

Belli's War With the Dallas Establishment

DALLAS JUSTICE, The Real Story of Jack Ruby and his trial. By Melvin M. Belli (with Maurice C. Carroll); David McKay; \$5.50.

Reviewed by
Mel Wax

SAN FRANCISCO Lawyer Melvin Belli is a non-shrinking violet who reacts to publicity the way President Johnson does to crowds of voters. He bursts.

It came as no great surprise, therefore, to those who have followed his flamboyant career in the courts, read about the "King of Torts" in magazine profiles, or skimmed through his 30 authoritative works on such comprehensive topics as "Life and Law in Japan," "Life and Law in Russia," and "Modern Trials," that he should wind up defending Jack Ruby, the executor of President Kennedy's assassin.

Quick-witted Battler

That Belli, a bright, able, quick-witted battler, would provide Ruby with a strong defense, and would also manage, in the course of the trial, to provide headline writers with ample opportunity to ply their trade, was no surprise, either.

And neither, I guess, was the Ruby verdict: "Guilty of murder with malice, as charged in the indictment, and assess his punishment as death."

It was a surprise to Belli.

"May I thank the jury for a victory for bigotry and injustice," he screamed. He charged his client had been "railroaded." He said it had been a "kangaroo court," and Dallas would be a "city of shame forevermore."

He promised to appeal, and he would have, too, had not the Ruby family fired him first.

His book, "Dallas Justice," is the appeal, a justification for his conduct at the trial, a



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condemnation of Judge Joel Brown and the Dallas establishment, and a surprisingly moving glimpse of the character and motivations of Jack Ruby. It is, also, an unashamed revelation of Mel Belli and his war with an establishment that is bigger, even, than Texas.

Bitter Words

"My words were bitter," he admits, talking about his intemperate outbursts after the jury verdict, "contemptuous of court and city, yet I stand by every one of them. American justice had been raped — outraged — and, shouting, and in tears, I was its spokesman there."

It was Belli's contention, and he mustered an impressive amount of evidence to prove it — including solid medical testimony — that Ruby suffered from psychomotor epilepsy and was in the midst of a brief, but medically possible, seizure when he shot Oswald.

The book makes a case, that I had not been aware of, for the fact that Ruby's presence at the incredibly inept Dallas Police Department's transfer of Oswald, was the merest happenstance: He was in the neighborhood to wire money to a stripteaser who performed at his club. The gun was something he always had with him — he usually carried a large bank-

roll. Belli contends Ruby had no memory of the actual shooting.

Point of Law

The Belli thesis agrees with the Warren Commission finding that there was no conspiracy. It rejects the popular assumption that grief over the Kennedy assassination, or sympathy for Mrs. Kennedy, caused Ruby to shoot Oswald. Not at all, says Belli. It was the unpremeditated, unconscious act of a sick man.

The book raises a particularly interesting point of law — one that, I suspect, will become more troublesome in time:

Eleven of the 12 jurors saw Ruby shoot Oswald — on television. Belli sought to have them excused for cause. Not that he denied Ruby killed Oswald, but, he argued, this should be brought out in testimony. Witnessing the event on television could create prejudices and preconceptions. His plea was not allowed.

Also of interest, aside from the merits of Dallas justice and the Ruby story, is Belli's attack on the American Bar Association, which threatens to expel him. This, he said, is "like being drummed out of the Book-of-the-Month Club."

He accuses the American Bar Association of being "the spokesman for the insurance-company balance sheet, the right-wing conservatives, the status quo."

"The defense of a child-rape case, a Negro in the South, a Communist anywhere in America, an insane hatchet murderer, a live Oswald, of Columbus, of Pasteur, of Jenner, of Dreyfus, they always leave to the others."

Belli paints with a broad brush, and the result is a splashy, lively, colorful picture, portraying a trial and cast of characters who became a footnote of history. He also raises some legal problems, some moral issues, and sub-

stantive questions of justice that, I presume, will eventually be decided in the courts.