

The Bookshelf

More Views on the Assassination

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John Sherman Cooper, Republican Senator and ex-Ambassador, positions himself carefully erect on a sofa, polished shoes together. He jerks his head to the right, staring over his shoulder toward the Senate anteroom's gilded ceiling. He swings his head again, this time looking over his left shoulder.

To a passer-by the Senator's behavior might look strange indeed. But his running commentary to a visitor seated nearby is clear enough: These were the body movements of Texas Gov. John Connally upon hearing the first shot fired at President Kennedy's open car in Dallas. The governor was sitting on a jump seat just in front of the President. And he was struck by one of the two bullets that hit Mr. Kennedy.

Or was he?

Did Longstreet's blunders deny Lee victory at Gettysburg? Should a delayed referee's count have deprived Dempsey of his title in the Tunney fight? The Kennedy assassination as it recedes in time has left just that same residue of doubt which nourishes the endless speculations of Civil War buffs and boxing connoisseurs. There exists now a growing cult of experts on the assassination; people who argue about just how Gov. Connally sat, just where the bullets struck, just how long it takes to work the bolt on Oswald's rifle.

Along with Chief Justice Warren and five other distinguished men, Sen. Cooper is a veteran member of the circle of assassination experts, by virtue of service on the commission appointed to investigate Mr. Kennedy's death. The gruesome lore of the case was circulated widely in October, 1964, with publication of the commission's 888-page report naming Lee Harvey Oswald as the unaided killer. This verdict against a Castro-admiring leftist was challenged at the time by only a few Americans—and a good many Europeans—who clung to theories of a right-wing conspiracy.

Now this summer the cult of assassination experts is growing again with publication of two books, "Rush to Judgment" by Mark Lane, and "Inquest" by Edward Jay Epstein. Both attack the Warren Commission's investigation as a sloppy piece of detective work; both seek to shake public acceptance of the single-assassin theory.

It's relatively easy for an author to "raise doubts" about the commission's work by selective emphasis on the plentiful evidence (mainly collected and published by the commission itself in 26 backup volumes) running counter to the case against Oswald. In a widely remarked review of the Epstein book, Richard Goodwin, a former aide to President Kennedy, has suggested that the case be reopened because of the points scored against the commission's work.

The Hard Evidence

When it comes to offering substitute theories about the assassination, however, the anti-commission writers bump against the hard data on which the commission relied. However lamely, these must be gotten around. An incriminating bullet could have been spirited into Parkland Hospital by conspirators and "placed" for the cops to find. A key autopsy report by Navy doctors could have been "changed" by an unscrupulous Chief Justice and his commission cronies. Reviewing the Epstein book, a University of

California philosophy professor became so carried away that he decided there had to be two Dallas gunmen, one physically resembling Oswald—and that Oswald himself merely had the assignment of getting caught.

By now the people who know about the "grassy knoll" in Dallas undoubtedly are more numerous than the cult of Civil War buffs who dispute events at the "clump of trees" at Gettysburg. The grassy knoll is the spot near the Texas book depository where Mr. Lane suggests an undiscovered marksman fired at the President's car. The whole point of his first two chapters is to get the gunfire away from the sixth-floor book depository window from which the commission decided all the shots came.

Mr. Lane is an old hand at this; a New York lawyer who sought to act as Oswald's attorney during the investigation, he knows the case thoroughly and has won a wide European following with his conspiracy theories. "Rush to Judgment" is the book version of the courtroom defense Oswald might have received but for the vengeful Jack Ruby.

As a good trial lawyer would, Mr. Lane dwells on testimony of eyewitnesses who thought the shots came from the knoll, mainly ignoring others who heard gunfire from the top of a nearby underpass or from the limousine itself. The testimony of some (but not all) of those who placed the source at the book depository is dissected with all the zest of a bewigged Charles Laughton in an English courtroom movie. Characteristically of the anti-commission books, many of the discrepancies triumphantly described by Mr. Lane were discussed frankly in the pages of the Warren Report itself. For the thorough reader, this takes some of the zing out of Mr. Lane's inside dope.

Gamely the defense lawyer tackles the prosecution's best evidence: Commission Exhibit 399, a bullet judged by ballistics experts to have been fired from Oswald's Mannlicher-Carcano rifle, found in the book depository. The bullet was discovered on a stretcher at Parkland Hospital. (Whether the stretcher had carried President Kennedy or Gov. Connally is an exhausting side-argument the experts chew on.) How to absolve Oswald? The stretchers were unguarded, says Mr. Lane. "There were many unauthorized persons at the hospital." The bullet had been under a mat on the stretcher. "Even if the bullet had somehow shaken free from Gov. Connally, it is difficult to imagine how it lodged under the mat unless it was placed there," he concludes.

And so Mr. Lane's fleet conspirators, racing the stricken limousine to the hospital, hoodwinked the dull-witted commission.

Edward Jay Epstein is a relative newcomer to the circle of assassination experts; in fact, he hadn't intended to join. As a graduate student in American government at Cornell last year, he set out to write a case study of the way a temporary government organization (the Warren Commission) functions "in an extraordinary situation in which there are no rules or precedents to guide it."

A good idea for a masters' thesis: Safe, technical and dull. But Mr. Epstein quickly got the bug, and the resulting book, "Inquest," offers the commercially marketable conclusion that the commission's work was superficial and maybe even dishonest.

"The primary subject of this book is the Warren Commission, not the assassination itself," says Mr. Epstein at the outset. To the extent he sticks to this task, "Inquest" is a valuable study of how government decisions-by-committees are developed.

Absenteeism on the Commission.

The seven commissioners were often too busy with their regular jobs to attend the hearings; "only three commissioners heard more than half the testimony, and the average commissioner heard 45%," Mr. Epstein reports. (There's no count on the time spent studying the hearing transcripts at home at night.) Senior lawyers on the staff were often absent, throwing the burden on a few overworked underlings. Some chapters of the final report were re-written as many as 20 times before all the commissioners were satisfied.

So much for the internal workings of the commission, as uncovered by Mr. Epstein's interesting interviews and research. But this research led him, despite initial disclaimers, into his own study of the assassination's details and right down the slippery slope toward a conspiracy theory.

The commission concluded Oswald probably fired three shots from his book depository lair. There was "persuasive" evidence, it said, that a non-fatal bullet (Exhibit 399) hit the back of the President's neck, emerged at the throat, passed through Gov. Connally's body and wrist and lodged mainly intact in his thigh before falling out at the hospital. One of the bullets "probably" missed the car completely, and the other fatally shattered the President's head.

Mr. Epstein acknowledges the commission had a strong case against Oswald. But he accuses it of failing to check out sufficiently the possibility that Oswald had an accomplice firing from the grassy knoll.

The single-assassin theory collapses, the author reasons, if the President and governor weren't actually hit by Bullet 399. "It was physically impossible for the assassination rifle to have been fired twice during the time period when the President and Gov. Connally were first wounded," he says. "Either both men were hit by the same bullet, or there were two assassins."

This isn't news to readers of the Warren Report, which discussed the problem of the bullet's trajectory at length. What the report didn't say, and Mr. Epstein now exploits it, is that an FBI document compiled less than a month after the assassination referred not to a penetrating neck wound but to a bullet wound in the President's back that had no outlet. One bullet hole, ergo, two assassins.

The Autopsy Report

Standing in the way of this conclusion is an official Navy report of an autopsy on the President's body performed in Bethesda only hours after the shooting. The autopsy doctors said they found a back-to-front neck wound, consistent with the commission's theory that the same bullet went on to strike the governor. To keep his two-assassin proposition alive, Mr. Epstein must do something about that autopsy report.

They faked it, he suggests in these words: "If the FBI reports are accurate, as all the evidence indicates they are, then a central aspect of the autopsy was changed more than two months after the autopsy examination, and the autopsy report published in the Warren Report is not the original one."

The commissioners could have done such an outrageous thing, he says, because they wanted to establish the "political truth:" A reassuring finding that the lone assassin

had been caught and the case was indeed closed. Here at its central point, Mr. Epstein's argument is weakest.

The FBI has said its December, 1963, reference to the back wound was wrong. The signatures of three doctors—and their professional reputations — are forever fixed on the Navy autopsy report; would they have signed a phony one, knowing that unpublished photographs of the President's wounds exist? Would all seven commissioners have refused to blow the whistle on doctored evidence? House GOP Leader Gerry Ford could have made such fakery the sensation of the 1964 elections. Sen. Richard Russell of Georgia could have become the hero of the South by discrediting Earl Warren.

The commission conceded early in its report that it could not flatly declare there was no conspiracy, "because of the difficulty of proving negatives to a certainty." This is the basic hunting license for the anti-commission books — those already written, and those to come.

Meanwhile, if you want to become an expert on the assassination yourself, read the Lane book for a virtuoso performance by a lawyer with a weak case. Read the Epstein book for an inside look at Government men trying to muddle through. And read the Warren Report, still the best account of the assassination of the President.

—ARLEN J. LARGE

Bush to Judgment. By Mark Lane. Holt, Rinehart & Winston. 478 pages. \$5.95.
Inquest. By Edward Jay Epstein. Viking. 224 pages. \$5.