

Conspiracy, what conspiracy?

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Gerald Posner

CASE CLOSED

Lee Harvey Oswald and the assassination of JFK
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Three decades ago this week, President John F. Kennedy was assassinated while riding in an open motorcade through Dallas, Texas. Forty-seven hours later, Jack Ruby, a local night-club owner, shot and killed Lee Harvey Oswald, Kennedy's accused assassin. Everyone agrees on this, but not on much more. Despite the passage of time – perhaps because of it – questions continue to be raised about almost every aspect of the case; obscure witnesses keep surfacing with new and improved information, a confession, a heretofore unknown and unsuspected sidelight.

Was Oswald merely a scapegoat? Was Kennedy shot from several directions at once? Was there a huge conspiracy involving the FBI, the CIA, the KGB, wealthy Dallas businessmen, the Military-Industrial Complex, anti-Castro forces, pro-Castro forces, the Mafia, and/or various other groups and organizations? Was Ruby sent to silence Oswald before he cracked? Were there multiple Oswalds, and, if so, who is buried in Lee's tomb? Did the conspirators snatch the President's body from Air Force One and drill holes into his head to make it look like all the bullets had come from behind?

All of these questions, and many more just as strange, have been seriously addressed in the tidal wave of some 2,000 books (yes, two *thousand*) and countless articles and pamphlets that make up the JFK conspiramania. For what we have here is not a fad but a cultural phenomenon of near-religious dimensions. The faithful meet each year in Dallas for an "information symposium" to buy and sell JFK assassination memorabilia, hear the latest refreshed memories and harvest autographs from conspiracy celebs. A JFK Assassination Information Center recently opened in a Dallas shopping mall, with outlets planned in other cities. Soon, no doubt, there will be a mail-order catalogue featuring replicas of Oswald's Mannlicher-Carcano rifle, Jack Ruby's business cards and the chalice from which JFK drank before getting into the limousine.

The conspiracy peddlers may be on to something. Public opinion polls consistently show that large chunks of the public do not believe Oswald acted alone. In fact, not since 1966 have a majority of Americans been persuaded by the Warren Commission's findings, and the believers are steadily dwindling. It doesn't trouble conspiracy theorists that no solid proof of a conspiracy has emerged after more than a quarter-century of massaging the available information and ferreting out new evidence – by methods including such bizarre rituals as exhuming Oswald's body. It's all taken as more proof that the conspirators were crafty and powerful.



Jack Ruby and Geneva White

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From time to time, the conspiracy groupies pull off a huge disinformation coup. The latest and greatest was the 1991 film *JFK*, which lionized self-appointed JFK Assassination Gadfly Jim Garrison. After the movie, almost 90 per cent of Americans said they believed in a conspiracy.

Enter Gerald Posner, a lawyer by training, who has managed to escape the drudgery of law practice by becoming a writer. *Case Closed*, his latest effort, examines the mountain of evidence about the assassination, analyses the records and conclusions of earlier investigations and meets the conspiracy theorists head on. As the title suggests, Posner finds no credible support for any conspiracy; he concludes that Oswald and Ruby acted alone, each benefiting from luck and circumstance, each driven to become his own warped idea of a hero. Anyone reading Posner's book with an open mind – or merely a functioning mind – will reach the same conclusions.

Posner pursues four lines of attack. First, he paints a psychological profile of Oswald and Ruby which implicitly asks: if you were the KGB (or the FBI or the Military-Industrial Complex, or whoever may have wanted Kennedy dead) would you – could you – entrust the job to these guys? For reasons the book makes abundantly clear, the answer is no. That Oswald and Ruby actually succeeded does not show they were well-suited for their respective missions. There's a big difference between succeeding as a lone assassin and serving as a cog in an assassination machine. This, after all, was not *Parcheesi*; discovery of the conspiracy

– either before or after the assassination – would have had far-reaching consequences. Oswald and Ruby simply didn't have the mental ability, the experience or, in Ruby's case, the training, to be reliable assassins – quite the opposite.

Posner's second line of attack is to examine the evidence before the Warren Commission in 1964 and, fourteen years later, before the House of Representatives Select Committee on Assassinations. While he takes issue with some of the Warren Commission's subsidiary findings and faults the methodology in some key aspects of the investigation, he finds the Commission's conclusions essentially sound. He has more difficulty with the findings of the Select Committee, whose members were bamboozled into endorsing a conspiracy theory; and starkly exposes the fault lines in its conclusions.

Posner also looks to recent scientific advances shedding new light on the case. Of particular interest are computer models that were used to determine the trajectory of bullets shot at President Kennedy's motorcade. These models point clearly to the fifth floor of the Texas School Book Depository, where Oswald was observed, as the location of the assassin.

Finally, Posner launches a direct attack on the principal conspiracy theories. As he recognizes, this is a Sisyphean task, since conspiracy theories are constrained only by the human imagination; squelching one only makes room for two more. The effort is worthwhile none the less, if only to show how ludicrous many of these theories actually are. It also underscores an important fact: that many in the media have been either ex-

tremely gullible or downright irresponsible in giving play to conspiracy theories with little or no plausible support.

One widely publicized claim is that over 100 mysterious deaths have been connected with the Kennedy assassination. The claim is alarming, but Posner's careful analysis disperses it like a wisp of smoke. Many of the deaths were from natural causes, something one might expect as an actuarial matter given the passage of time. Other deaths involved people with no meaningful connection to the Kennedy assassination. For example, in 1977 – fourteen years after the assassination – Francis Gary Powers died in a helicopter crash. Powers is included in the mysterious death list because Oswald served on a U-2 base in 1957 and three years later Powers was shot down in a U-2 over the Soviet Union while Oswald was there as a defector. Finally, Posner points out that most of the key conspiracy advocates and witnesses – the people one would expect would be eliminated first – are still alive, or were alive long enough to give detailed statements to the Warren Commission.

Posner devotes an entire chapter to the granddaddy of all JFK conspiracy-mongers – Jim Garrison. Although the revelations are not new (Garrison's extravagant abuses of power were well known by the time the film *JFK* was produced), they demand retelling largely to refute the film's gross distortions. For reasons that even now remain unclear, a publicity-hungry local prosecutor from a city unconnected to the assassination, was allowed to terrorize innocent people in the pursuit of his own pet conspiracy theories. And these theories were based not on evidence but on Garrison's personal prejudices. According to a 1967 interview Garrison gave to *Saturday Evening Post* reporter Jim Phelan, the Kennedy assassination was "a homosexual thrill-killing". Garrison's proof of this was utterly outrageous: "Dave Ferrie [a Garrison suspect who died during the investigation], homosexual. Clay Shaw [whom Garrison eventually prosecuted], homosexual. Jack Ruby, homosexual." "And then there's Lee Harvey Oswald", Garrison continued: "A switch-hitter who couldn't satisfy his wife." Lacking proof, Garrison manufactured a witness by threatening him and influencing his testimony through hypnosis. A disgusted New Orleans jury returned a not guilty verdict in forty-five minutes.

Clay Shaw – Garrison's main victim – died of cancer in 1974, broken and bankrupted by the costs of his defence. Garrison, on the other hand, was rewarded for his heinous abuse of power by being elected a state judge. Garrison also lived long enough, in Posner's words, "to see director Oliver Stone use more than \$50 million of Warner Bros' money to rehabilitate his theory and again tarnish the name of an innocent man, Clay Shaw, for yet another generation".

The painful question that *Case Closed* ultimately poses is how the American public has so willingly tolerated and even celebrated the perpetration of such travesties on individuals and on history. The Warren Commission made a careful effort to answer legitimate questions raised by the double assassination, yet doubts have continued to grow, and an overwhelming percentage of Americans now seem to believe there was some sort of conspiracy. What exactly does this mean? Do most Americans really think that federal law enforcement agencies were involved in a plot to do away with a president they didn't like? That foreign operatives were able to strike down the President inside the United States and vanish without a trace? That – smack in the middle of the Cold War – the FBI and the CIA linked arms with the KGB to accomplish this mission? Or is all this a childlike refusal to believe that violence is often random, people irrational, and justice elusive?

As the public has indulged its appetite for the sensational by consuming one unsubstantiated conspiracy theory after another, our collective understanding of what actually happened in Dallas on November 22, 1963, has strayed so far from the historical record that it has passed into the realm of mythology. Gerald Posner's contribution in *Case Closed* is to awaken us from our reveries with cold facts and sharp logic. He reminds us that events in the past *can* be reconstructed with a fair degree of accuracy and challenges us to reclaim the historical legacy of the Kennedy assassination from those who have used it for their own ends. Posner provides the necessary ammunition for putting the conspiracy-mongers out of business. The question remains, do we have the will?