

IS JIM GARRISON OUT OF HIS MIND?

by David Lifton

Kerry Thornley is one of four defendants who have been charged in DA Jim Garrison's New Orleans assassination investigation. The other defendants are Clay Shaw (for conspiracy); Edgar Bradley (for conspiracy); and William Gurvich a former investigator, (for theft).

When he defected from the Garrison probe in June 1967 and publicly denounced it, Gurvich allegedly took with him a copy of the master file valued at, according to Garrison, \$19.

The crime of which Thornley is accused is perjury, based on his testimony before the New Orleans grand jury on Feb. 8, 1968.

For those who have been following the controversy surrounding the Warren Report, and who optimistically believe that Jim Garrison will bring the Kennedy assassins to the bar of justice, the Thornley case is crucial.

It has been instrumental in convincing me that Garrison is an investigative impresario who has enveloped himself in the rhetoric of the stylishly New Left politics pursued by most critics of the Warren Report, many of whom he has seduced into thinking that he has "solved" the assassination; that he is a man subject to a considerable amount of self-induced paranoia (to such an extent that he is incapable of distinguishing plot from circumstance) and that he is now trying to weave meaningless threads of information - threads which go off into the nowhere land of right wing militant subculture - into a braid of assassination conspiracy.

Furthermore, I think that any credibility that he does have stems largely from the manner in which he has associated himself with the published critics of the Warren Report, some of whom worship him as some sort of Messiah who is their only hope for catching the assassins, and whose published critical literature has been responsible for creating much of the credibility gap that exists in this country with respect to the Warren Report.

Unlike other Warren Report critics who have had to budget their time and money to pursue a serious research interest, Garrison's thing is chasing assassins on company time. The company is the Office of the District Attorney, City of New Orleans, State of Louisiana. Its facilities include one grand jury, the power of subpoena, a court system, and facilities for the issuance of arrest warrants which are teletyped anywhere in the country. Garrison is having a ball doing this thing.

I am afraid that before it is over, he will either have become a laughingstock (and in the process may bring to disrepute much valid research by serious critics of the Warren Report) or innocent men such as Kerry Thornley may be sent to prison.

If the above sounds harsh, it is perhaps best to postpone further opinions of Garrison and his investigation until the reader can be acquainted with the story of Kerry Thornley.

Like most other aspects of the assassination, it is still another detail-filled microcosm, loaded with names, dates, and events, with which the average reader is simply not familiar.

Kerry Thornley was a Marine who met Lee Harvey Oswald in the service in the spring of 1959. Their paths crossed briefly at that time when they were both

stationed at El Toro Marine Base in Orange County.

Thornley was about to leave with his unit for a tour of Japan; Oswald had just returned from such an overseas tour. At El Toro, for about three months Thornley became a close acquaintance of Oswald. Thornley found Oswald to be an interesting character, who professed beliefs quite the opposite of his own.

Oswald read Russian newspapers, and professed a devotion to Marxist ideals. Thornley, the right winger, and Oswald, the professed Marxist, discussed philosophy, politics, and religion.

During these discussions, Oswald would tell Thornley about the insulting manner in which Marines stationed in Japan behaved towards the Japanese. "If you ever go overseas, Thornley, you'll see what I mean," said Oswald, according to Thornley, who added: "He said in effect ... that my fellow Marines equalled any Nazi storm trooper for brutality, given the opportunity to get away with it. His face became chalky as he discussed this matter and he appeared to be genuinely sickened; so I did not press him for details." ("Oswald," by Thornley).

Since Thornley's ambition had been for many years to be a writer, and since going to Japan was the first thing that had ever happened to him which he could imagine as an interesting starting place for a book, he went there with "a definite desire and indefinite plan to write a book about some aspect of Japan."

After his arrival, Thornley became increasingly perturbed over the incidents he saw, and which he and Oswald had discussed: "... I came to feel that the book I was to write should deal with this problem as well as other things centering around the existence of peace time Marines in Japan." Thornley decided to title his book "The Idle Warriors."

"Yet I still lacked an essential ingredient for a good novel," he said. "I needed a central theme that would tie in all the many minor themes I wanted to handle."

Three months passed. It was now September 1959.

"One afternoon in the barracks, after work, a friend of mine who had also been in MACS-9 (Thornley's unit) and who had known Oswald handed me a copy of "The Stars and Stripes." There, on page three, was an article about a United States Marine who, after getting out of the service, had gone to Russia and requested Soviet citizenship. Of course it was Oswald."

"It was not until then that I really believed his commitment to communism was serious. I was surprised. I wondered how he had come to his decision. I began to ponder the problem. And then I sat down and began work on 'The Idle Warriors.' I had my theme."

Convinced that the "Idle Warrior" experience played a key role in Lee's disillusionment with the United States ... "Oswald became one of the key characters in Thornley's original manuscript. There he appears, under the fictional name of Johnny Shellburn.

And so, in the fall of 1959, five months before John F. Kennedy would announce (in Jan 1960) his intention to seek the Democratic nomination at the convention the following

summer

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summer, 17 months before Kennedy's inauguration, and at a time when Dwight D. Eisenhower was still President, a Marine named Kerry Thornley had started work on a manuscript built around a character who would become the accused assassin of the next President of the United States four years later.

Shortly after his release from the Marines, Thornley studied at USC for a while, then decided to leave school and finish the book he had started. He left home and, with a friend, went to New Orleans, where he completed "The Idle Warriors" in February of 1962. He submitted it for publication and it was rejected twice. He put it aside for an eventual rewrite. In June of 1962, Oswald returned to the United States. Kerry's parents clipped the news story about that event, and Kerry seriously considered going to Dallas/Ft. Worth to meet Oswald again, and to find out if his reasons for defecting agreed with Thornley's reasons for the defection of Johnny Shellburn, his hero in his unpublished manuscript.

If there's any doubt in your mind that KTVT has this telephone, instantly erase it by calling Ft. Worth information (area code 817-555-1212, it's a toll-free call) and ask for Channel 11's number. But don't tell Jim Garrison you did it. He may charge you with being an accessory after the fact

Thornley never did go, but he crossed Oswald's path again in September of 1963.

Kerry, who in the meanwhile had returned to California, went back to New Orleans. Because he had taken Spanish in high school, he went there by bus via Mexico City. He arrived in New Orleans the first week in September, 1963. Oswald was spending the last two weeks of an intriguing summer there, participating in various provocative left wing activities.

Just two weeks before Kerry's arrival, Oswald had been in a radio debate with Carbs Bringuet, on the merits of US foreign policy.

The first two weeks of Kerry's stay marked the last two weeks of Oswald's summer stay there.

Kerry had not the slightest idea that Oswald was in town at that time. He later wrote,

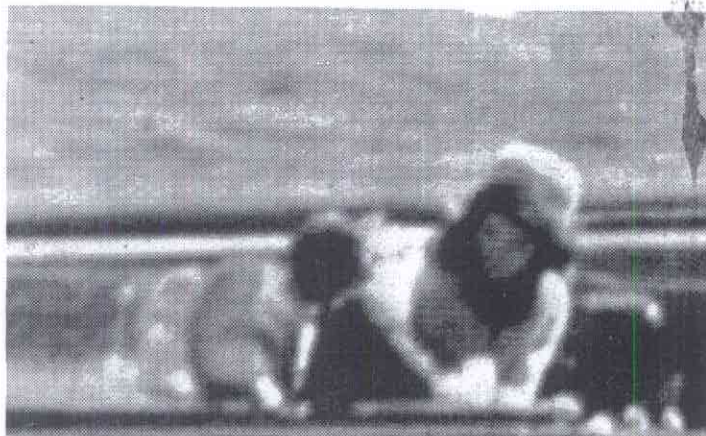
"He (Oswald) was even reputedly stopping in now and then at the bar where I hung out. We may have passed on the streets but, if so, we didn't recognize each other. Only after the assassination did I learn that Oswald had been right under my nose for over two weeks!" "Oswald," by Thornley.

On the day Kennedy was assassinated in Dallas and Oswald was arrested as the accused assassin, Thornley, still in New Orleans, learned for the first time that Oswald had been there and found himself the possessor of an unpublished manuscript which contained a study of the accused assassin of the President of the United States, written almost two years before the fact!

He testified about this before the Warren Commission.

He told the Commission: "I was entirely caught unaware when it turned out that Oswald was involved in the assassination, to such an extent that for some time afterwards, I thought he was innocent. But as the facts came in, as the evidence piled up, I decided there must have been more violence in him than I thought."

Thornley retitled his book "Oswald," and completely rewrote it. It was now the strange story of the crossed paths of two men, the evolution of his old manuscript, and an attempt on Thornley's part to explain to the reader how the Oswald he knew might have evolved into an assassin. The new book contained certain key material from the old manuscript, without any changes, so that the reader might see for himself the Johnny Shellburn Thornley knew from 1959. Thornley testified before the Warren Commission



attorney Albert Jenner, on May 19, 1964. The published 33 page transcript starts on page 82 of Volume 11, of the Commission's 26 volumes.

The portion of Thornley's book, and his testimony, in which he speculates as to how the left-winger he knew could have evolved into an assassin has deeply offended certain critics of the Warren Report.

To them, Thornley was a callous right wing Marine, capitalizing on a relationship with a left wing patsy. It was easy to conceive of Thornley's book as part of some type of plot to help create a left wing image for Oswald. These same critics do not seem to be disturbed by the fact that if Oswald was indeed a CIA agent, he created his own left wing cover, and Thornley's book is as much a part of the objective reportage of how that cover looked at that time, as were the news reports that resulted when Oswald "defected" to Russia, or handed out Fair Play for Cuba literature, or debated on the radio with anti-Castro Cubans.

But the offense was felt. For at the time Thornley's book appeared, the anti-Commission literature which would appear on the national scene one year later was then in the stage of evolution. And if this literature is correct, then Oswald was innocent, was elaborately framed, and was probably some type of agent.

Thornley's book did very poorly. So poorly, that he received no royalties whatsoever, and the publisher wrote him a letter apologizing for the low sales figures and saying that he could not afford the advertising Kerry wanted.

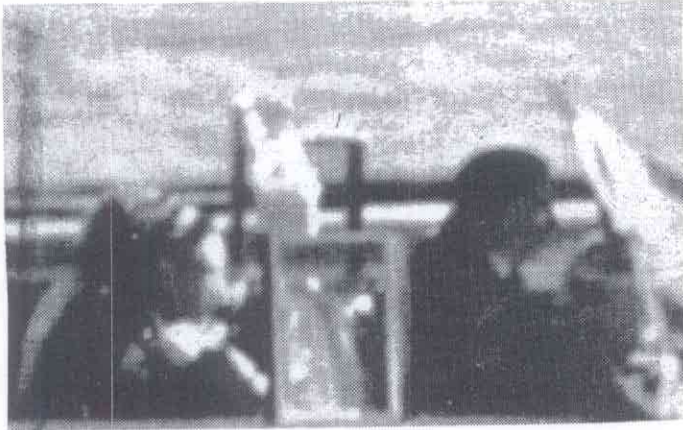
Yet to history, it is a most valuable document. For if Oswald was establishing himself as a left winger at that time, Thornley's reportage represents an invaluable account of how he appeared in the spring of 1959. And, as has been stressed, some of this was written before the assassination.

I first read Kerry's book in June of 1965. I, too was offended by it. I had just been put in touch with California critics of the Warren Commission who had convinced me that the official assassination story was false. And, just then, I read Kerry's book, or rather, a series of articles run in "The National Insider" with very grotesque headlines implying Oswald was some type of psychotic idiot who had lurked in the woodwork, to come out on November 22 and assassinate the President. To read a book at the time which accepted Oswald's guilt aroused me enough to attempt to find the author and discuss the matter. It turned out that Kerry lived nearby, and I visited him.

We spent several hours going over the evidence. He had never seen any of this material before. It blew his mind, and deeply disturbed his girl friend (now his wife) who was crying when left.

During the next two years, I spoke to Kerry regularly and got to know him quite well. Thornley's position changed on the Warren report. He expressed some of those changed opinions in a KPFK radio interview on the Harry Pollard show, on the Joe Dolan show (summer of 1966), in a Fact

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Magazine interview of Dec. 1966, and in an article he himself wrote for "Innovator," a newsletter he edited. The article was entitled: "'Oswald' Revisited."

In my discussions with Thornley, back in 1965 when I first met him, he told me about his experiences in testifying before the Warren Commission. Oswald, he said, used to speak Russian in the ranks at El Toro with some Marine whose name he thought was John Renee Heindel.

This was quite surprising to me. First of all as will be presently explained, the name Heindel figures in the Kennedy case in an important way. Secondly, Kerry's Warren Commission testimony showed no such thing, although there is a portion where he is trying to recollect the name of the man who speaks Russian with Oswald, but cannot do so. Kerry then remembered what had happened; he had recollected the name afterwards; he and attorney Jenner went out to lunch together after his deposition and, at lunch, Jenner provided Thornley with the name. Thornley was positive Jenner had given him the name he had been trying to recollect.

John Renee Heindel is a former Marine who lives in New Orleans. In an affidavit filed with the commission, he reveals that his nickname in the Marines was "Hidel."

"Hidel" was the name used which appears on the order for the "assassination rifle" which was shipped to Oswald's post office box, and allegedly found in the Book Depository. The commission said that "Hidel" was merely an alias used by Oswald, ignoring the fact that a real person exists who once knew Oswald who used Hidel as a nickname.

Since John Heindel lived in New Orleans, when the Garrison probe hit the newspapers in February 1967, I had the idea of going to Garrison with the information. Heindel lived right in Garrison's jurisdiction, and I felt he might call in Heindel for questioning.

After all, Russian speaking Marines are pretty rare. Perhaps he had been another "agent in training" stationed, like Oswald, at El Toro.

I called Garrison's office several times in mid-September, 1967 about this matter, as Kerry was about to move from LA to Tampa, Fla.

On the strength of the information I had transmitted in the phone call, Garrison called in Heindel and questioned him. On September 20, I spoke to the man who was performing liaison work for Garrison's office.

He told me that Garrison had just questioned Heindel; that Garrison thought Heindel was "lying through his teeth," that he had something to hide, and that the office already had evidence of meetings between Heindel and Oswald at several New Orleans bars during that summer of 1963.

Garrison wanted Kerry to come to New Orleans and "confront" Heindel and "identify" him. But short of that, he wanted Thornley to fill out some statements summarizing the entire incident, and send them to Garrison.

The statements took several days to prepare. They were mailed to Garrison's office on September 28, 1967. Three weeks later, Garrison was here in Los Angeles, staying at the Century Plaza Hotel under the alias of Frank Marshall. I spent over 15 hours in private meetings with Garrison. What he said and how he acted are a small story in themselves.

Suffice it to say, that I have never seen a man so utterly frightened, and so convinced that he was constantly followed, bugged, etc. If a man walked by with a briefcase, Garrison would point to him and whisper, "That's an FBI agent." Any skeptical looks on my part were greeted with: "I know. I once worked for the bureau."

During one of our conversations, Garrison told me that his office had established an ironclad link between Ruby and Oswald. As evidence, he cited the fact that a Ft. Worth telephone number PE 8-1951, was listed in Oswald's address book and also was found on Ruby's phone bill. Astonished, I went home and checked it out. That telephone number as clearly indicated in Oswald's address book, is television station KTVT, Channel 11, Fort Worth Texas.

At the end of the book Johnny Sheilburn defects to Russia.

I confronted Garrison with this the next day. He became very truculent and annoyed.

"David, stop arguing the defense," he would say.

"But what does it mean, Jim?" I demanded. "Is there someone at the TV station whom you can prove knew both men?" "It means whatever the jury decides it means," he said, adding that "Law is not a science."

Finally, I asked: "But what do YOU think, Jim? What is the TRUTH of the matter?"

His answer is one I will never forget. He said, with considerable annoyance and contempt, "After the fact, there is ONLY what the jury decides."

From what I have seen in the Thornley case, this statement explains much of what has happened. It is a convenient and accurate synopsis of Jim Garrison's approach to fact-finding, truth-finding, and justice.

Meanwhile, Garrison spent much time explaining to me that he wanted to get Kerry to come to New Orleans and "identify" Heindel. He then wanted to call Heindel before the Grand Jury, have him swear under oath what he had told him in his office (that he did not know Kerry) and then prosecute Heindel for perjury. Thus, Garrison had a theory, provided by me, about Thornley's involvement in the assassination.

Garrison may seriously hurt innocent people before he reaches the end of his own rope, and becomes a laughing stock. Does it really matter if he "means well" if, in his own bumbling way, he inflicts severe damage on a single innocent individual?

It is not possible for the DA to be "just mistaken" on Thornley. A fork in the road has been reached, for those who want to judge Mr. Garrison. Either Garrison now convicts Thornley (and he just might) or he backs off.

If he convicts him, I think that enough information will come out to show any objective observer that Garrison's Thornley theory makes no sense and is a creature of his mind, his ego, and the false Oswald theories of Harold Weisberg.

On the other hand, if Garrison drops charges, or a jury frees Thornley, Garrison will go down with a thud. The statements he has already made about Thornley, the charge for perjury, the arraignment - these are events that have already passed. They cannot be undone. To reject the Thornley affair is valid as to indict Garrison as a reckless, irrational, even paranoid demagogue.

Garrison's foot is too far into his mouth on this one. Someone recently expressed the opinion that the only thing that will save him is either a false conviction, or a can of raspberry flavored Desenex.