sort of organized operation to drive you nuts, if not drive you into an early grave?

Of course you would not! Because if you did, you'd obviously be one of those wacko *conspiracy buffs!* And you're certainly not one of *those* pathetic fools, even though your Vice-President once publicly alleged that a—gasp!—conspiracy assassinated one of your predecessors back in 1963. Obviously the airplane "crash," the mute gunman, and the hate campaign are all just weird *coincidences* that are part of life. You know, just like that recent false alarm in the White House which enabled platoons of armoured "firefighters" to enter your home without previous security clearance. No siree, no time's available to fret over such trifles.

And good thing that's so. Otherwise you might start fretting about other trifles like:

1. Frank Eugene Corder, the "despondent" kamikaze pilot vanished from sight three weeks before his already forgotten landing beneath your bedroom window.

2. Sidewalk sharpshooter Francisco Martin Duran vanished from sight a month before he "shot" to national prominence. He spent his unchronicled army career in a military prison.

3. Periods of pre-assassination, unaccounted-for "missing time" figure prominently in the life reconstructions of many of America's most notorious "lone nuts," like Lee, Sirhan, Artie, Sara Jane, John, James Earl, Squeaky, *et al.*

4. Corder evidently started going 'round the bend when his dear old dad bought the farm. Seems Dad worked for years at Maryland's Edgewood Arsenal, site of some of this nation's most appalling, illegal and (once) covert mind-control and biological warfare programs. When John Corder was asked how his brother gained access to the Cessna he stole and piloted into the White House lawn, he professed puzzlement but added that "Dad had a whole lot of keys for airplanes he worked on."

6. Briefly, the Durans' neighbors told newsmedia that Duran belonged to a shadowy, proto-fascist "militia." Then they stopped being quoted or stopped talking.

But you are the President, and you're not going to succumb to such silly, paranoid speculation.

Yes, Virginia — uh, *Bill* — there is (as you well know) a Lone Nut, or two, or ten. And just because they congregated around you during a six-week period which also marked your party's national Armageddon, why, that's no reason to believe anything else other than that it was all some sort of great, big *coincidence!* Right, Bubba?

In most nations, the concept that violent, secretive, sinister groups occasionally travel unlawful avenues to power is itself a cliché that nobody bothers to deny. But not here, no sirree! We are AMERICANS!! And as our den mothers, omniscient high