

The Silence of the Historians*

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The most dangerous and vicious of all forgeries are those committed in behalf of a cause—the cause of a nation, of an institution, or of a leader—and intended to bring about a permanent falsification of history.

—Allan Nevins

Between 1994 and 1998, the Assassination Records Review Board (ARRB) processed for release approximately 60,000 JFK assassination documents. Its staff also conducted new depositions and interviews with many medical witnesses, some completely new to the case. This wide panorama of fresh sources amassed a compelling case for a post-assassination cover-up in the medical evidence, an area heretofore almost totally ignored by historians. Inasmuch as the assassination is a major event of the twentieth century, and may well represent a turning point in American history, it is incumbent upon historians to understand and explain this event—as well as those that surround it. To date, however, a deafening silence has reigned on these matters, as historians have preferred to tolerate the harvest of *The Warren Report* rather than to cultivate their own fields.

Possibly inquisitive historians, naturally enough, have no craving to be tainted as balmy by the media paintbrushes, as well might befall them were they to admit publicly to such curiosity. The plain fact, though, is that this controversial issue frightens historians: most genuinely fear for their own professional prestige, and many fear subconsciously at what would gaze back at them from the subterranean depths of this case were they to peer too intently into the well of history. Given the unique nature of these events, and their profound impact on America, this fear is understandable. Ultimately, however, these issues must be faced honestly and responsibly. It is no longer sufficient merely to quote a lawyer turned journalist on these serious questions, nor can the matter be left to the most amateur of professions—the media.

Given the manipulation of the autopsy materials (which were controlled by

the Secret Service), the post-assassination cover-up necessarily required the assistance of key government personnel, probably at a high level, possibly even the highest. The growing body of evidence for this conclusion is now simply too great to ignore. Heretofore, the historians' tacitly donned mantle of innocence radiated an aura of genteel credibility, but that mantle has become threadbare. If historians continue to deny the deceitful reality underlying the post-assassination cover-up, they, too, risk becoming accessories after the fact. The bar of history is even now calling them to the stand. The time for a response has come.

Introduction₂

In the summer of 1993, shortly before a visit to the Hearst Castle in San Simeon, I was called to consult on Patricia Lake, an elderly patient with lung cancer. She communicated to me a goal that no other patient—before or since—has ever disclosed: she was writing an autobiography that she hoped to turn into a movie or a play. From a colleague, I soon learned that she was the only child of Marion Davies and William Randolph Hearst (1863-1951), the newspaper magnate and jingoist for the Spanish-American War, who had been immortalized by Orson Welles in the movie, *Citizen Kane* (1941). The striking fact, though, is that Patricia Lake had lived most of her life without knowing who her true father and mother were, which was why she had started writing her autobiography so late. This extraordinary story was recounted in her obituary (*The Los Angeles Times* 31 October 1993, p. 14).

Like my patient who had a secret personal history, countries also have hidden histories, as David W. Belin learned with some distaste in 1975, when he served as Executive Director of the Rockefeller Commission. On 22 December 1974, Seymour Hersh had written a front-page story for *The New York Times* that alleged illegal CIA activities in the US. The next month, President Gerald Ford chose Nelson Rockefeller to lead an investigation of the CIA. Belin, a former counsel to the Warren Commission, was selected by Ford₃ (who had also served on the Warren Commission) to be its Executive Director. During his tenure, Belin learned about the “family jewels,” a secret record of CIA activities.⁴ He would later write:

The family jewels contained references to CIA consideration of plots to assassinate Cuban premier Fidel Castro, Dominican Republic dictator Rafael Trujillo, and possibly Premier Patrice Lumumba of

the Congo. (Belin, *Final Disclosure* 1988, p. 93)

Ford subsequently initiated new legislation that made it illegal for an American to “. . . engage in, or conspire to engage in, political assassination” (Belin 1988, p. 128). A similar law was passed (regarding the assassination of US presidents) after the death of JFK. Prior to his murder, it was not federal crime to kill a US president. When a Pandora’s box such as this is opened, life becomes unpredictable; the publication of these revelations altered most Americans’ view of their own history, particularly since these discoveries came close upon the heels of the Watergate fiasco. Now that another treasure trove has been opened—the new JFK documents and interviews released by the Assassination Records Review Board (ARRB)—our view of American history must inevitably change once again.

The Hidden History of the JFK Assassination

For nearly four decades, historians have chosen to hide from the thorny issues posed by the JFK assassination. Their silence—actually a near abdication^s—has permitted the media to set the agenda for one of the major events of the twentieth century. When forced to offer an opinion on this matter, historians have chosen, with few exceptions, to recite the Warren Commission version at face value. Given this straitjacket, they have therefore assumed that Oswald did it. That era of innocence has been dying for some time, however, and, by any reasonable measure, is now irrevocably moribund.

Historians are faced with a troubling new challenge—how to write an accurate and responsible history of 22 November 1963, one that takes into account a great deal of new evidence, but also one that cannot avoid turning previous views thoroughly upside down. Since he also served as a board member for the ARRB, Henry F. Graff, Emeritus Professor of History at Columbia University, is a particularly illustrative example of this dying paradigm. Graff chose a remarkably hagiographic title for his high school textbook in American history, in which he stated unequivocally: “He [Oswald] denied any knowledge of the shootings, but the evidence against him was overwhelming” (Graff, *America: the Glorious Republic* 1988, p. 787).⁶

A similar attitude toward Oswald was portrayed in an early post-assassination

textbook:

[JFK] was shot in the head by an assassin, Lee Harvey Oswald. . . [who] had fired upon the President with a rifle from the window of a distant warehouse. No one actually saw him pull the trigger. He was apprehended largely because, in his demented state, he killed a policeman later in the day. . . He denied his guilt, but a mass of evidence connected him with the crime. . . foreign countries [were convinced] that some nefarious conspiracy lay at the root of the tragedy. Oswald, the argument ran, was a pawn, his murder designed to keep him from exposing the masterminds who had engineered the assassination. *No shred of evidence supported this theory.* (John A. Garraty, *The American Nation: A History of the United States* 1966, emphasis added)

A later textbook opened the door to conspiracy just a crack: “However, many questions remained unanswered. Private citizens have launched their own investigations. Many still believe that Oswald was part of a conspiracy. Still, no convincing evidence exists” (Thomas V. DiBacco, *History of the United States* 1991, pp. 698–699). A fourth text pushed the door open just a bit more: “In subsequent years, however, questions arose about the assassination; and new investigations—including one commissioned by a committee of the House of Representatives in 1979—cast doubt on the Warren Commission’s findings” (Carol Berkin, *A History of the United States: American Voices* 1992, p. 790).

Historians’ Fear of “Inarticulate Unpopularity”

The historians’ fear of ridicule has surely been a dominant motive for their silence. Merely by waving their denigrating paintbrushes over all lone gunman critics, the media has succeeded in painting any potentially curious historian into a corner where he can expect to be labeled as either a “conspiracy theorist” or an “assassination buff.” This is a patently absurd situation, inasmuch as historians who study the Lincoln assassination⁸ are never called “conspiracy theorists,” and those who study the Garfield or McKinley assassinations are not called “assassination buffs.” It is only about the Kennedy assassination⁹ that the media have persisted in launching these *ad hominem* attacks.¹⁰

Moreover, those who favor the single gunman theory are not correspondingly called “lone gunman theorists” nor are they (Gerald Posner, for example) ever called “assassination buffs.” This campaign of denigration has been entirely one-sided and it has been very powerful—essentially cutting off all intelligent debate. It is rare in contemporary American society to see an issue so censored—by both the political right and the political left—that snide remarks are often deemed acceptable.¹¹ Let us be quite honest about this: because of the media’s predictable fusillade of tar and feathers, historians are visibly embarrassed at the mere mention of the JFK assassination. This embarrassment is often covered up with curious knowing asides, as if only the *cognoscenti* could understand what all the smirking was about.

Regarding this fear of ridicule, Thomas Spencer Jerome has captured the problem exceptionally well:

[The historian] finds furthermore that there are various sorts of obligations laid upon him to refrain from truth-telling under diverse penalties. He is a member of a state, a church, a party, a class, a clique, a family, and in all these relations he is virtually obliged to see things as they are not, and to speak that which is false, under penalties varying from execution down to mere inarticulate unpopularity, most difficult to be borne. (“The Case of the Eyewitnesses,” in Robin Winks, editor, *The Historian as Detective: Essays on Evidence*, 1968, p. 190)¹²

Here is the heart of the matter. It is not that historians (or their *de facto* stage managers—in this case, the media) have settled on the lone gunman theory after a thorough review of the evidence. Merely listening to one of them for several minutes is often sufficient to reveal his (or her) primitive grasp of the case. In fact, the real problem lies elsewhere. It is this man’s (or woman’s) fear of embarrassment before his (or her) peers—the dreaded “inarticulate unpopularity,” described by Jerome, that has led to the historians’ present tongue-tied silence. The media have been able to abort nearly any serious discussion merely by *ad hominem* attacks, no matter the expertise of the lone assassin critic in question. They have argued by not arguing. They have won by not fighting. It would be difficult to find a better illustration of the dictum, “who controls the present controls the past” (George Orwell, *Nineteen Eighty Four*

1949, p. 32).

The Power of the Media

The power of the media has served its masters well; with one exception, no well-known historian has yet publicly entertained an alternate scenario in the JFK assassination. That exception is Michael R. Beschloss:

Richard Helms found Lyndon Johnson distracted well into 1964 by his worry that Kennedy had been assassinated by conspiracy. As Helms recalled, the Agency was “very helpful to Johnson on this” and met the new President’s request for an independent CIA study. Motion pictures of the Dallas motorcade and autopsy photographs were sent over to the Agency. (Beschloss, *The Crisis Years: Kennedy and Khrushchev, 1960-1963* 1991, p. 682)

Why the American public was expected to believe the lone assassin theory of *The Warren Report* (September 1964), when LBJ himself did not, has never been explained, nor have the contents or conclusions of this CIA study ever been released to the public. Beschloss concludes, “We will probably never know beyond a shadow of a doubt who caused John Kennedy to be murdered and why” (Beschloss 1991, p. 687).

Dissenting from this conspiracy view and probably speaking for most historians, Stephen Ambrose¹³ praised Gerald Posner’s much-ballyhooed book, *Case Closed* (1991):

Posner has done a great service, in the process proving that a single researcher, working alone, is always preferable to a committee. This is a model of historical research. It should be required reading for anyone reviewing any book on the Kennedy assassination. Beyond the outstanding job of research, Posner is a dramatic storyteller. The recreation of Oswald’s, and Jack Ruby’s, personalities is wonderfully well done. This case has indeed been closed by Mr. Posner’s work.

However, several sources patently admired by Posner—those whom he actually cites—have not been kind to Posner, as can be seen from the following

three examples:

- (1) Robert Blakey, Chief Counsel for the House Select Committee on Assassinations (HSCA), regarding Posner's *Case Closed*, wrote: "Posner often distorts the evidence by selective citation and by striking omissions. . . he picks and chooses his witnesses on the basis of their consistency with the thesis he wants to prove." ("The Mafia and JFK's Murder—Thirty years later, the question remains: Did Oswald act alone?" *The Washington Post National Weekly Edition*, 15-21 November 1993, p. 23.)
- (2) Historian David Wrone (of the University of Wisconsin-Stevens Point) stated in a peer reviewed journal: ". . . his book is so theory driven, so rife with speculation, and so frequently unable to conform his text with the factual content in his sources that it stands as one of the stellar instances of irresponsible publishing on this subject. Massive numbers of factual errors suffuse his book, which make it a veritable minefield" (*Journal of Southern History* 61 (February 1995), p. 186).¹⁴
- (3) Roger McCarthy, President of Failure Analysis Associates (FaAA), the company that provided the scientific material for the mock trial of Oswald performed by the American Bar Association in 1992, executed a sworn affidavit stating that (1) Posner had requested his company's prosecution material but not the defense's material, that (2) Posner failed to declare in his book that FaAA had also prepared a case for the defense, that (3) the jury, after hearing both sides, could not reach a verdict, and that (4) Posner failed to acknowledge the role of the American Bar Association in the trial. Finally, McCarthy added that during Posner's early television interviews, he left the clear impression that the prosecution work in question had been done at his (Posner's) specific request and he did not acknowledge the role of FaAA. (See Addendum 1.)¹⁵

Both Ambrose (in history) and I (in physics) completed our doctoral work at the University of Wisconsin. We were both born and raised in Wisconsin (see Ambrose, *Comrades* 1999). I had hoped, partly for these reasons, to be able to open a conversation with him, but all of my correspondence has been met with silence. In this, he is probably no different from his colleagues. Jacob Cohen¹⁶ has responded similarly to my attempts to engage him in dialogue. Moreover, when I submitted a letter to the editor in response to Max Holland, "The Docudrama That is JFK," *The Nation* (7 December 1998), it was ignored. Holland offered no informal response either, but Arthur Schlesinger, Jr., who is

often cited in Holland's article, after reading my letter, offered his opinion that I might reasonably have expected at least a personal reply from Holland. (See Addendum 2.)

But this silence over Dealey Plaza cannot last forever. Inevitably, this deliberate evasion must break down; even now, it can be maintained only by ignoring a treasure trove of new evidence. Some day a (probably young) historian will catch the sunlight glistening from this newly found repository, will gradually recognize its worth, and begin to turn it over, piece by piece. After he has done so, the weight of the evidence will force his colleagues to follow, albeit with some heavy foot dragging. After the prolonged silence of the historians, this pioneering historian will recognize the impossible paradoxes and contaminated evidence in this case, and will thereby forever alter all subsequent discussion. But so long as historians accept the evidence at face value, our history books will continue to mislead yet more generations of school children, as I unfortunately discovered last year in the case of my own daughter, who was in the fifth grade at the time, where she heard a talk that incriminated Oswald as the lone gunman.

The Misleading Medical Evidence¹⁷

Powerful evidence now exists for forgery or, at the very least, a highly deceptive depiction of the most critical forensic evidence. This includes misleading or seriously altered autopsy photographs, forged skull X-rays, and the substitution of a different brain. Compared to this seemingly-radical interpretation, however, all other explanations pale in explanatory power, so much so that they strain credulity far more.

The evidence for forgery within the X-rays is particularly strong. My quantitative measurements of the skull X-rays at the National Archives (using, for the first time, an optical densitometer) have been presented in multiple graphs (*Assassination Science* 1998, pp. 120–137). By eight distinct and consistent lines of evidence, these objective and reproducible data led to a clear cut prediction, namely: that the largest metal-like object (6.5 mm across and nearly round) on the *extant* skull X-rays was not present on the *original* X-rays. Astonishingly enough, this is entirely consistent with the historical record, since no one at the autopsy ever reported such an object. (As in the case of other forged evidence, foul play was suspected early on by Harrison Livingston, *High Treason* 1989, p. 81.)

A short time later, quite independently of my own work, Larry Sturdivan, the ballistics expert for the HSCA, also concluded—based on his ballistics expertise—that this same bullet-like image could not possibly represent a real bullet fragment. (He is quoted in the companion medical essay.) Therefore, two separate lines of evidence from two quite different disciplines agreed that something was very wrong with these X-rays. To put this question finally to bed, I asked the ARRB to interrogate all three pathologists about this most flagrant—and noteworthy—object on the X-rays. *Under oath*, not one of the three could recall seeing this object on the X-rays during the evening of the autopsy, despite the fact that the primary purpose of the X-rays was to locate and remove precisely such major pieces of forensic evidence.

Moreover, when I asked him about this object, John Ebersole, the radiologist, abruptly and forever terminated our entire conversation. Quite independent of possibly imperfect human memories, no such object had been removed during the autopsy, as I could judge for myself at the National Archives. The two fragments removed during the autopsy are still housed there (CE-843). Neither are remotely like the 6.5mm object; both are much smaller. Nor can studies performed on them in the interval explain this enormous discrepancy. The negative responses from the three pathologists—as well as fragment evidence in the National Archives—therefore led directly to two major conclusions: (1) my hypothesis that this 6.5 mm bullet-like object was not visible on the original X-rays was validated,¹⁸ and (2) a critical prop for the HSCA's high bullet entry (on the back of the head) was abruptly shattered.¹⁹

After all of this, the only residual evidence for a shot to the top rear of the head was photographic. At this critical juncture none of the three pathologists could be called upon to resuscitate the HSCA's hypothesis of a single successful assassin. That was because each of them had strongly disagreed with the HSCA's proposal of a shot high to the back of the head, as the HSCA itself embarrassingly understood (and admitted in print) during its own investigation in 1977-78 (7 HSCA 115). Moreover, the ARRB discovered previously buried information about the autopsy camera. The HSCA had actually examined the only camera that could have been used to take the autopsy photographs, and had found that it did not match the current films in the Archives. The HSCA then buried its own discovery.

But now the tension heightened, for these photographs, too, were called into question on yet other grounds. The ARRB heard from *several, independent, new*

witnesses who had seen (and handled) actual autopsy photographs that no longer exist. Other evidence makes it painfully clear that multiple autopsy photographs are indeed missing, photographs that undeniably conflict with the extant photographs (of the back of the head) and that also bear directly on the question of a frontal head shot. As a result, the accuracy (possibly even the authenticity) of the existing photographs (of the back of the head) has fallen under the deepest suspicion. Since the now-dubious shot to the (high) back of the head was the *sine qua non* for the HSCA's sole successful gunman (apart from a second gunman who missed)—and for virtually all subsequent lone gunman theories—the case for the lone assassin has been severely, if not irreparably, damaged. [*Author's note*: These issues are all discussed in much greater detail in the companion medical essay, where I introduce further evidence from the X-rays and even from the pathologists themselves, which corroborates all of the above statements.]²⁰

The evidence for substitution of a different brain is also remarkably strong, based on a myriad of disparate, but consistent, pieces of data compiled by Douglas Horne of the ARRB (and supported by Jeremy Gunn, the Executive Director). Furthermore, my direct comparison of the skull X-rays (using quantitative data) to the brain photographs (work I had actually completed prior to the ARRB), has provided ideal corroboration for Horne's proposal of two separate brain examinations of two different brains on two different dates. [*Editor's note*: Horne's study and Mantik's medical essay appear elsewhere in this volume.]

By all that is reasonable, these new discoveries ought to reverse the judgment of history. Heretofore, dozens of experts who never saw the body itself, on seeing the posterior head photographs, have had no choice but to conclude that JFK was shot in the head from the rear. Virtually all the eyewitnesses, on the other hand, dispute the photographs of the back of the head. If these images have been fabricated (or even merely designed to mislead), as now seems indisputable, then the fundamental question stands open, almost as if the murder had occurred only yesterday. And the evidence presented in the companion medical essay—derived from an astonishing variety of sources—makes precisely such a case for falsification or, at the very least, for intentional obfuscation. Moreover, if Oswald really did it by himself, as the official accounts proclaim, why were such extensive—and dangerous—projects of alteration undertaken at all? Why would it have been necessary to frame a guilty man?

This essay, based solely as it is on the medical evidence, can say nothing

about whether Oswald pulled a trigger on that sunny November day. It can, however, conclude that the photographs of the posterior scalp have been critically manipulated; that the X-rays of the head have been critically altered; and that the brain was replaced following its removal from the skull at the original autopsy. The purpose of all this activity must have been to tie the alleged assassin to a posterior headshot. After all, the forged 6.5 mm fragment (on the X-ray) had been placed at the back of the skull to match Oswald's location—and the Mannlicher-Carcano does fire 6.5 mm caliber bullets. Moreover, these deceptions could have had no other objective than to mislead and confuse subsequent investigations. That information, by itself, goes some way toward deciding just what Oswald may, or may not, have been doing on that particular Friday in November.

As Allan Nevins stated (in the opening quotation), the most vicious forgeries are those committed in behalf of a cause, specifically those that are intended to bring about a permanent falsification of history. The forgeries (or, at least, gross deceptions) in this case clearly fall into the category that Nevins described; in fact, it is likely that they are the best possible demonstration in history of what he had in mind. Since the result of the forgeries was to implicate a single gunman (Oswald) and thereby to exclude all other suspects, they have, in effect, altered history. If there was a conspiracy to assassinate JFK, then all of those involved have been given a pass to freedom, merely by virtue of the altered medical evidence. And if the conspiracy was a domestic one, especially if it involved elements of the American government, then surely it ought to be a matter of interest to American historians.

If the photographs and X-rays were altered, who did it? And who substituted a different brain for the real one? Surely not the Mafia, who could not have gained access to such guarded items. Nor, for similar reasons, could the anti-Castro Cubans, or the Texas oilmen, or any other non-government group hijack such physical evidence. Only key individuals of the American government (the Secret Service, in particular) had access to these critical items. By itself, this conclusion forces us to take yet another look at the situation. Were key individuals, probably high level government officials, accessories after the fact? Yet it is inescapable. No one, save critically placed government officials, could have permitted this alteration to occur. Indeed, to minimize the risk of subsequent leaks, it is likely that individuals within the government performed the very deceptions in question, even though collaboration with individuals outside the government cannot be excluded, based merely on the present

discussion.

John Kaplan (Winks 1968, p. 402) has disparaged the Warren Commission critics (Mark Lane, in particular) because they attacked the lone gunman theory on one isolated issue after another, rather than offering a single coherent critical theory. But what would Kaplan say now? Kaplan's request, although initially a severe challenge to the critics, was intrinsically reasonable. Kaplan had concluded: "It has only rarely been argued that . . . the physical exhibits were altered" (Winks 1968, p. 373). He would not now be able to make that statement. In fact, precisely the opposite is true. It is now possible to construct a kind of unified field theory of the medical evidence in the JFK assassination—the medical evidence is simply not trustworthy. This is just the kind of self-consistent counter-case that Kaplan had demanded. If the medical evidence—the most fundamental evidence in the entire case—has been altered, then this proposal of highly misleading, or even altered, evidence is exactly the type of coherent criticism that Kaplan had required—though perhaps not exactly what he had desired.

The Great Divide

The great divide that separates the partisans in this case is now complete. Those who accept the medical evidence at face value stand on one side, while those who hold suspect most of the medical evidence stand on the opposite side of a yawning chasm. Kaplan, like most of his contemporaries—whether critics or loyalists—could not have foreseen this outcome. Too much information still lay hidden at that early date. By analogy, Arthur Schlesinger, Jr. ("The Problem of Hope," reprinted in Winks 1968, p. 533), has commented on how difficult it would have been in early 1940 for a futurist to forecast the next three American presidents. He would hardly have named the first of these as an obscure senator from Missouri, who anticipated an election loss to the Missouri governor in the 1940 Democratic primaries. Nor would he have considered an unknown lieutenant colonel in the US Army. Nor, finally, would he ever have considered a young man still at Harvard as the third.

As historians begin to review the evidence for a post-assassination cover-up in the medical evidence—one that can no longer be written off as merely benign—they will face major obstacles. Much of this evidence, by its very nature, is medical and scientific and therefore lies outside the customary domain of historians. To analyze it, they must master some basic concepts in anatomy, ballistics, forensic science, radiology, and even some basic physics.²¹ To ignore these areas will result in their being entirely at the mercy of the traditional

experts, a situation that has already persisted far too long. It is long past time for these authorities to have the last word; each wave of new information in this case has successively shown the reigning authorities to be, not so much wrong, as merely irrelevant.

When close examination of the primary evidence in a case proves it to have been so fundamentally flawed, it is unreasonable to expect traditional experts to be of much value. After all, their life long habit has been to accept these data at face value and then to use their specialized training to make acceptable inferences. Forensic pathologists rarely review cases without the body and the related physical evidence. But that is exactly what happened in the several official reviews of this case—no body, no brain, or even tissue slides were available. The evidence for a single posterior headshot rested almost solely on photographs, and to a lesser extent on X-rays, the same photographs and X-rays that have now been challenged on nearly every imaginable ground and that have also raised serious questions (such as the location of the wounds) in the minds of all three autopsy pathologists.

The Predicament of the Forensic Experts

During a four-hour meeting in Monterey, California, on 19 February 2000 (attended by several independent investigators, including a private detective²²), I obtained responses to several critical questions, specifically and independently, both from Cyril H. Wecht, M.D., J.D., and from Michael M. Baden, M.D. Both had previously served on the HSCA Forensic Pathology Panel, which Baden chaired. Both men are internationally respected in forensic science; many readers will recall seeing Baden on the stand during the O.J. Simpson trial.²³ Their responses are contained in the following statements. To review a case based solely on photographic and X-ray evidence—without the body or the brain—as was repeatedly done in this case, is distinctly unusual in forensic pathology. Furthermore, these experts do not receive special training in the identification of altered photographs or of altered X-rays, nor are they typically asked to determine whether a brain is authentic (by DNA analysis, for example) before deriving conclusions from it.

In any case, for the subsequent forensic reviews of the JFK evidence, the brain, which is the most important evidence of all, had been missing since at least October 1966. In summary, doubts about authenticity are almost inconceivable during the lifetime of an ordinary forensic specialist. But for the JFK case, these issues of authenticity are absolutely central. In fact, it is quite probable that there is no other case as extreme as this in the annals of forensic medicine. A modern democracy has never had to confront a potentially explosive

situation quite like this before. I have described what havoc a much simpler case of forged documents played in the national history of France (Addendum 3).

So historians, to their enormous discomfiture, confront a truly alien situation; they must not only become familiar with fields quite foreign to their training, but, in order to recognize forgeries, they must, in a sense, become even more expert than the experts themselves. It is surely no small surprise that no well-known historian has stepped forward to volunteer for such a daunting task. Much easier, and much more common, has been the path of authors such as John Kaplan, Professor at the Stanford University Law School, who accepted the evidence in this case at face value (“The Case of the Grassy Knoll: the Romance of Conspiracy,” in Winks 1968, pp. 371–419). Although Kaplan’s article is inevitably dated (written years before the HSCA), it is still an instructive example. Out of curiosity, I carefully combed his essay for items in dispute at present. Confining myself strictly to the medical and scientific evidence (although many Oswald evidence items are also in dispute), I counted no fewer than twenty to thirty medical statements—depending on the selection criteria employed—which have no credibility today. In view of this, it is scarcely a surprise that agreement has been impossible to obtain in this case. Kaplan and I would not even know where to begin a conversation.

Historical Analogies: Revised Verdicts

History has generously provided analogous cases in which new evidence has dramatically reversed the earlier verdict of history. Previous authors²⁴ have cited the French character assassination of Alfred Dreyfus (between 1894 and 1906) for its similarity to the JFK assassination. Indeed, because of its many lessons, I have summarized this case in Addendum 3. Based on forged documents, Dreyfus was convicted of passing French military secrets to the Germans. The most obvious feature of both controversies was their stubborn unwillingness to die. Each was a chronic, festering wound in the body politic, though the Dreyfus affair was settled much more quickly.

The three successive Dreyfus trials are paralleled by the three American inquiries into Kennedy’s murder: the Warren Commission, the House Select Committee on Assassinations (HSCA), and the ARRB.²⁵ In the Dreyfus case there was a proven patsy, while in the JFK case, Oswald claimed to be a patsy, a claim that is accepted by many independent investigators today. The silencing of witnesses in the JFK case (often at perspicuous moments) was paralleled by the silencing of Picquart. Furthermore, just as Oswald was probably framed²⁶ by (or at the behest of) government agents, so also government operatives framed Dreyfus.

In both cases, the resistance of the governments to opening their secret files was exceptional. This astonishing tenacity—even after 35 years in the JFK matter—persisted during the ARRB’s attempts to obtain records, first by the CIA and the FBI,²⁷ but later by the US Air Force, the Secret Service, the President’s Foreign Intelligence Advisory Board, and the Office of Naval Intelligence (ONI).²⁸ [*Editor’s note: The Secret Service even destroyed Presidential protection survey reports after the ARRB requested them; see the Proluge, “Smoking Gun #14”.*] Some investigators believe that Oswald had worked for ONI; that ONI was extremely interested in Oswald is not in doubt.²⁹ In the French case, public sentiment against the Jews deflected suspicion from the real offenders, whereas, in the American case, public fear of communism threw suspicion upon Oswald. Dreyfus was convicted without due process of law (his attorney could not see the evidence), whereas Oswald had no effective legal representation, and was ultimately convicted (after his death) by the Warren Commission’s prosecutorial brief.

Another such example is the affair of the destroyer USS *Maddox* in the Gulf of Tonkin (1964), which led to what was, in effect, an American declaration of war on Vietnam.³⁰ It was only later widely recognized that no shots had been fired at the *Maddox*, and that the radar operators had panicked after seeing ghosts on their screens. Kenneth Davis quotes Stanley Karnow (*Vietnam: A History* 1983): “Even Johnson privately expressed doubts only a few days after the second attack supposedly took place, confiding to an aide, ‘Hell, those dumb stupid sailors were just shooting at flying fish.’” (Davis, *Don’t Know Much About History* 1995, p. 371). It was eventually discovered that the Tonkin Gulf resolution itself had been prepared two months *before* the *Maddox* affair (Davis 1995, p. 371; Howard Zinn, *A People’s History of the United States* 1999, pp. 476–477). As Walt Rostow admitted after the Congressional vote on the resolution, “We don’t know what happened, but it had the desired result” (Davis 1995, p. 372).

A third example of the power of new evidence—scientific in this case—is the Sally Hemings affair. For nearly two centuries, historians flatly denied that Thomas Jefferson could have engaged in an affair with a slave. Dumas Malone, who spent forty years writing a multivolume biography, had even denounced this story as “filth” and “virtually unthinkable in a man of Jefferson’s moral standards” (Malone, *Jefferson, the Virginian*, 1948). But new evidence (“Jefferson fathered slave’s last child,” *Nature* 396: 27; 5 November 1998) has led to a dramatically different view, even by mainstream historians. That this turnabout could occur after totally opposite statements from the authorities shows once again the fallibility of historians, or for that matter, any human

disagreement in which the evidence is limited. ^A

Even physicists have had to recant some theories of their own in the face of new evidence, while Stephen Jay Gould regales us with stories of paleontologists who still find surprises in the fossil record. An example is the recent discovery that bees appeared at least 100 million years before flowering plants (*Dinosaur in a Haystack* 1995, p. 105). In history, especially, new evidence may emerge at any time, but particularly so on matters within the memory of those still living, and such evidence may totally reverse the previous judgments of history. The limited view of the past still available to us in surviving documents, recollections, artifacts, and inscriptions has been strongly emphasized by historians Carl L. Becker (“What is Evidence? The Relativist View—‘Everyman His Own Historian,’” in Winks 1968, pp. 6-7) and R. G. Collingwood (“The Pleasures of Doubt: Re-enacting the Crime—‘The Limits of Historical Knowledge,’” in Winks 1968, pp. 514–517).

A fourth example—one that again demonstrates the power of collective human memory (analogous to Thomas Jefferson’s black descendants)—was presented on public television by *Nova* (WGBN of Boston) on 23 February 2000: “Are the Lembas of southern Africa one of the ‘The Lost Tribes of Israel?’” New DNA analysis has demonstrated that males from Jewish families named Cohen (or Cohane), by Jewish tradition descended from the priestly line of Aaron (the brother of Moses), have a greater than 50% incidence of a particular Y-chromosome marker (the Cohen modal haplotype) that only 10% of the general Jewish male population possesses. The black Lemba tribe of Zimbabwe, a tribe with long traditions as Jews (proscription of pork, circumcision, yarmulkes, prayer shawls, Semitic names, and ritual slaughter with knives that boys keep for life-long use) also demonstrate about the same 10% incidence of these same Y-chromosome markers as layman (non-Cohen) Jews, a figure that is much higher than for non-Jewish groups. Particularly striking, though, was the unusually high (nearly 50%) incidence of the Cohen model haplotype in an elite subclan of the Lemba, known as the Buba. This new scientific evidence requires a reassessment of these traditional—and initially incredible—claims of the Lemba as descendents of the lost tribes. (Lemba traditions also recall that their ancestors founded the “Great Zimbabwe,” built between the thirteenth and fifteenth centuries A.D.) These new scientific data provide more support for the validity of collective human memory and also furnish additional support for the reliability of eyewitnesses’ recall of specific kinds of events. In a more general sense, though, this episode raises questions about the possible historical roots of other so-called myths. Other examples of myths turning into reality include the work of Heinrich Schliemann (Troy), Sir

Leonard Wooley (Ur), and Sir Arthur Evans (Minos).

New evidence from World War II, for example, includes the probable murder of Hitler by his own staff (Hugh Thomas,³¹ *The Murder of Adolph Hitler: the Truth about the Bodies in the Bunker* 1995) and FDR's foreknowledge (and perhaps even deliberate provocation) of the Japanese attack on Pearl Harbor (Robert Stinnett, *Day of Deceit* 2000).³² The latter is based on numerous, recently released documents under the Freedom of Information Act that Stinnett dug out, and also by new interviews that he conducted with still-living protagonists in this matter. If the JFK controversy is considered to be long-lived, though, then it might usefully be compared to the Pearl Harbor controversy, which has already occasioned nine official investigations. Although the final judgment of history is still open on these issues from World War II, this new information will require further serious debate and has the potential again to alter our view of history. ^B

In the realm of literature, Richard Altick ("The Scholar Adventurers," 1950, reprinted in Winks 1968, pp. 108-126) has reminded us of how much new material has emerged in the history of English literature and in the biographies of many of its principals, even in the recent past. In this sense, the past, at least as we view it from the present, is not fixed but rather is ever changing. In fact, the closer to the present an event lies, the more likely it is to change (in interpretation, and even in its basic facts) at some future date. Furthermore, the full implications of a given event may take years, decades, or even longer, to be fully evident. The American Declaration of Independence (whose writing Jefferson deemed less important at the time than his work on the Virginia constitution) is surely a good example of this, its full implications becoming clear only as the decades passed. Consider, for example, the Confederacy's view of this document during the Civil War. These may well be reasons why standard textbooks ignore so much recent American history, an issue that is discussed immediately below.

My former field of physics is crammed with similar examples of new evidence that overturned old theories. For example, classical physics had predicted that the electromagnetic radiation emitted by a black body (an object that absorbs all of the radiation that strikes it) would be infinite at higher frequencies, an absurd result that was appropriately dubbed the "ultraviolet catastrophe." This seemingly simple phenomenon could not be explained by classical physics. A thoroughly radical revolution, quantum physics, was initiated in October 1900 by Max Planck when he derived the correct formula for this effect. It still remains curious that such a seemingly simple effect was the catalyst for twentieth century physics.

A Black Hole in Twentieth Century History

Any future historian who risks discussing the assassination, or any of the issues that surround it, without mastering the core evidence of the assassination—including these issues of authenticity—will hazard gross error and distortion. Yet these events are essential to our understanding of 20th Century; lists of the century's major events typically include the JFK assassination. If this is indeed a major event, but our history textbooks will not offer even a reasoned hypothesis on who killed an American President, then what purpose do they serve? And if assassination related issues are simply avoided, even including those related to the proximate causes of the war in Vietnam, then a black hole has invaded our own history.

For example, both John M. Newman (Newman, *JFK and Vietnam: Deception, Intrigue, and the Struggle for Power* 1992) and Robert McNamara (McNamara, *In Retrospect: The Tragedy and Lessons of Vietnam* 1995, pp. 95–96) argue strongly that JFK would not have involved the US in such a war. Even John Connally, one of LBJ's oldest and closest friends, supports this interpretation (Connally, *In History's Shadow: An American Odyssey* 1993 p. 358). Comments by Arthur Schlesinger, Jr. (in Robert Brent Toplin, ed., "Nixon," *Oliver Stones' USA: Film, History, and Controversy*) and documents released by the ARRB also support this conclusion (*Probe*, March/April 1998).³³ Finally, a new book by David Kaiser (*American Tragedy: Kennedy, Johnson, and the Origins of the Vietnam War*, 2000) describes the war as a pivotal event in American history and as the greatest policy miscalculation in the history of American foreign relations. Kaiser also emphasizes that JFK, often alone, resisted the policies he had inherited from Eisenhower and that he especially resisted involvement in Southeast Asia. This evasion of the JFK assassination, and its aftermath, by historians cannot last forever. Like the physical universe, history also abhors a vacuum.

James Loewen (*Lies My Teacher Told Me* 1995, pp. 233–247) has pointed out the distinction made by many African societies between the remote past (the zamani) and the recent past (the sasha). The former lies beyond the memory of anyone still alive, whereas the latter lies within the memory of the living. One of Loewen's charges is that history textbooks, in general, leave a huge gap in the recent past. Loewen suggests that the authors simply lack the courage to discuss controversial subjects—subjects on which their adult readers, who lived through the events, might well have strong views of their own. For the JFK assassination, this concern is more powerful than for any other subject; in fact, not even Loewen discusses it! In another history book that is somewhat outside the mainstream (Davis 1995, pp. 364–367), supporters of the lone gunman theory are given serious credibility, while critics are given, at most, a demeaning pat on

the rear. Yet another history tome that is somewhat off the beaten path (Howard Zinn, *A People's History of the United States* 1999) solves this entire problem with ease. Although Zinn³⁴ provides a refreshing review of too often neglected, albeit important, events in American history, when it comes to the JFK assassination—one of the twentieth century's major events and one of history's greatest mysteries—the admirable Zinn opts for total silence.

The Law of Facts and Frameworks

C. S. Lewis³⁵ relates the tale of the woman who saw a ghost but who still refused to believe in the immortal soul (*Miracles: A Preliminary Study* 1947, p. 7). Arnold Toynbee (*A Study of History* 1973, p. 486) has articulated a similar concept: “Facts, then, cannot come into existence without the good offices of an hypothesis.” These two British authors have proposed the same idea: if one's worldview does not have room for a specific concept then the evidence for that concept remains invisible. This same theme runs through several works in historiography such as those by Barbara Tuchman (*Practicing History: Selected Essays* 1982, pp. 13–32), Ernst Breisart (*Historiography: Ancient, Medieval and Modern*, 1983 pp. 326–336), and David Hackett Fischer (*Historians' Fallacies: Toward a Logic of Historical Thought* 1970, p. 4).

Fischer describes this issue as the Baconian fallacy, to wit, the idea that an historian can work without preconceived hypotheses: “He is supposed to go a-wandering in the dark forest of the past, gathering facts like nuts and berries, until he has enough to make a general truth.”³⁶ For the most definitive statement of this principle, however, I can do no better than to quote Carl Becker:

Left to themselves, the facts do not speak; left to themselves they do not exist, not really, since for all practical purposes there is no fact until someone affirms it. The least the historian can do with any historical fact is to select and affirm it. To select and affirm even the simplest complex of facts is to give them a certain place in a certain pattern of ideas, and this alone is sufficient to give them a special meaning. . . . It is thus not the indiscriminated fact, but the perceiving mind of the historian that speaks (“What is Evidence?” in Winks 1968, pp. 18–19).

Preceding Lewis, Toynbee, Fischer, and Becker in identifying this logical concept, though, were two other giants of intellectual history, Charles Darwin and Immanuel Kant. Stephen Jay Gould quotes Darwin as follows:

About thirty years ago there was much talk that geologists ought only to observe and not theorize; I well remember someone saying that at this rate a man might as well go into a gravel pit and count the

pebbles and describe the colors. How odd it is that anyone should not see that all observation must be for or against some view if it is to be of any service! (Gould 1995, p. 148)

Even before Darwin's quotation, Kant, in a famous quip cited by Gould (p. 148), noted that concepts without percepts are empty, whereas percepts without concepts are blind. I have therefore re-labeled this fundamental insight as "The Law of Facts and Frameworks." All of these writers have recognized the same idea, namely: that information cannot function as evidence when it lies beyond a conceptual framework.

If data speak most clearly when they lie within a specific framework (and are correspondingly silent when they do not), then the example par excellence—of how to employ highly selected data and simultaneously to disregard all discordant data—must be *The Warren Report*. As a corollary, data that did not lie within the framework of the Commission's preordained conclusions were buried. Such data must now, almost literally, be dug up from the ground to see the light of day. My companion medical essay provides an alternative model, one that encompasses a much greater range of evidence in this case. Long silent data ignored by the Commission (often without explanation) begin, at last, to find their voices.

The Death Throes of *The Warren Report*

Regarding the death throes of old theories, such as (in my view) *The Warren Report*, Gould has offered a deep insight:

We say, in our mythology, that old theories die when new observations derail them. But too often—I would say usually—theories act as straitjackets to channel observations toward their support and to forestall potentially refuting data. Such theories cannot be rejected from within,³⁷ for we will not conceptualize the disproving observations. . . . We escape by importing a new theory and by making the different kinds of observations that any novel outlook must suggest. (Gould 1995, p. 151)

Gould then illustrates his insight with Luis and Walter Alvarez's³⁸ proposal (1979) that an asteroid or comet caused the mass extinction that killed the dinosaurs. As Gould notes, this proposal has won increasing support in the intervening two decades.

Warren Commission supporters have generously illustrated Gould's concept of a theory in decline—these devotees have been remarkably creative at bending any disagreeable fact to fit the framework of *The Warren Report*. Blakey and Wrono (cited above) have caustically assented to this conclusion, viewing these

writers as tied up in straitjackets. The critiques by Weisberg and Scott (also cited below)—and of other authors not cited here—illustrate many more examples of such Procrustean fact-bending. Even worse, though, sometimes these disciples are so committed to their hypothesis that evidence that grossly violates their worldview cannot even be seen, such as when Posner describes the limousine stop, a conclusion that would immediately prove alteration of the Zapruder film (Posner 1993, p. 234).³⁹ Most assuredly, this conclusion would be quickly denied—with revulsion—by Posner himself, were it brought to his attention.

The JFK assassination may also be the best historical example of disparate facts that make no sense at all within a particular logical structure (the one erected by the Warren Commission), but which suddenly become luminous when seen through the lens of an alternate hypothesis. Examples are the bullets that several witnesses either saw or heard strike Elm Street. Their reports are included in the Warren Commission's 26 volumes of supporting evidence, but are totally ignored and never explained in the 888-page report itself. Other examples are the 6.5 mm “bullet” cross section at the back of the head on the JFK skull X-rays, an object that no one reported until 1968, or the very long list of apparently disparate facts that suddenly fell into place when Douglas P. Horne proposed two separate examinations of two different brains on two different dates.⁴⁰ The explanatory power of the new paradigm is striking, embarrassingly so when compared to the old one (*The Warren Report*). The number of old, previously ignored, facts that suddenly come alive, like Pinocchio, is astonishing. The examples cited in this paragraph are merely a small cross section of the entire case.

The reverse situation—that of a previously missing concept (and the supporting facts that were overlooked)—is Jared Diamond's recent Pulitzer Prize winning opus, *Guns, Germs, and Steel* (1997) in which he brilliantly proposes a general theory, based largely on evolutionary biology, of the rise and fall of human societies. The facts that support his proposal have been known for some time, but the disparate nature of the evidence—much of it lying outside of the traditional boundaries of historical research—meant that these facts were invisible until the proper hypothesis was advanced.

Detective fiction provides many similar illustrations: the critical forensic facts cannot be recognized until the correct hypothesis is advanced (R. G. Collingwood, “Who Killed John Doe? The Problem of Testimony—from *The Idea of History*,” in Winks 1968, pp. 39–60). In a very real sense, Toynbee is correct: if facts have no meaning within a larger context, there is a sense in which these facts do not exist at all. Until they fall into place within a logical structure (a theory or hypothesis) they have no life of their own and eventually

they may disappear completely.

Historians will have trouble with this case for the above reasons as well—there is simply no historical precedent of this magnitude, i.e., a case in which so much of the physical evidence has either been altered or deliberately made deceptive. Although cases of forged documents, occasionally of forged physical evidence, or even of photographs,⁴¹ can be cited, there is no comparable case in which such extensive suspicion is warranted, let alone proved. In this sense, too, historians will be entering strange waters. They will find themselves almost rudderless. If this were some obscure area of history it would be one matter, but this is different; like downtown Manhattan, the entire area has already been thoroughly explored—and staked out. Historians are much more accustomed to entering a virgin terra incognita where their footsteps are the only fresh ones (or nearly the only fresh ones). How different this will be for them; it is likely that this thought, too, has frightened them from entering the fray. Scores of self-designated experts lurk behind the nearest shrubs with glee, eagerly hoping to throw daggers into the backs of these newly arriving historians or to catch them in some unsuspecting trap. Such a stimulating setting will seem like an extraterrestrial encounter to the historian, who is, more often than not, a civilized explorer, not an adventurer into well traveled territories that contain heavily armed and warring factions.

The End of Silence?

Perhaps, though, this ancient glacier of silence (about the post-assassination cover-up) is beginning to melt a bit. For his recent book, Michael Parenti (*History as Mystery* 2000), drawing extensively from the synthesis of Gary L. Aguilar, M.D., has described the misrepresentations of Gerald Posner. (See also Harrison Livingston, *Killing Kennedy* 1995, Chapter 7.) That this discussion occurs in a book that is not solely devoted to the JFK assassination is also a good sign. Heretofore, virtually all discussions of the JFK murder have occurred in a kind of vacuum, almost as if the events had transpired on Mars. But the more the assassination and the attendant cover-up are seen as merely another chapter in American history, the better we shall all understand it, not to mention related historical events, and the more likely it is to appear in standard history textbooks. By writing about it in this fashion, Parenti has done us a great service.

Historian David Wrone has also entered the arena. He has written about the Zapruder film (“The Zapruder Film. A Brief History with Comments,” 1997) and co-authored *The Assassination of JFK: Comprehensive Historical and Legal Bibliography* (1980). He has also described the waywardness of Gerald Posner. Regarding Posner’s misdeeds, in particular, the media have been astonishingly

silent. But this is not hard to understand. Since the death of David Belin, a fervent believer in the lone gunman theory, the media, like the ancient Philistines, have had no comparable champion to match up against the Davids (there are literally many) on the other side in this case.

Michael L. Kurtz, a professor of history at Southeastern Louisiana University, has taught a course on the assassination for several decades, and has published peer-reviewed articles, such as “The Assassination of John F. Kennedy: A Historical Perspective,” *The Historian* 45 (1992), pp. 1–19, as well as a thoughtful and detailed book in several editions (*Crime of the Century: the Kennedy Assassination from a Historian’s Perspective* 1993). Kurtz himself is also proof that the medical and scientific evidence is well within the grasp of the historian who makes a serious effort to master it. His book also provides a great deal of historical background for the probable forces at work in the assassination. His book deserves to be widely read by historians.

Three more books should be added to this short list: (1) Henry Hurt, *Reasonable Doubt: An Investigation into the Assassination of John F. Kennedy* (1985); (2) John Newman, *Oswald and the CIA* (1995); and (3) Peter Dale Scott, *Deep Politics and the Death of JFK* (1993).⁴² Although Hurt initially expected to find convincing evidence that Oswald had acted alone, his research forced him to conclude that the evidence actually pointed away from Oswald. He now believes that the assassination led to a pervasive transfer of power and brought about profound changes in America.

Newman is both an historian⁴³ and a twenty-year former military intelligence officer with the National Security Agency. He employs new interviews with highly placed officials and newly released documents to show Oswald through the eyes of the intelligence community. The Oswald connection takes Newman into the agency’s most secret elements, including the Soviet Russia Division, Angleton’s ultra-secret Counterintelligence Special Investigation Group, and the Special Affairs Staff’s anti-Cuban operations.

Scott, a former Canadian diplomat and current professor of English at UC Berkeley, believes that JFK’s death was not just an isolated case, but was rather a symptom of hidden and deeper processes in domestic and international policies. He goes on to identify the “structural defects” within the US government that first permitted the crime to occur and then to go unpunished. He argues that the JFK assassination has enduring relevance even today because these deep structural defects have still not been corrected. Mainstream historians never cite any of these books, if they have even read them.

On the Predictability of History

A traditional view has it that history cannot be predicted (Barbara Tuchman, *Practicing History: Selected Essays* 1981, p. 249), that historians find it difficult enough to explain events after the fact, let alone before it. Jared Diamond, however, has challenged that view, at least for certain situations. He has amassed an amazing quantity and variety of evidence, largely from evolutionary biology, to explain the fates of human societies, beginning with the rise of agriculture in the Fertile Crescent. He has furthermore challenged historians to “. . . develop human history as a science, on a par with the acknowledged historical sciences such as astronomy, geology, and evolutionary biology.” (*Guns, Germs, and Steel* 1997, p. 408). At the same time, however, Diamond acknowledges that individual events—and their subsequent impact on history—cannot be predicted.

For example, if Churchill had been killed as a pedestrian in 1931 by a New York taxi driver (Robert Cowley, Editor, *What If: the World's Foremost Military Historians Imagine What Might Have Been* 1999, pp. 306–307) or if Hitler had been killed during a 1930 traffic accident (Diamond 1997, pp. 419–420), history would have followed a different path. Similarly, if the peace loving Kaiser Frederick III of Prussia had not smoked cigars⁴⁴ (Alfred Jay Bollet, “Smoking and Cancer in the 19th Century,” *Resident and Staff Physician*, August 1997, pp. 45–47) he might have ruled longer than 99 days in 1888, thus preventing his arrogant and militaristic son, Kaiser Wilhelm II, from aggravating tensions before World War I. Curiously, Wilhelm II had his own encounter with a cigar in 1889 (the year of Hitler's birth), when Annie Oakley came to Berlin. Annie was stunned when the Kaiser publicly volunteered to puff on a cigar while she shot it with her Colt. Not daring to risk a major loss of face, and wishing that she had had less alcohol the night before, she took aim and blew his ashes away (Cowley 1999, pp. 290-291). After World War I began, Annie began to realize that she had made a mistake; after the war was over she wrote to the Kaiser, asking for a second shot, but he never replied!

My own analogy is that evolutionary biology, which Diamond used to make his astonishing predictions, is like statistical mechanics. Based on physical interactions among large numbers of submicroscopic particles, powerful predictions can be made, but about a unique atom or an individual molecule—like a single human being—nothing useful can be predicted. Likewise, if Diamond is correct, successful predictions are sometimes possible for selected human societies, just as they are for large collections of particles.

For the prediction of post-assassination cover-ups, however, by analogy to individual atoms and molecules, the historian is quite helpless, unless he just happens to interview one of the perpetrators at the right moment and this individual is willing to talk! For the JFK assassination, no one (possibly

excepting the initial perpetrators) could have predicted the turns and twists through which this case would pass before finally reaching its present denouement. It is only within the past several years, and especially since the new releases by the ARRB, that the contours of this unique case have arisen, like the Sphinx, from the sands of history.

It may be, however, that Diamond would wish to suggest more work for the historians—for example, that certain historical milieus predict for certain outcomes. At the time of the JFK assassination, for example, the climate in America was one of fear of international communism; in retrospect, the moral environment within the government condoned the overthrow of foreign leaders, or even their assassination; and the intelligence establishment was becoming autonomous. Regarding this last point, Arthur Krock,⁴⁵ the Washington correspondent for *The New York Times*, had written:

The CIA's growth was "likened to a malignancy" which even the "very high official was not sure even the White House could control. . . any longer. . . . If the United States ever experiences [an attempt at a coup to overthrow the Government] (sic) it will come from the CIA and not the Pentagon." The agency "represents a tremendous power and total unaccountability to anyone." ("In the Nation: The Intra-Administration War in Viet Nam," 3 October 1963, p. 34.)

Does a constellation of symptoms such as this, perhaps with several others added to the mix, predict that a nation is ripe for either an assassination or some other major violation of its traditional ethical norms? Not being a historian, it is not my place to make this argument, but perhaps historians should examine such issues.⁴⁶

The Fallacy of Moral Superiority

The French have long been famous for their Gallic sense of superiority, which they so disastrously demonstrated during the Franco-Prussian war—by wearing their traditional *pantalons rouge* (for the last time). Fischer (1970, p. 6) reviews the work of the distinguished French historian, Fustel de Coulanges (1830-1889), whose students applauded him after a lecture, to which he responded with the famous line: "Do not applaud me. It is not I who speaks to you, but history which speaks through my mouth." According to Fischer, Fustel was convinced that he had diminished the national French bias that had so marred the writing of his chauvinistic colleagues—but (according to Fischer) he had merely disguised it. In his major work, written immediately after the Franco-Prussian war, his (Fustel's) main point was to minimize the Teutonic influence that other scholars had discovered in the development of French and English institutions.

But just as Fischer named a historical disease (Carr's disease) after an English scholar, so also Germany does not escape his sarcasm. He censures German historicism (Fischer 1970, p. 156), especially the "nasty idea that whatever was becoming, is right." Given this view, he notes that Germany's downward descent into Nazism was a natural evolution. But Fischer does not stop there—he aims a barb at the more modern notion of "Top Nations," of whom the US is now foremost:

Something of the fallacy of ethical historicism appears in the absurd and dangerous idea that America's rise to power and prosperity is a measure of its moral excellence—that the history of the Republic can be seen, in short, as a system of morality. How many of us have not, at some time, silently slipped into this error.⁴⁷

Indeed, the adjective, "glorious," in the title of Graff's history text—*America: The Glorious Republic*—is an illustration of this error. A prior expression of this superior American attitude was manifest destiny (Norman Graebner, editor, *Manifest Destiny* 1968), an attitude usually attributed to the 1840s, but which was presaged by the European-American treatment of its native peoples almost as soon as Columbus met the Arawaks, carried on at Acoma, New Mexico (1599), continued by slave trading Pilgrims of New England, maintained during the Pequot War of 1636-37, and particularly polished during the subjugation of the civilized Cherokees by Andrew Jackson and Chief Justice John Marshall (Loewen 1995, pp. 91–129). c

The 1840s saw the annexation of California and the western territories after the Mexican-American War, a war opposed by Abraham Lincoln (then in Congress) and by Henry David Thoreau. This expansionist attitude culminated with American tacit assent to the overthrow of Queen Liliuokalani of Hawaii in 1893 (followed by American annexation), and the (still controversial) sinking of the *Maine* in Havana harbor (February 1898), which ignited the Spanish-American War.⁴⁸ This latter led directly to the Philippine incursion, including massive American strikes against civilians, while Filipinos fought back against America's unwanted hegemony, in the process killing 5000 Americans, an episode all but forgotten by Americans today. All of these episodes personify the American arrogance of power—an arrogance that derived at least in part from America's fundamental presumption of moral superiority. More recent American excursions, partly based on this same historical tradition, include Vietnam, Guatemala, Costa Rica, Iraq, Grenada, Africa, Cuba, the Balkans, and others all too familiar.

The JFK assassination is yet one more example of America's sense of moral

superiority. In Europe, especially, this tragedy was immediately recognized as a probable conspiracy; indeed, a domestic conspiracy was quickly suspected. Two of the most outspoken of these foreign observers were Hugh Trevor-Roper and Bertrand Russell, certainly no dim intellectual lights. [*Editors's note*: Russell's essay on this subject appears elsewhere in this volume.] Meanwhile in France, Leo Sauvage, a reporter for *Le Figaro*, published *The Oswald Affair* in March 1965, only six months after *The Warren Report*. (In fact, Sauvage had completed his book a year earlier, but his New York publisher reneged on its signed contract after *The Warren Report* was published.) Europeans have a much longer sense of history, having seen all too many powerful leaders toppled in one country after another, often by conspiracy.⁴⁹

If the American media are to be believed, only in America do such things *not* happen. In fact, this attitude toward the JFK assassination is one of the best examples of America's sense of moral superiority,⁵⁰ an attitude held primarily now by the ruling elite, and often seen at both the left and right ends of the political spectrum. Thomas Sowell has captured the sense of moral superiority felt by the left:

What a vision may offer, and what the prevailing vision of our time emphatically *does* offer, is a special state of grace for those who believe in it. Those who accept this vision are deemed to be not merely factually correct but morally on a higher plane. Put differently, those who disagree with the prevailing vision are seen as being not merely in error, but in sin. (*The Vision of the Anointed* 1995, pp. 1–6)

Joseph Epstein adds: “Disagree with someone on the left and he is more likely to think you selfish, a sell-out, insensitive, possibly evil” (“True Virtue,” *New York Times Magazine*, 24 November 1985, p. 95). On the other hand, the deep-rooted moral superiority felt by the right against the left scarcely needs to be noted. Gary North summarizes this position:

They [the conspirators of the left] “breathe together” against God and God's law, and also against all those who are faithful to God. . . . Thus, the conspirators are at war against Western Civilization. It outrages them. (Larry Abraham, *Call It Conspiracy* 1985, p. xi)

The plebeians are expected to accept the pronouncements of the anointed—namely that America has been granted a special exemption from the devious misdeeds of other nations—such that the conspiracies of other countries cannot possibly infect America. A short list of such foreign examples (in modern times) includes the unsuccessful attempts on Hitler and DeGaulle, and the successful

assassinations of Rajiv Gandhi, Anwar Sadat, Luis Colosio,⁵¹ and Salvadore Allende. The plot against FDR⁵² and the assassination attempt on Truman⁵³ are, of course, never mentioned. Ironically, this iconoclastic attitude persists despite the fact that America is one of the easiest places in the world to be murdered. Moreover, this fallacy of American moral superiority is ridiculed by the rest of the world.

The notion that America is stamped from a special mold—one that imparts a nearly indestructible guarantee against political assassinations on its own turf—is perceived as preposterous elsewhere. This parochial attitude among Americans has recently leaped to the fore again—in archeology of all places. As the JFK assassination did for its warring factions, so also the question of the earliest known New World sites of humans has recently raised the emotions of archeologists around the world (to a fever pitch in some places) and has deeply divided them. Americans insist that their sites in North America (usually with Clovis, New Mexico, brands of stone tools) are the oldest, while specialists in Europe tend to side with South American researchers who claim distinctly older sites on their own continent.

The Responsibility of Historians

Becker suggested (Winks 1968, p. 7): “History is the memory of things said and done,” while Carr stated: “History is the record of what happened.” If these are reasonable definitions, then history cannot be the story of what did *not* occur. Such accounts do not belong in the nonfiction section of our libraries, but should be consigned to the fiction section, as some wags have proposed for *The Warren Report*. Winks has also noted: “There have always been many historians who were more concerned that truth should be on their side than that they should be on the side of truth”—a dictum that might reasonably have been applied to Gerald Ford at the moment that he elevated JFK’s back wound into the neck (in order to resuscitate the single bullet theory)—without any supporting medical data and without prior consent from the pathologists.

Fischer (1970, p. 315) affirms that a primary purpose of historical scholarship is to help a people (or a nation) achieve self-knowledge, in the way that a psychoanalyst seeks to help a patient. Surely part of that goal is the stripping away of unrealistic illusions. But what shall we say about those historians, such as those whom Winks cites above, who do not try to strip away our national illusions? If these illusions persist, how then shall we address the pervasive and deeply structural problems of America—for example, illusions about the morality of our involvement in certain foreign wars and in many foreign interventions, illusions about our treatment of native Americans and of our black

citizens, illusions about our treatment of our underclass in general, illusions about the myth of upward mobility, and illusions about the pervasive nature of bribery and corruption at most levels of American society?

If historians will not address the JFK assassination, not only do they abort the self-understanding that Fischer had wanted for them, but something even more significant follows. According to Henry Hurt, *Reasonable Doubt* (1985), a pervasive transfer of power occurred after the assassination, while Peter Dale Scott, *Deep Politics and the Death of JFK* (1993), advises us that these deep “structural defects” still persist within the American government. John Newman, *JFK and Vietnam* (1992), makes a powerful case that the US could have escaped the war in Vietnam had JFK not been killed. All of these are deeply serious charges—charges that historians have largely ignored. By preserving their silence, historians risk becoming culpable in these charges. Such culpability, if granted, would go well beyond a mere evasion of self-understanding.

If key individuals in the US government, including some in very high positions, participated in the subsequent cover-up (in altering the medical evidence, for example)—then these silent historians have, in effect, functioned as accessories after the fact. This is a very serious charge, but the historians’ abandonment of this matter can hardly lead to any other conclusion. A defense for their past behavior, however, may reasonably be offered, one to which I am not unsympathetic. Previously, the available information for conspiracy, though strong, was still growing and the pronouncements of the media made it difficult for historians to part company from *The Warren Report*. But that era is long gone. It is now time for historians to distance themselves from the journalists, and from the remainder of the media, as well.

The journalists—in fact, the entire media—must relinquish their stranglehold on this case. Regarding these primary guardians of the lone gunman theory, Barbie Zelizer⁵⁴ has indicted them:

... journalism has not required the trappings of professionalism: many journalists do not readily read journalism textbooks, attend journalism schools, or enroll in training programs (J. Johnstone, E. Slawski, and W. Bowman, *The News People* 1976). Codes of journalistic behavior are not written down, codes of ethics remain largely nonexistent, and most journalists reject licensing procedures (Clement Jones, *Mass Media Codes of Ethics and Councils* 1980; Robert Schmuhl, *The Responsibilities of Journalism* 1984). Journalists are also indifferent to professional associations, and the largest professional association—the Society of Professional Journalists/Sigma Chi—claims as members only 17% of American

journalists. Journalists act as members of a professional association in only a limited sense. (*Covering the Body: The Kennedy Assassination, the Media, and the Shaping of Collective Memory* 1992, p. 6)

Ronald F. White⁵⁵, who holds a Ph.D. in history, concurs with this narrow view of journalism as a profession:

. . . by Kuhnian standards, journalism does not necessarily possess the institutional foundations necessary for the cultivation of expertise. . . . Even more serious is the fact that journalism lacks a subject matter upon which expertise can be attributed. (*Assassination Science* 1998, p. 403)

The role of the media in contemporary American society has been well summarized by Paul Weaver:

The media are less a window on reality than a stage on which officials and journalists perform self-scripted, self-serving fictions. (“Selling the Story,” *The York Times*, 29 July 1994, p. A13)

Two other authors on my bookshelves who are extremely critical of the role of the media in contemporary American society are (1) Pulitzer Prize winning author, Ben H. Bagdikian (*The Media Monopoly* 1992) and (2) Noam Chomsky (*Necessary Illusions: Thought Control in Democratic Societies* 1989). Bagdikian has warned about the chilling effects of corporate ownership and mass advertising, while Chomsky argues that the press no longer serve as advocates of free speech and democracy but rather are the servants of the moneyed corporations. Most importantly, for our understanding of media coverage of the JFK assassination (in my view), Chomsky claims that journalists entering the system cannot make their way unless they conform to these ideological pressures. [*Editor’s note*: Yet Chomsky persists in regarding conspiracy theories as romantic illusions in the case of JFK, which allows him as well to disregard the serious obligations that an understanding of this event poses.]

The judgments of the media about the JFK case—almost the sole opinions currently accepted on the American scene—implicitly include conclusions on highly technical and professional subjects, including anatomy, medicine, radiology, ballistics, forensic science, trajectories, neutron activation analysis and more. When have journalists mastered all of this expertise? Furthermore, what knowledge do journalists have of altered or misleading photographs, forged X-rays, and substituted brains? Have any of them read any of the thousands of pages of new releases from the ARRB, or even *The Warren Report* itself, let alone the twelve HSCA volumes? These critical questions cannot simply be left

to one of the most amateur of professions in America⁵⁶—but for nearly forty years that is precisely what has happened. On the contrary, historians, who belong to a long-standing profession with an authentic knowledge base, must now begin their own research. They can no longer rely on amateurs. Amateur hour is over.

After all, on what other historical matter would historians offer obeisance to the media? For example, would Stephen Ambrose have permitted Dan Rather (a frequent commentator on the JFK assassination) to set the agenda for his compelling account of D-Day or for his engaging chronicle of Lewis and Clark? Or would David Herbert Donald have allowed even Walter Cronkite (a pundit on Oswald's supposedly miraculous hit) to outline his insightful biography of Lincoln? These are transparently absurd notions, even for historians, yet this is exactly what has happened in the JFK assassination. These remarkable new ARRB revelations—particularly in the medical evidence, but also those that pertain to Oswald—now leave historians with no legitimate excuses. These matters lie beyond the capability of anchormen on the evening news, to say nothing of the common journalist. It is time for the JFK assassination to be taken seriously by historians. One of the greatest events of the 20th century deserves more than snide remarks and sly snickers, or the culpable acquiescence of portentous silence. Historians have some serious work to do.

Historians: Detectives or Pedagogues?

After I had written the above passage, I began to browse through my personal collection of history books looking for further historical insights into this case. Within a few seconds, to my complete amazement, my eyes alighted upon several paragraphs by Herbert Butterfield in a paperback that I had purchased before the assassination. I was astonished by how perfectly Butterfield had captured the essence of the historians' present plight. It was as though he had seen into the future and had written these words explicitly for the present essay—and especially to describe the workings of the Warren Commission. The words are timeless, though they were first delivered at the request of the Divinity Faculty at the University of Cambridge in Michaelmas term 1948, as follows:

The only appropriate analogy to the authentic work of historical reconstruction is the case of the detective working out the solution of a crime problem in a conventional work of fiction. At the first stage you have the stupid inspector from Scotland Yard who sees all the obvious clues, falls into all the traps, makes all the common sense inferences, and lo! the criminal is self-evident. The whole story of the crime in fact is immediately made clear to us; there is a plausible role

in that story for each of the characters concerned; the solution satisfies the mind, or at any rate the mind at a given level; and indeed for this poor Scotland Yard inspector one would say that the study of history ought to be the easiest occupation in the world. Detective stories may not in other ways be true, but it is the case in human affairs that the same set of clues, envisaged at a higher level of thought, with or without additional evidence—the same set of clues reshaped into a new synthesis by a Sherlock Holmes⁵⁷—may produce a new map of the whole affair, an utterly unexpected story to narrate,⁵⁸ and possibly even a criminal where in the first place we had never thought to look for one. And the same thing is liable to happen when an historical episode is reconsidered and reconstructed after, say, a century of learned controversy.

In other words, the development of the scientific method in nineteenth century historiography did not merely mean that this or that fact could be corrected, or the story told in greater detail, or the narrative amended at marginal points. It meant that total reconstructions proved to be necessary, as in the detective stories, where a single new fact might turn out to be a pivotal one; and what had been thought to be an accident might transform itself into an entirely different story of murder.⁵⁹ In these circumstances, evidence, which had seemed to mean one thing, might prove to be capable of an entirely different construction.⁶⁰ (Herbert Butterfield, *Christianity and History* 1960, pp. 25–27)

Besides the almost frightening prescience and pertinence of these insights for this case, there was another striking feature of these words for me. Butterfield had captured the essence of my own experience. How often—over many years and often deep into the night—had I wrestled with these discordant and prickly facts. At rare intervals, after puzzling over clues that simply would not fit, I would be granted a new hint (perhaps from a colleague who did not appreciate its value) or I might stumble around a corner and unexpectedly alight upon a new vantage point. On these occasions, I would quickly run back to the primary evidence yet one more time to test a new hypothesis. And sometimes—unexpectedly, and to my great amazement—the pieces finally fit, and I could only wonder how I had missed that particular insight for so long. The fact though is that this case has been so utterly muddled from the beginning (because of the misleading evidence) that it was possible to take only one small step at a time—for fear of shortly ending up in a ditch or in a blind alley. I would like to believe

that my missteps over the years now permit me—when the cobblestones on the path fit together like old friends—to jog on ahead at times as I survey new evidence.

I cannot leave Butterfield behind though without also offering his opinion on the authors of history textbooks—comments that are directly relevant to our present predicament. These lines appear on Butterfield’s very next page:

If historical education gets into the hands of heavy pedagogues, who teach a hard story in a rigid framework and expect it to be memorized, then new depths of unimaginativeness will have been reached, not possible of attainment without an education in history. If men at twenty learn to see events of history in a certain framework, and learn that framework so thoroughly that it remains on their minds in after-years—if they learn it without acquiring imagination and elasticity of mind—then we can say. . . , that by the study of history, a merely probable national disaster can be converted into a one hundred per cent certainty.

That is exactly what has happened in this case. Whereas initially even the media had some doubt⁶¹ about Oswald’s guilt, there is now none at all—a one hundred per cent certainty now reigns among the mainstream media and among mainstream historians.⁶² Particularly illuminating is the case of one eastern historian, whose early essays seemed to appreciate some paradoxes in this case. His more recent attitude, on the other hand, has been strident and mocking—a contrast to his initial outlook. He has forgotten how, as a younger man, he himself felt about the fundamental uncertainties in this case. In his now hardened position, he is the model of the historian whose mental elasticity has vanished and whose framework has long since been frozen in concrete. For such elasticity of thought, our only hope would now appear to be a new generation of historians whose eyes have not yet been covered by “the hands of heavy pedagogues.” This is not necessarily a severe criticism of this historian, nor is he especially unusual; even Einstein could never accept the full implications of quantum theory. Ironically, it was not for his new theory of relativity, but as a reward for his 1905 groundbreaking work on the photoelectric effect (in quantum mechanics) that he won a Nobel Prize in physics.

Epilogue

Two books from an earlier period of my life are particularly interesting for the light that they shed on a superficially innocent time, but one that, in fact, had a more ominous underlying reality: (1) Fred J. Cook,⁶³ *The Corrupted Land: the Social Morality of Modern America* (1966), and (2) Walter Goodman, *All*

Honorable Men: Corruption and Compromise in American Life (1963). Both volumes review the quiz shows of that era. This sorry episode of American history provides a profound, even frightening, insight into the morality of the common man.

In addition, Richard N. Goodwin (the husband of the LBJ biographer, Doris Kearns Goodwin), has described his personal conversations, as a Congressional investigator, with Herbie Stempel and with Charles Van Doren. Goodwin recalls a single, chilling episode (regarding a quiz show participant) that may shed more light on the probable state of mind of the post-assassination accomplices in the JFK murder than any other incident I have ever known:

A young, impoverished, poorly briefed, Greenwich Village poet realized, in the middle of his appearance, that he was being asked the identical questions put to him during an earlier private session with a producer. On air, watched by millions of people, he felt compelled to answer, but immediately afterward he accused the production team of fraud and angrily refused to return for his next appearance. He wanted no part of their phony quiz show. The producers were stunned. And they had a right to be. For in my entire investigation, I found no other individual who refused to participate. A man of principle, or a fool [ed.—literally, a Village idiot], he alone sailed against the wind. I don't even remember his name, but I owe him a debt of gratitude, living proof that at least one man could cling to moral principle amid the wonderland of fantasy and greed. (Richard N. Goodwin, *Remembering America* 1988, pp. 58-59)

What can we expect next in the JFK case? If one thing is certain, it is that the media will not inform the public. Their recent behavior—after a jury reached a conspiracy verdict in the assassination of Martin Luther King, Jr.—only clinches the point. This somewhat surprising verdict received only scant mention in the media. America's newspaper of record, *The New York Times* (10 December 1999), buried it deep inside that day's edition—on page 25—while the front page carried a story about a new weight loss method used by Chinese women. In the JFK case, a major breakthrough would be just one American history textbook that merely mentioned the possibility of a post-assassination cover-up in the medical evidence. Given the past record of the publishers, though, that is not likely to occur anytime soon.

Nor does the publishers' primary motive of profit provide grounds for optimism. Most likely this troubling new view of history will unfold in books and articles of limited circulation. Eventually, a critical mass of published

material will accumulate, sufficient to bring about a thorough transformation of the textbooks and even (this will surely be the last step) the recognition by the media that something went thoroughly wrong in America, not just on 22 November 1963, but also in the tragic days that followed. Perhaps I can even hope that some day my grandchildren, as yet unborn, will no longer be required to listen to such myths in school, but may instead learn authentic American history from those troubling days and nights. I would not even mind if other similar myths were barred from the classroom. Perhaps I, too, am not yet too old to dream.

Addendum 1: The Roger McCarthy Affidavit

I, Roger L. McCarthy, having been duly sworn, declare as follows:

1. I am Chief Executive Officer of Failure Analysis, Associates, Inc., (FaAA) which is headquartered in Menlo Park California. FaAA, founded in 1967, is the largest engineering firm in the nation dedicated primarily to the analysis and prevention of failures of an engineering or scientific nature. FaAA is a wholly owned subsidiary and the largest operating unit of The Failure Group, Inc., (Failure). Failure employs almost 500 full time staff, including almost 300 degreed professionals, more than 90 of whom hold doctorates in their fields. We maintain nine offices in the U.S., three in Europe, and one in Canada. I am also Chief Executive Officer of The Failure Group, Inc. The Failure Group, Incorporated is a publicly traded company on the NASDAQ exchange, under the symbol "FAIL."
2. I hold five academic degrees: 1) A Bachelor of Arts in Philosophy from the University of Michigan, 2) A Bachelor of Science in Mechanical Engineering from the University of Michigan, 3) An S.M. degree in Mechanical Engineering from the Massachusetts Institute of Technology, 4) The professional degree of Mechanical Engineer (Mech. E.) from the Massachusetts Institute of Technology, and 5) A Ph.D. in Mechanical Engineering from the Massachusetts Institute of Technology (MIT). I graduated from the University of Michigan Phi Beta Kappa, Summa Cum Laude, the Outstanding Undergraduate in Mechanical Engineering in 1972, and a National Science Foundation Fellow.
3. I am a Registered Professional Mechanical Engineer in the states of California (#M20040) and Arizona (#13684). I have authored several dozen scientific papers, and currently serve on the Visiting Committee of MIT's Mechanical Engineering Department. In 1992 I was appointed by President Bush to two year term on the President's Commission on the National Medal of Science. I have attached my current resume with a listing of my

publications as exhibit 1.

4. In early 1992 Failure Analysis Associates, Inc. (FaAA) was approached by the representatives of the American Bar Association (ABA) to assist in putting together a “courtroom of the 21st century” instructional session, in the form of a mock trial, for the Annual ABA meeting, which was to be held that summer in San Francisco, California. FaAA was involved in the process of selecting the topic of the trial, which was eventually decided to be the trial of Lee Harvey Oswald for first degree murder for the assassination of President John. F. Kennedy in Dallas in 1963. To simplify the task in coordinating the extensive computer analysis and evidence, FaAA agreed to provide the expert witness analysis, and the testifying experts themselves, for both the prosecution and defense. Separate teams were assembled to assist each side.
5. While FaAA was not funded for the investigation or evidence developed for either side, we applied the best techniques available to some, but certainly not all, of the questions that have remained concerning the assassination, and Lee Harvey Oswald’s role in it. The “Courtroom of the 21st Century” theme required the most modern computerized animation and video presentation. There was not a conclusion reached by FaAA as a company concerning the issues of the assassination. Each of our teams did its best within the factual, time and resource constraints to assist the two eminent trial lawyer teams to resolve the key issues for their respective sides. In the end, after two days of trial, the mock jury, selected by the jury analysis firm DecisionQuest, was split 7 for conviction and 5 for acquittal of Lee Harvey Oswald on the first degree murder charge.
6. Each of our teams sought to find sufficient information in the extensive investigation records of the Warren Commission, and the House Select Committee proceedings, that, when combined with the unparalleled technical analysis skills of our organization, would produce incontrovertible scientific findings that would resolve some of the outstanding issues one way or another. I believe the jury’s inability to resolve Oswald’s guilt in light of FaAA’s investigation, and state-of-the-art visualization, stems from the fact that 1) FaAA did not have the time or resources to completely analyze the whole investigatory record, and 2) there are gaps in the factual record that our analysis was unable to bridge. For example, if the National Archives could locate the brain of President Kennedy, which was sent to them and not buried with his body, we believe the direction of the fatal bullet could be incontrovertibly resolved.
7. Subsequent to our presentation one Gerald Posner contacted Dr. Robert

Piziali, the leader of the prosecution team, and requested copies of the prosecution material, but not defense material, which we provided. Eventually Random House published a book by Mr. Posner entitled *Case Closed*. While Mr. Posner acknowledges in the book the material from Failure Analysis Associates he does not mention or acknowledge the ABA, or mention or acknowledge that there was additional material prepared by FaAA for the defense. Incredibly, Mr. Posner makes no mention of the fact that the mock jury that heard and saw the technical material that he believes is so persuasive and “closed” the case, but which also saw the FaAA material prepared for the defense, could not reach a verdict.

8. In early televised interviews of Mr. Posner that were witnessed by FaAA staff, Mr. Posner made no attempt to correct any supposition by a questioner that the FaAA analytical work was performed at his request for him, and certainly left quite the opposite impression.

Further the affiant sayth not.

This affidavit was signed by Roger L. McCarthy and notarized on 6 December 1993.

Addendum 2: My Response to Max Holland

In *The Nation* (7 December 1998) Max Holland claimed that there was only an armful of books of lasting value on the assassination, which he listed. Given Holland’s bias, it was hardly surprising that none of these books makes a serious case for conspiracy. Each book, in my view, either is seriously flawed (Holland even admits this about one), riddled with errors of fact, or grossly biased. All are now hopelessly out of date. Serious—even devastating—critiques of these books have appeared elsewhere; it is outside the scope of this essay to itemize these critiques. Surprisingly, though, during Holland’s rather long discussion, he scarcely mentioned the medical evidence—the primarily decisive evidence—so I thought it wise to remind him of this. My letter appears below. It was never published and Holland has never acknowledged it. A friendly note from Arthur Schlesinger, Jr., suggested that a reply from Holland, even if informal, would have been appropriate. To date only silence has reigned. Such silence, particularly when preceded by embarrassing, but authentic, questions about this case, has become the signature trademark of the historians (and the journalists, too).

13 December 1998

Letters to the Editor, *The Nation*

13 Irving Place
New York, New York 10003

Re: “The Docudrama That Is JFK” by Max Holland

Dear Editor:

Mr. Holland’s (JFK) opus meanders intoxicatingly from piccolo to contra bassoon but only fleetingly sounds the leitmotiv of the assassination. For those who are not tonally deaf, that central theme is heard in the medical evidence.

From the new medical depositions taken by the Assassination Records Review Board (ARRB), we now know that the only recognized autopsy photographer, John Stringer, did not take the autopsy photographs of the brain. A memorandum issued by the ARRB strongly suggests that two different brains were autopsied and that the brain photographs in the National Archives most likely are not those of JFK. My personal, detailed studies of the autopsy skull X-rays, including an original use of optical densitometry, show virtually no brain tissue in a fist-sized area at the front of the skull, just where the photographs (paradoxically) show nearly intact brain. My measurements are not only consistent with the conclusions of the ARRB, but actually anticipated them by several years.

The shot (or shots) to the head pose even worse conundrums for Holland. If he agrees with the pathologists that JFK was struck low on the right rear of the skull, he then has no explanation for the obvious trail of metallic debris that lies more than 4 inches higher. Alternately, if he concludes that a bullet entered much higher, he must then believe that all three qualified pathologists were wrong by 4 inches, and that an absurdly unique event occurred in the history of ballistics—namely that an internal 6.5 mm cross section of a bullet was sliced out and then migrated 1 cm lower and stayed there. In addition, and after all this, he must also believe that the trail of metallic debris still lies well above his proposed entry site. No ballistics expert has ever testified to seeing so much nonsense from one bullet.

Even worse for Holland, just within the past year, Larry Sturdivan, the ballistics expert for the 1977–78 Congressional investigation, has insisted that this 6.5 mm cross section cannot represent a metallic fragment at all—thus crippling the central basis for the conclusions reached in prior official inquiries. My own research on the X-rays over the past 5 years (performed at the National Archives and now published in *Assassination Science*, edited by James Fetzer) agrees with Sturdivan that this object cannot be a real piece of metal. I have, in

addition, shown how simple it was in that era deliberately to manufacture an altered X-ray with a 6.5 mm metallic image added to it (so that Oswald's rifle would be incriminated). Finally, at my request the ARRB specifically asked each of the autopsy pathologists under oath if they recalled seeing this flagrantly obvious, 6.5 mm object on the X-rays during the autopsy. Just as I had predicted, none of them could recall this artifact—one that my 7-year-old (nonradiologist) son instantly spotted on the extant anterior skull X-ray.

It is past time for Holland to transport his opus from the baroque era into the modern era. The new themes composed by the ARRB must now be played for a younger audience whose ear canals are not yet encrusted by decades of earwax. The baroque era is over.

Sincerely yours,

David W. Mantik, M.D., Ph.D.

Assoc. Prof. of Radiation Sciences, School of Medicine,

Loma Linda University, Loma Linda, CA

Ph.D., Physics, University of Wisconsin, 1967

M.D., University of Michigan, 1976

Board Certified by the American College of Radiology, 1980

Addendum 3: The Dreyfus Affair

On 9 October 1859, Alfred Dreyfus was born into a prosperous Jewish family in Mulhausen, Upper Alsace, France. Following the unification efforts of Otto von Bismarck, the Germans took possession of the provinces of Alsace and Lorraine after the Franco-Prussian War of 1870. In 1874, Dreyfus left Alsace to live in France. He became a French army officer at age 21 and by 1894 (age 34) he was assigned to the general staff. Although the French feared Germany, hope of recovering the lost provinces was still high; the French looked to the army for leadership, contrasting the officers to the politicians who were too often seen as corrupt and ineffective.

In September 1894, a memorandum (“bordereau”) was found in the wastebasket of the German military attaché in Paris. It was an unsigned letter promising information about secret military matters. Because his handwriting was similar to the memorandum—and also possibly because he was a Jew⁶⁴ and had lived in Alsace, where he still had connections—Dreyfus was arrested on 15 October 1894.

Despite his claims of innocence, Dreyfus was convicted by a court martial which met in secret. He was deported to Devil's Island in French Guiana. At the trial, his own lawyer was not permitted to see the evidence against him.

The attitude of French high society toward this case is apparent from its

eneration of General August Mercier, the Minister of War (in 1894), who had first ordered the arrest. At parties of the *haut monde*, ladies rose to their feet when Mercier entered the room.

In May 1896, new evidence suggested that another French officer, Major Marie Charles Esterhazy, was communicating with the German military attache. The counterespionage unit had a new head, Lt. Col. Georges Picquart, who found that Esterhazy's handwriting was a remarkable match to that of the memorandum. Rather than investigating further, however, Picquart's superiors reassigned him to Tunisia on a dangerous expedition to silence him, but not before he had confided his discovery to a legal advisor.

Alfred's brother, Mathieu, then took up the cause. By October 1897, Esterhazy's name was mentioned publicly and a trial seemed inevitable. Military officials, however, resisted this attempt; more incriminating material was probably added to the secret file against Dreyfus during this time and, in January 1898, Esterhazy was acquitted during a court martial held behind closed doors.

Emilie Zola, the great novelist, then immediately published a newspaper article entitled "J'accuse" ("I accuse") which charged the authorities with conspiring to imprison an innocent man and also to permit a guilty man to remain free, an action that astonished the world. Queen Victoria was stupefied, and negative reactions arrived from around the world, including Berlin, Chicago, and Melbourne. Zola was shortly thereafter convicted of libel and had to flee the country. Many thought that a Jewish conspiracy was out to humiliate the French army, while others thought that the military was arrogant, evading an admission of error and resisting civil authority. The Catholic Church opposed a retrial, thus reviving the old issue of separation of church and state.

On 31 August 1898, Major Hubert J. Henry, an intelligence officer, committed suicide while under arrest at Mont Valerien, but not before admitting that he had forged one of the secret Dreyfus documents. Esterhazy promptly fled France and Dreyfus was returned to Rennes for a new trial, which began on 7 August 1899 (one year after the suicide). Dreyfus, although his innocence was now scarcely in doubt, was again found guilty—but under extenuating circumstances—and he was persuaded to accept a pardon from the French President.

In 1904, more forgeries were discovered in the files and on 12 July 1906, the Cour du Cassation, after a lengthy review, declared unanimously that Dreyfus had been innocent all along—and reinstated him in the army. Esterhazy and Henry were now considered to be the true culprits, who had supplied secrets to the Germans. They had used anti-Semitic sentiment to throw suspicion on Dreyfus—who was thereafter awarded the Legion of Honor. Picquart was also

restored to the army—with a rank of general of the brigade—and within three months Clemenceau appointed him minister of war. And Zola, whose letter had been so critical in the whole process, was given a last resting place in the Pantheon on 4 June 1908. During the procession to the Pantheon, a journalist, Gregori, twice shot at Dreyfus, causing a minor injury to his forearm. He was later acquitted of a murder charge, his plea being that he had merely intended a “demonstration.”

The Dreyfus affair had been a French nightmare for twelve years. An unintended consequence was the official separation of church and state. Dreyfus went on to serve in World War I, retiring as a lieutenant colonel. On July 12, 1935, at the age of 74, he died in Paris. Today his statue still stands in Paris at Boulevard Raspail and Boulevard Montparnasse near the Luxembourg Gardens and the great Balzac by Rodin.

Dreyfus sources

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7. *The Dreyfus Affair: Art, Truth, and Justice*, Norman Kleeblart, ed. (1987). University of California Press.
8. *Encyclopedia Americana*, volume 9, p. 395-396 (1997). Grolier, Inc., Danbury, CT.

Addendum 4: Conspiracies

The Social Contract is nothing more or less than a vast conspiracy of human beings to lie to and humbug themselves and one another for the general Good. Lies are the mortar that bind the savage individual man into the social masonry.

—Herbert G. Wells

Conspire: *L. conspirare, to breathe together*. 1. to plan and act together secretly, esp. in order to commit a crime.

Foreign (20th century)

Franz Ferdinand	Rajiv Gandhi	Louis Mountbatten
Czar Nicholas II	Adolf Hitler	Rafael Trujillo
Salvadore Allende	Charles DeGaulle	Benigno Aquino
Anwar Sadat	Luis Colosio	Leon Trotsky
Ngo Dinh Diem	Rene Schneider	Pancho Villa
Ngo Dinh Nhu	Jacobo Arbenz	Grigorii Rasputin
Mohammed Mossadegh	Fidel Castro	Walter Reuther ⁶⁵
Patrice Lumumba	Malcolm X	Pope John Paul II ⁶⁶

Fraser: British History ⁶⁷

Stephen (1135-54): attacked in battle by his own wife and his wife's uncle.

Henry II (1154-89): Thomas a Becket is assassinated.

Richard I (1189-99): Richard and King Philip of France defeat Richard's father, Henry II, in battle, after which Henry II dies.

John (1199-1216): he betrays his father, Henry II, in his last days, then battles his brother, Richard, in a clash over Aquitaine.

Henry III (1216-72): overthrown in battle at Lewes by Simon de Monfort.

Edward I (1272-1307): William Wallace leads Scots in revolt & victory at Stirling Bridge.

Edward II (1307-27): Edward's best friend, Gaviston, is captured and murdered by his enemies. The King's first cousin, Thomas of Lancaster, plots against him. After defeat of English at Bannockburn, Thomas controls the strings. Later, his Queen, and her consort, invade England, and the King retires. His jailers later thrust a red-hot spit into his bowels, in order not to leave a mark on him.

Richard II (1377-99): revolt of peasants led by Wat Tyler. Gloucester, Arundel, the Earl of Warwick lead attack against the King. The Merciless Parliament of 1388 leads a full-scale attack on the King's household. Bolingbroke sails from Boulogne and Richard's troops desert. Richard is later secretly murdered in Pontefract Castle, leaving Bolingbroke (Henry IV) haunted by guilt.

Henry IV: (1399-1413): see prior paragraph.

Henry VI (1422-71): York's oldest son enters London in triumph, while the King and Queen escape over the border to Scotland. Henry regains the throne

nine years later, but then loses it again and spends his last years as a wandering fugitive. He is eventually executed.

Edward IV (1461-83): Warwick leads a revolt against the King.

Richard III (1483-85): Buckingham, with the assistance of the Woodvilles and the exiled Henry Tudor, revolts against the King. Henry wins the final battle and Richard's dead body is thrown over a packhorse for burial.

Henry VIII (1509-47): Norfolk and Gardiner conspire against Essex.

Charles I (1625-49): He loses his head in the Revolution, making a short king even shorter.

Charles II (1660-85): Coleman and the Jesuits are killed in the matter of the Popish plot. The word, "cabal," enters the English language.

James II (1685-88): William of Orange lands in England and displaces the King, who was allowed to hunt and philander until a stroke took him away at age 66. Perhaps he had the better of the deal, after all.

George I (1714-27): South Sea bubble leads to huge financial losses for some. Walpole becomes England's first prime minister. A succession of Jacobite plots follow—most notably one led by Bishop Atterbury's conspiracy.

George III (1760-1820): Americans conspire against Parliament and Crown. The King is also the target of several assassination attempts. Mother Nature, via porphyria, conspires against the King

George IV (1760-36): forged Zinoviev letter leads to downfall of government.

George VI (1936-52): Real Indians, led by Gandhi, conspire against British rule.

Elizabeth II (1952-): death of Princess Diana (?)⁶⁸

Addendum 5. Believers in a JFK Assassination Conspiracy

Lyndon Baines Johnson, President of the United States⁶⁹

Richard M. Nixon, President of the United States⁷⁰

John B. Connally, Governor of Texas⁷¹

J. Edgar Hoover, Director of the FBI

Clyde Tolson, Associate Director of the FBI⁷²

Cartha DeLoach, Assistant Director of the FBI

William Sullivan, FBI Domestic Intelligence Chief

John McCone, Director of the CIA

David Atlee Phillips, CIA disinformation specialist (Chief of Covert Actions, Mexico City, 1963)

Stanley Watson, CIA, Chief of Station

The Kennedy family⁷³

Admiral (Dr.) George Burkley, White House physician

James J. Rowley, Chief of the Secret Service⁷⁴

Robert Knudsen, White House photographer (who saw autopsy photos)
Jesse Curry, Chief of Police,⁷⁵ Dallas Police Department
Roy Kellerman (heard JFK speak after supposed magic bullet)
William Greer (the driver of the Lincoln limousine)
Abraham Bolden, Secret Service, White House detail & Chicago office
John Norris, Secret Service (worked for LBJ; researched case for decades)
Evelyn Lincoln, JFK's secretary
Abraham Zapruder, most famous home movie photographer in history
James Tague, struck by a bullet fragment in Dealey Plaza
Hugh Huggins, CIA operative, conducted private investigation for RFK
Sen. Richard Russell, member of the Warren Commission
John J. McCloy, member of the Warren Commission
Bertrand Russell, British mathematician and philosopher
Hugh Trevor-Roper, Regius Professor of Modern History at Oxford University
Michael Foot, British MP
Senator Richard Schweiker, assassinations subcommittee (Church Committee)
Tip O'Neill, Speaker of the House (he assumed JFK's congressional seat)
Rep. Henry Gonzalez (introduced bill to establish HSCA)
Rep. Don Edwards, chaired HSCA hearings (former FBI agent)
Frank Ragano, attorney for Trafficante, Marcello, Hoffa
Marty Underwood, advance man for Dallas trip
Riders in follow-up car: JFK aides Kenny O'Donnell and Dave Powers
Sam Kinney, Secret Service driver of follow-up car
Paul Landis, passenger in Secret Service follow-up car
John Marshall, Secret Service
John Norris, Secret Service
H. L. Hunt, right-wing oil baron
John Curington, H.L. Hunt's top aide
Bill Alexander, Assistant Dallas District Attorney
Robert Blakey, Chief Counsel for the HSCA
Robert Tanenbaum, Chief Counsel for the HSCA
Richard A. Sprague, Chief Counsel for the HSCA
Gary Cornwell, Deputy Chief Counsel for the HSCA
Parkland doctors: McClelland, Crenshaw, Stewart, Seldin, Goldstrich, Zedlitz,
Jones, Akin, and others
Bethesda witnesses: virtually all of the paramedical personnel
All of the jurors in Garrison's trial of Clay Shaw⁷⁶
Bobby Hargis, Dealey Plaza motorcycle man
Mary Woodward, *Dallas Morning News* (and eyewitness in Dealey Plaza)

Maurice G. Marineau, Secret Service, Chicago office
Most of the American public
Most of the world's citizens

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Gary L. Aguilar has contributed greatly to this piece with several critical suggestions. Michael Parenti's bibliography on historiography was a passport to new lands for me. John Newman, Douglas Horne, Roger Peterson, Jim DiEugenio, Dennis Bartholomew, Walt Brown, Michael Kurtz, Patricia L. James, Harry Livingstone, and John and Sherry Szabo have all provided useful reviews and vital suggestions.

It is especially gratifying to thank my own son, Christopher (now 14), for his unique insights. I especially recall our discussion over dinner in San Diego, after viewing the film, *1984*. In addition, we have had pleasant discussions about many books cited here that he has also read. I also thank my daughter, Meredith (now 12), and my wife, Patricia, for tolerating my preoccupation with this case.

Notes

- ¹ "The Case of the Cheating Documents: False Authority and the Problem of Surmise," *The Gateway to History* (1938). Nevins wrote the Foreward to John F. Kennedy, *Profiles in Courage* (1956).
- ² For a deeper understanding of this article, the companion medical essay (which also appears in this volume) is required reading: David W. Mantik, M.D., Ph.D., "Paradoxes of the JFK Autopsy: The Medical Evidence Decoded."
- ³ In a curious coincidence, Ford, Belin, and I all earned professional degrees from the University of Michigan. Even more curiously, Ford (the last surviving member of the Warren Commission) and I have both chosen to live in the same desert community, within walking distance of one another.
- ⁴ On 2 November 1975, Ford fired William E. Colby, CIA Director, who had disclosed the family jewels. The next day the Church Committee considered a letter from Ford demanding that its assassination report be held secret (Daniel Schorr, *Clearing the Air* 1977, p. 159).
- ⁵ After I had used the word "abdication," I discovered that Max Holland ("Making Sense of the Assassination," *Reviews in American History* 22: 191–209 (1994)) had preceded me with this descriptor. Holland also agrees that historians have steered well clear of this controversy. Historian Michael Kurtz has also observed: "However, few journalists and virtually no scholars have conducted any serious research into the assassination, and their criticisms of the advocates of a conspiracy have generally assumed the guise

of name-calling and innuendo rather than legitimate scholarly dissent,” in Robert Brent Toplin, ed., “Oliver Stone, *JFK*, and History,” *Oliver Stone’s USA: Film, History, and Controversy* (2000), p. 173.

⁶ Graff was nominated for the ARRB by the White House staff. That anyone with such an outspoken and longstanding bias against Oswald was chosen for the ARRB is striking. During the lifetime of the ARRB, at its final press conference, and during an interview with Dan Rather on the 35th observance, Graff repeatedly insisted that his attitude toward Oswald had not changed. Several other board members, particularly Kermit Hall, followed his example, noting their persistent support for the lone assassin theory. Curiously, however, these members never discussed the medical evidence with the media. Both Graff and Hall are former Army intelligence officers and Graff has long been a member of the Council on Foreign Relations. Although Graff was conspicuous during ARRB media events, he was noticeably absent from public (working) meetings of the ARRB, so much so that rumors began to circulate about his health. Regarding Hall, when he was an administrator at the University of Tulsa, he gave the game away when he fell into a trap laid for him by fellow Oklahoma resident, John Armstrong. For more details on these matters see Jim DiEugenio, “Media Watch: Graff & Posner Spin the Final Report,” *Probe* (January-February, 1999).

⁷ Although the House Select Committee on Assassinations (HSCA) issued its report in 1979, it was actually established by Congress in 1976. Graff (1988, p. 793) made the same error.

⁸ William A. Tidwell, *Come Retribution: the Confederate Secret Service and the Assassination of Lincoln* (1988), makes a compelling case for the complicity of the Confederacy in the plot to kidnap Lincoln.

⁹ An occasional exception is the Martin Luther King, Jr., assassination, which a jury recently found to be a conspiracy (*The New York Times*, December 10, 1999, p. 25).

¹⁰ David Hackett Fischer has critiqued such *ad hominem* attacks: “But an *ad hominem* debate is unlike tennis in one respect—it is a match which everybody loses: players, referees, spectators and all” (*Historians’ Fallacies: Toward a Logic of Historical Thought*, 1970, p. 293). Also see *The American Historical Review* 73: 996,1710 (1968).

¹¹ Examples of this genre are (1) Jacob Cohen, “Yes, Oswald Alone Killed Kennedy,” *Commentary*, June 1992; (2) Nick Gerlich, “Tragedy on Elm Street: Facts and Fictions in the JFK Assassination,” *Skeptic*, Volume 6, Number 4, 1998; (3) Max Holland, “The Docudrama That Is JFK,” *The Nation*, December 7, 1998.

- ¹² The problem noted by Jerome is, unfortunately, not confined to historians—it infests our entire culture, as John Ralston Saul has observed : “. . . never have so few people been willing to speak out on important questions. Their fear is tied not to physical threats, but to standing apart from fellow experts or risking a career or entering an area of nonexpertise. Not since the etiquette-ridden courts of the eighteenth century has public debate been so locked into fixed positions, fixed formulas and fixed elites expert in rhetoric” (*Voltaire’s Bastards: the Dictatorship of Reason in the West* 1992, p. 29).
- ¹³ Despite their opposite views of the JFK assassination, Ambrose has offered glowing dust cover reviews for both Posner and Beschloss. Also see Stephen Ambrose, “Writers on the Grassy Knoll: A Reader’s Guide,” *New York Times Book Review*, 2 February 1992, pp. 23-25.
- ¹⁴ My own impression of Posner is similar to Wrone’s: *Case Closed* is the only book I have ever stopped reading because I came to doubt the integrity of its author.
- ¹⁵ Several other writers have offered devastating critiques of Posner. Two major examples are (1) Harold Weisberg, *Case Open: The Omissions, Distortions and Falsifications of Case Closed* (1994); and, (2) Peter Dale Scott, “Case Closed? Or Oswald Framed? A Review of Gerald Posner, *Case Closed: Lee Harvey Oswald and the Assassination of JFK*,” Peter Dale Scott (1993). The media have steadfastly ignored these critiques.
- ¹⁶ For further insight into Cohen’s role, see E. Martin Schotz, *History Will Not Absolve Us: Orwellian Control, Public Denial, and the Murder of President Kennedy* (1996), pp. 226–229. Schotz is a psychiatrist.
- ¹⁷ Earlier writers on the medical evidence were David Lifton (*Best Evidence* 1980) and Harrison Livingstone (*High Treason* 1989—co-authored with Robert Groden; *High Treason 2* 1992; *Killing the Truth*, 1993; and *Killing Kennedy* 1995). I owe both a personal debt of gratitude for their pioneering research and for their generous assistance.
- ¹⁸ By way of explanation, I have described—and have easily been able to reproduce—how this bullet-like image was a subsequent double exposure, superimposed (in the darkroom) onto the now lost original X-ray during the production of the (one) remaining frontal skull X-ray. There is surprising eyewitness support for this activity, so that the time of this forgery can be dated with some certainty. There is reason to believe that the photographic manipulations occurred at about the same time.
- ¹⁹ In a suspiciously conspicuous oversight, the HSCA never identified the proposed entry site for this bullet on the frontal skull X-ray. In retrospect, the reason for this is obvious—there is no visible entry site. This conclusion was

verified by precise optical density measurements (of the area in question) at the National Archives.

20 The pathologists' alternate proposal (for a headshot from a sole assassin) is even more absurd—so flagrantly absurd, in fact, that current lone gunman advocates have long since abandoned it. The disproof of the pathologists' proposal is embarrassingly simple, as is demonstrated in the companion medical essay.

21 Douglas P. Horne (ARRB staff member) and Jeremy Gunn (Executive Director), who deposed the medical witnesses, have proved that this is nonetheless possible. Though they arrived with no specific medical training, their work, by far, surpassed that of their predecessors on the HSCA and on the Warren Commission.

22 This was Josiah Thompson, well known for his early work on the case (*Six Seconds in Dallas*, 1967).

23 Baden has recalled his own professional experiences (*Confessions of a Medical Examiner* 1989), while Cyril Wecht has also described his adventures (*Grave Secrets: A Leading Forensic Expert Reveals the Startling Truth About O.J. Simpson, David Koresh, Vincent Foster, and Other Sensational Cases* 1996).

24 After I had summarized the Dreyfus case, I discovered that other writers had noted this analogy before me. Examples are (1) Leo Sauvage, *The Oswald Affair: An Examination of the Contradictions and Omissions of the Warren Report* 1966, pp. 330-331; (2) Art and Margaret Snyder, "Case Still Open: Skepticism and the Assassination of JFK," *Skeptic*, Volume 6, No. 4, 1998; and (3) E. Martin Schotz 1996, p. 247.

25 This pales, however, in comparison to the nine official investigations of the Japanese attack on Pearl Harbor (Robert Stinnett, *Day of Deceit: the Truth about FDR and Pearl Harbor* 2000).

26 The medical evidence for this frame-up is summarized in the companion essay cited in footnote 2.

27 *Probe* (July 22, 1995 and September 22, 1995), front-page articles.

28 Douglas P. Horne volunteered this information in a letter to me (February 26, 2000); Horne served as Chief Analyst for Military Records while at the ARRB. Most of this information is also contained in the *Final Report of the Assassination Records Review Board* (US Government Printing Office, 1998), although a close reading is required to arrive at the same conclusion.

29 For ONI references, see the index in John Newman, *Oswald and the CIA* 1995.

30 America's last declaration of war was in 1941, immediately after Pearl

Harbor—now 59 years ago.

^A [Author's note: the following note was added on 20 February 2002.] The debate on Sally Hemings may not be over. "Three Perspectives on America's Jefferson Fixation," by Andrew Burstein, Nancy Isenberg, and Annette Gordon-Reed appeared as a Selected Book Review in *The Nation* (1998) and can be found on-line at <http://past.thenation.com/issue/981130/1130JEFF.HTM> Other sites may also be found on-line.

³¹ The dust cover describes Thomas as an internationally respected surgeon who is also an authority on gunshot wounds and their forensic interpretation. He is the author of *The Murder of Rudolph Hess*, which exposed critical evidence about the Spandau prisoner.

³² Charles Beard, who wrote one of the most famous monographs in American history (*An Economic Interpretation of the Constitution* 1913), also charged that FDR and his accomplices had secretly manipulated American policy to bring about World War II (Charles Beard, *President Roosevelt and the Coming of the War 1941: A Study in Appearances and Realities* 1948). Beard would undoubtedly find some vindication in Stinnett's new book.

^B [Author: The following note was added on 20 February 2002.] My sense that the Pearl Harbor debate was far from over has already been amply confirmed. While visiting in Hawaii (August 2001), I discovered that bookstores still carried paperback versions of *Infamy*, by John Toland (1982), which suggests that FDR knew in advance about the attack. Almost by chance the following items have also fallen into my path: (1) "Pearl Harbor: What Really Happened," *American Heritage*, July/August 2001; (2) "Opposing Views: Pearl Harbor Commanders' Culpability," by Thomas K. Kimmel, Jr., and Frederic L. Borch III, *MHQ, the Quarterly Journal of Military History*, Winter 2002; Joseph Persico, *Roosevelt's Secret War: FDR and World War II Espionage* 2001; and Michael Gannon, *Pearl Harbor Betrayed: The True Story of a Man and a Nation under Attack*. Finally, an incisive and highly uncomplimentary judgment of Stinnett's book appeared in *The New York Review of Books* (November 2, 2000): "Did Roosevelt Know" by David Kahn.

³³ The ARRB released a highly pertinent document—regarding the SECDEF conference of 6 May 1963, held in Hawaii, during which McNamara met with top military brass at CINPAC HQ in Camp Smith. The withdrawal of 1000 US troops by December 1963 was specifically advised—and endorsed by McNamara. Furthermore, McNamara subsequently advised that this phase-out program was too slow. Also see Jim DiEugenio, "The Review

Board Releases JFK Vietnam Documents,” *Probe*, January-February, 1998 and Jim DiEugenio, “McNamara’s Secret,” *Probe*, March/April 2000.

³⁴ Schotz (1996, p. 249) has described Zinn’s previous interest in the JFK case.

³⁵ C.S. Lewis, and Aldous Huxley, too, died on 22 November 1963.

³⁶ This theme is also reviewed by Peter Novick (*That Noble Dream: the “Objectivity Question” and the American Historical Profession* 1988, pp. 33-37), who notes that it is actually the vulgarizations of Francis Bacon’s work that are the chief concern in this context. To Novick’s credit, he also uses the same quote from Darwin that appears immediately below.

³⁷ Michael Baden, M.D., apparently still accepts the authenticity of the autopsy photographs, despite all of the evidence that has accumulated against them. I suspect that his view of the autopsy X-rays is similar. Jim DiEugenio reminds us (*Probe*, July/August 1996 and November/December 1998), however, that when Baden served under Chief Counsel Robert Tanenbaum, who favored conspiracy, Baden seemed open to the possibility of conspiracy, but when Robert Blakey replaced Tanenbaum, Baden became a supporter of the single gunman theory. During a telephone conversation with me (7 April 2000), Tanenbaum confirmed that Baden had indeed initially been open to the possibility of conspiracy. Tanenbaum also confirmed to me a remarkable confession by Dan Rather in 1993 (DiEugenio, *Probe*, January-February, 1999, p. 3): “We really blew it on the Kennedy assassination.” According to Tanenbaum, Rather had admitted what he has never hinted at on television—namely that the journalists’ investigation of the JFK assassination has been inadequate. Like Robert Blakey, Tanenbaum, too, is still a believer in conspiracy; he has even written a fictionalized account of his experiences while on the HSCA (*Corruption of Blood*, 1995).

³⁸ Luis Alvarez, the Nobel Prize winning physicist, proposed the jet effect as an explanation for JFK’s head snap (seen in the Zapruder film); this time, however, Alvarez was wrong. See the next footnote.

³⁹ David W. Mantik, “Paradoxes of the JFK Assassination: The Zapruder Film Controversy,” in this volume.

⁴⁰ George Lardner, Jr, “Archive Photos Not of JFK’s Brain, Concludes Aide to Review Board; Staff Member Concludes 2 Different Specimens Were Examined,” *Washington Post*, 10 November 1998; Deb Riechmann, “Newly Released JFK Documents Raise Questions About Medical Evidence,” *Associated Press*, 9 November 1998.

⁴¹ On the very day that I wrote this paragraph, the front page of the *Los Angeles Times* quoted Rafael Perez, who described multiple shootings in which LA police officers doctored photographs of shooting scenes to conceal their

mistakes. In one case, ketchup was splattered around to mimic blood, according to the transcripts (*Los Angeles Times*, 15 February 2000). Also see *Time* (6 March 2000) pp. 30–34.

⁴² Max Holland (“Making Sense of the Assassination,” *Reviews in American History* 22: 191–209 (1994)) reminds his readers that Scott’s book, published by the University of California Press, was approved for publication by twenty UC professors, including four senior historians.

⁴³ Newman holds a Ph.D. in history from George Washington University and is Associate Professor of History at the University of Maryland.

⁴⁴ Long before Europeans smoked cigars, Columbus found the Arawaks smoking them. In 1555, for the first time, tobacco arrived in Spain and, three years later, the Portuguese introduced Europeans to snuff (Davis 1990, p. 4). Little did Columbus know that he was sowing one seed (tobacco) in preparation for World War I. Besides Kaiser Frederick III, it is likely that two American presidents died as a result of cigar smoking: U.S. Grant, who was given fine cigars after an early Civil War victory, and Grover Cleveland, who developed a cancer of the palate (Bollet 1997, pp. 45–47).

⁴⁵ Since 1935, Krock had been a family intimate of Joseph P. Kennedy, who was the US Ambassador to the court of St. James before World War II. Krock assisted JFK (Thomas C. Reeves, *A Question of Character, A Life of John F. Kennedy* 1991, p. 49) in the writing of his 150 page undergraduate thesis: *Why England Slept*, which was submitted on 15 March 1940. JFK’s father purchased 30,000 to 40,000 copies to help make the book a best seller. In view of Krock’s assistance, and JFK’s cultivation of journalists in general, was the “very high official,” whom Krock cites, actually JFK himself?

⁴⁶ A similar question is raised by Fischer (1970, p. 315), who suggests that history can be useful for questions of an “if, then” sort. He wonders what conditions have made social stability, social freedom, and social equality maximally coexistent, and then suggests that it may be time for more historians to address such problems.

⁴⁷ Fischer offers the delightful and pertinent tale of the character in an English academic novel who answers the phone with the line: “History speaking!”

^C The Mashantucket Pequot Museum and Research Center <http://www.mashantucket.com/> near Mystic, Connecticut, is described in “Pride of the Pequots,” by Louis Porter, *Discover* (December 2001). The author notes that in 1638, most of the 1500 surviving Pequots were parceled out as slaves between the English and two tribes allied with the European.

⁴⁸ Admiral Dewey, after his victory at Manila Bay, was quoted as saying (Louis A. Coolidge, *An Old-Fashioned Senator: Orville H. Platt* 1910, p. 302): “If I

were a religious man, and I hope I am, I should say that the hand of God was in it.” Richard Hofstadter (*The Paranoid Style in American Politics* 1965, p. 176) quotes the *Christian and Missionary Alliance* as saying that the victory “read almost like the stories of the ancient battles of the Lord in the times of Joshua, David, and Jehosophat (sic).”

⁴⁹ I have just finished reading *The Lives of the Kings and Queens of England* (Antonia Fraser 2000). Although I knew many of these stories before, to be reminded once again of so many sordid events (often internecine conspiracies) still provoked a certain degree of shock, especially as I contemplated events in America. See Addendum 4.

⁵⁰ Since Hofstadter, apparently based on a unique source that he has never disclosed, already knew that the JFK assassination was not a conspiracy, he was able to conclude (Hofstadter 1965, pp. 6–7): “One need only think of the response to President Kennedy’s assassination in Europe to be reminded that Americans have no monopoly of the gift for paranoid improvisation.”

⁵¹ Alex Cox, “The Colosio Assassination,” *Probe*, January/February 2000.

⁵² A U.S. House committee, chaired by John McCormack and Samuel Dickstein, stated in its final report that it found credible evidence of a plot to overthrow the American government with a military coup (*US House of Representatives, Public Statement of Special Committee on Un-American Activities*, Seventy-third Congress, Second Session, 24 November 1934). Also see Barbara LaMonica, “The Attempted Coup Against FDR,” *Probe*, March/April, 1999 and Oliver Stone, “On Nixon and *JFK*,” in Toplin 2000, pp. 289-290. The most detailed monograph, however, is by Jules Archer (*The Plot to Seize the White House* 1973). Archer recounts how the plotters tried unsuccessfully to enlist two-time medal of honor winner, ex-Marine, Major General Smedley Darlington Butler in the plot that he helped to expose. Archer also interviewed McCormack (who was once Speaker of the House). McCormack still had no question but that Butler’s testimony had been entirely credible; moreover, McCormack believed that if Butler had cooperated, the plot might have succeeded. I would emphasize that Butler’s name is difficult to find in the indices of history textbooks—or even in the memories of American historians.

⁵³ Alfred Steinberg, *The Man from Missouri: the Life and Times of Harry S. Truman* 1962, pp. 390–391.

⁵⁴ Zelizer was an Assistant Professor of Rhetoric and Communication at Temple University. She is currently at the University of Pennsylvania.

⁵⁵ White is an Associate Professor at the College of Mount St. Joseph in Cincinnati, and holds a Ph.D. in history from the University of Kentucky

- ⁵⁶ Although the vast majority of the media still believes that Oswald did it, this is not the first time that they have played the roles of lemmings. In the summer of 1948, reporters were about 8-1 in their belief that Dewey would win the election (Steinberg 1962, p. 328). The Chicago *Tribune*'s headline, DEWEY DEFEATS TRUMAN, is still a classic in American history. Curiously, Dewey's running mate was Earl Warren; their campaign manager was Allen Dulles, who would become another member of the Warren Commission.
- ⁵⁷ Immediately after the assassination, J. Edgar Hoover also invoked the image of Sherlock Holmes. When Thomas Mann, the US ambassador to Mexico, promptly began to investigate the supposed Oswald visits to the Mexican embassy (apparently because Mann suspected an Oswald double—an issue that is still very much on the front burner today), Hoover told him bluntly, in a note from SOG, to stop trying to play Sherlock Holmes—and Mann unfortunately obliged.
- ⁵⁸ Max Planck's discovery of the formula for black body radiation is the perfect illustration of such a radical revolution.
- ⁵⁹ At some risk of badgering the reader, I shall point out that the Scotland Yard inspector plays the role of the Warren Commission; Oswald, however, does not play the role of the criminal in question. Finally, the "entirely different story of murder" implies suspects other than Oswald.
- ⁶⁰ Fischer (1970, p. 5) concurs with this view of history. He uses the analogy of a master architect who draws a sketch in the sand (e.g., for pyramids), following which laborers cut their stones to fit this monument. But then another architect arrives on the scene and he says that pyramids are out and obelisks are in. Unfortunately, however, most of the old stones are unusable for this purpose. *The Warren Report* (and its so-called facts) is an analogue to the pyramid (and its unusable stones), whereas the obelisk (a monument to conspiracy) must be largely constructed with new stones (i.e., new evidence).
- ⁶¹ The cover of *Life* (25 November 1966) read: "Did Oswald Act Alone? A Matter of Reasonable Doubt." The article itself concluded that the case should be reopened.
- ⁶² Even Barbara Tuchman fell into this trap; without any discussion, and with no analysis, she unequivocally named Oswald as JFK's murderer (Tuchman 1981, p. 255). A more recent, and more egregious, example is Paul Johnson (*A History of the American People* 1997), whose work, like Tuchman's, I generally admire. He claims (pp. 868–869): "In more than thirty years since the crime took place, however, no further evidence of any significance has emerged, and virtually all historians now accept that Oswald alone was

responsible.” What is so ironic about this statement is that its immediate source (citation 64) is not an historian, after all, but rather a lawyer turned journalist (Posner). For the tens of thousands of historians who are caricatured by this statement, not a single historian is actually cited. An even worse irony is that, only two footnotes earlier (citation 62), a genuine historian is cited—it is Beschloss, who believes in conspiracy, but Johnson does not inform his readers of Beschloss’s belief. Johnson also ignores the work of Kurtz, Newman, Wrone, Hurt, Scott, Weisberg, and all other serious writers. To complete the debacle, Johnson also overlooks the ARRB, which had actually begun its real work by early 1995, whereas Johnson’s book was not published until 1997.

⁶³ It is probably no accident that Cook was one of the earliest critics of *The Warren Report*; see Schotz (1996, pp. 217–233) for Cook’s illuminating anecdotes about his encounters in this case.

⁶⁴ On 25 April 1895, the “Jewish Peril” had been violently debated in the Chamber of Deputies; at the same time, the Rothschild bank in Paris had also been bombed.

⁶⁵ Robert F. Kennedy, *The Enemy Within* (1960).

⁶⁶ Claire Sterling, *The Time of the Assassins: Anatomy of an Investigation* (1983).

⁶⁷ Antonia Fraser, *The Lives of the Kings and Queens of England* (2000).

⁶⁸ To my amateur historian’s mind, it would appear that the rise of Parliamentary government, and the subsequent decline of royal power, correlates with a decrease in conspiracies against the king, especially those triggered by intrafamilial feuds. A statistical analysis of this question would be welcome.

⁶⁹ Harrison E. Livingstone, *High Treason* (1989), pp. 8, 68, 344, and 422.

⁷⁰ In his series of television interviews with David Frost, Nixon, seemingly without thinking, referred to JFK’s conspirators *in the plural*—before quickly and consciously reversing himself.

⁷¹ Although Connally has given verbal assent to *The Warren Report*, he has said much indirectly to malign it. He and Nellie both told the Commission that their own recollection of the shots did not support the SBT—and that, furthermore, they could never be persuaded to believe it. At the instant of shooting, he said, “My God, *they’re* going to get us all.” As an inpatient at Parkland, he said: “*They* also got the President.” Finally, just before he died, he was quoted in *Time* (28 June 1993): “Here we are, I thought, 30 years later, still speculating about what did or did not happen. And no one will ever know the complete truth.”

⁷² Internal FBI memorandum, 4 April 1967.

⁷³ Seymour Hersh, *The Dark Side of Camelot* 1997, p. 451: “He [Robert Kennedy] and Jacqueline Kennedy were convinced that the president had been struck down not by communists, as J. Edgar Hoover and many others believed, but by a domestic conspiracy. . . .” Although Hersh is probably wrong about Hoover’s true opinion, it is nonetheless striking that he lists Hoover, whose massive FBI tomes provided the basis for *The Warren Report*, as a believer in conspiracy.

⁷⁴ James Hepburn, *Farewell America* (1968), p. 59.

⁷⁵ F. Peter Model and Robert J. Groden, *JFK: the Case for Conspiracy* (1976), p. 53.

⁷⁶ Oliver Stone, “On Nixon and *JFK*,” in Toplin (2000), p. 277.

* *Murder in Dealey Plaza* (2000), pp. 371-411 (expanded).

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