

Verdict in New Orleans

The one puzzle about the "not guilty" verdict in the Clay Shaw trial is why it should have taken the jury fifty minutes to return it. Of evidence there was almost none, and the little there was came from a collection of bizarre witnesses, most of whom were patently in need of psychotherapy. On the basis of the evidence presented, the jury of the American people will accept and applaud the verdict reached in New Orleans.

But it would be a serious mistake to conclude, as many have, that the verdict will affirm the findings of the Warren Commission. In the first place, these findings are not sacrosanct; new evidence may yet be unearthed which would impeach them. But unfortunately "evidence" is not needed to keep alive the massive will-to-believe that supports the market for "conspiracy" theories of one kind or another. So far as the assassination is concerned, gossip, fantasy, coincidence and conjecture suffice to launch new and fancier theories; in fact, the number of theories is limited only by the imaginations of the theorists.

The verdict in the Shaw case will no doubt inspire a new wave of articles and books advancing still additional "conspiracy" theories. For isn't it "conceivable," as one courtroom spectator observed, that Jim Garrison could be acting for the CIA? And isn't it "conceivable," as Garrison told the jury, that "admirals and generals as well as the secret police" brought massive pressure to bear on him—the Jolly Green Giant—to keep "justice from being brought to this courtroom"? The mere fact that it is impossible for most of us to believe that Lyndon Johnson, even though he had "most to gain," had a hand in the assassination has not prevented the supposition from being hawked. It is equally inconceivable that the late Robert F. Kennedy was "silent because the CIA killed his brother," but that didn't prevent the despicable suggestion from being published in one of the "underground" papers. So the theories will go on and on even though no new hard evidence is unearthed. The theorists are legion, the market is inexhaustible, and the will-to-believe is beyond belief.

The real question is, will Garrison go unpunished? Even when the District Attorney of a large city uses the powers and resources of his office in a legitimate and responsible manner, he enjoys advantages not easily offset by an individual defendant who happens to be innocent. But if he acts irresponsibly—if he abuses the powers of his office—he can place in jeopardy the liberty of any citizen, even one highly placed; he becomes in fact a threat to the liberties of the citizens he is supposed to protect.

In this instance, Shaw was fortunately a man of some means, well known in the community, with numerous friends. He was therefore able to retain expert counsel who could, and did, protect his rights. Even so, his career is ruined; he has lived under the shadow of a terrible indictment for two years, and one can well believe him when he says that he is broke.

Now he must defend himself against a new complaint, issued by Garrison, which charges him with giving false testimony at the trial. This constitutes "abuse of powers" by any reckoning. The American Bar Association has asked the Louisiana Bar Association to investigate Gar-

rison's handling of the case, and the *States-Item* has demanded his resignation. Later in the year, the voters of New Orleans will have a chance to determine whether they need a new district attorney. In the meantime the Department of Justice should open an investigation to find out if the facts warrant an indictment of Garrison and other persons for conspiring, under color of state law, to violate Shaw's constitutional rights.