



# **THE MANTIK VIEW**

**'Boo Review'**

**Reclaiming History by Vincent Bugliosi**

# Reclaiming History by Vincent Bugliosi

A Not-Entirely-Positive Review by David W. Mantik, MD, PhD

*Memorial Day, 2007 (Revised June 12, 2007)*

*It is surely interesting how intelligent people can differ in looking at the same evidence...  
"Doggedness and the Talpiot Tomb," James Tabor, May 22, 2007<sup>1</sup>*

## Biographical Details

Vincent Boo-liosi (no "g" sound)<sup>2</sup> was born on August 18, 1934. According to one web site, he is the third most famous person from Hibbing, Minnesota.<sup>3</sup> After moving to California, he graduated from Hollywood High School.

Bugliosi (simply designated as B hereafter) graduated from of the University of Miami in Coral Gables, Florida (BA, 1956). Eight years later he received his law degree from UCLA (1964), where he was president of his graduating class. As a Los Angeles County Deputy District Attorney, he successfully prosecuted Charles Manson and several other members of Manson's "family" for the 1969 murders of Sharon Tate and six others. He lost only one of the 106 felony cases he tried as a prosecutor, which included winning 21 out of 21 murder cases.

He later wrote a book about the Manson trial called *Helter Skelter*. B has been outspoken in the media about the incompetence and/or malfeasance of lawyers and judges in major trials. He wrote a bestselling book, *Outrage*, on the acquittal of O.J. Simpson, in which he detailed the work of the district attorney, prosecutors, the defense lawyers, and presiding judge and illustrated what he saw as broader problems in American criminal justice, the media, and the political appointment of judges. He also condemned the Supreme Court's decisions in *Jones vs. Clinton* and in the 2000 presidential election. He wrote a lengthy criticism of the decision in an article for *The Nation* titled "None Dare Call It Treason," which was later expanded into a book titled *The Betrayal of America*. Some of his criticisms are portrayed in the 2004 documentary *Orwell Rolls in his Grave*.

B is also an expert on the JFK and RFK assassinations. His book, *Reclaiming History: The Assassination of President John F Kennedy*, was released in May 2007. That book is the subject of this review. It contains 1612 numbered pages, an introduction (xlvii pages), plus a CD of Endnotes (958 pages) and Source Notes (170 pages); it is literally bursting with second-hand information. Its total page count would appear to be about 2786, almost exactly three times as long as the 888-page *Warren Report*.

B is of Italian ancestry, married, and has two children, Wendy and Vince Jr. Like many characters in JFK assassination research today, he is an agnostic (in matters of religion, but

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1 The Jesus Dynasty Blog

2 Endnotes, p. 7; this is how he pronounces his name. Citations from the main text are identified herein by a naked page number.

3 Hibbing, population 17,000, Minnesota's largest city (by area), lies about 50 miles north and 35 miles west of Duluth (Jim Fetzer's former turf) and is famous for its Bob Dylan memorabilia and the world's largest open pit iron mine. According to this web site for Hibbing, its second most famous character is Kevin McHale, former teammate of Larry Bird with the 1980s Boston Celtics and regular opponent of Magic Johnson and the Lakers in the NBA finals. Hibbing is also close to the crash site of Senator Wellstone's plane.

not regarding the assassination) although he is open to the ideas of deism (but not to those of conspiracy).<sup>4</sup> Though I have not read *Helter Skelter* (the subject bored me) my wife loved it, while I thoroughly enjoyed *And the Sea Will Tell* (also a 1991 TV movie with Richard Crenna), which B kindly autographed for my nurse. I have also been a great fan of Outrage and his critique of the Supreme Court for putting us in the Bush leagues. (Everyone knows that our current Bush is a former major league baseball owner.)

### **A Personal Encounter**

On a lovely Sunday morning, I knocked on the front door of B's corner house, a modest, but charming affair, located very near the Arroyo Seco, home to the Rose Bowl. Because he had written to me about my work, I was curious to meet him in the flesh. While en route to see my son at Occidental College, I decided that the time had come to pay him a personal, albeit unannounced, visit. The door was quickly answered by B. After an initial puzzled expression, he immediately waved me in, with all the old country charm one would expect from a fellow Midwesterner. He was warm, courtly, and gracious, quite unlike his writing. After this encounter I understood why he had been president of his law school class. Following introductions to his wife, we sat together with drinks at the kitchen table, a la Nixon and Khrushchev (July 24, 1959). The conversation was congenial though not substantive. I was able to ascertain that he had indeed received the requested information from me. Most especially he had "Twenty Conclusions after Nine Visits,"<sup>5</sup> a summary of my work at the National Archives.

### **An Immediate Disaster for B**

According to Max Holland,<sup>6</sup> B's stamina for setting the record straight (on the assassination) is unequalled and will probably never be surpassed. After all, who else would be heroic enough—some would say foolhardy enough—to give birth to a book that weighs nearly as much as a newborn? It is likely that this book will stand forever as the magnum opus of this case—though not without serious flaws. Holland implies that its length makes it especially vulnerable to factual errors. I would liken the book to a house held aloft by a multitude of stilts. The more such posts are required, the more likely it is that one of them will fail. Unfortunately for B, that has *already* happened. I refer, of course, to the neutron activation analysis (NAA) work, which was strongly supported by B in his book. See Dr. Gary Aguilar's transparent and extremely well-written summary of this subject.<sup>7</sup> Aguilar cites the very latest on this subject, including a statistical paper just published in the *Annals of Applied Statistics* by former FBI lab metallurgist William A. Tobin and Texas A & M University researchers Cliff Spiegelman, William D. James and colleagues. The first major salvo across the deck had been fired not long before by Patrick M. Grant, Ph.D. and Erich Randich, Ph.D. in the *Journal of Forensic Science*. I had the great pleasure of hearing Grant and Randich present their findings to a small group in San Francisco last summer at a Saturday seminar arranged by Dr. Aguilar. Their findings left no doubt that

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<sup>4</sup> The preceding paragraphs were adapted from the Wikipedia. No hobbies are listed. For an excellent photo of Bugliosi see <http://www.nndb.com/people/807/000023738/>

<sup>5</sup> To my surprise, I just discovered that a Google search of this title promptly displays my paper, which was presented at the 2003 Pittsburgh Symposium.

<sup>6</sup> I have paraphrased Holland's review from *The Wall Street Journal*, May 19-20, 2007, P8. See my own negative comments about the very bright, but misguided, Max Holland in *Murder in Dealey Plaza* (2000), pp. 399-400. (I will hereafter abbreviate this book as *MIDP*.)

<sup>7</sup> Just Google: "Is Vincent Bugliosi Right that Neutron Activation Analysis Proves Oswald's Guilt?" or see the web site: [www.reclaiminghistory.org](http://www.reclaiminghistory.org).

Robert Blakey's so-called scientific "lynch pin" of the assassination had totally exploded in his face.<sup>8</sup> If any doubt remained after Grant and Randich, this latest paper has inexorably vaporized that scintilla. Sturdivan and Rahn (B's favorites) can massage and squeeze Guinn's original data all they want, using one statistical test after another, but nothing can save them. It's a simple matter of garbage in, garbage out. Guinn's data are the problem—they are simply inadequate to the task, as has now been demonstrated twice over, by well respected, even-handed scientists. The problem now for B, of course, is that when one supporting pillar has been so thoroughly—and immediately—demolished, one can only wonder what other pillars are already infested with termites. Another not-so-minor point is this: After all is said and done;

*'everyone now knows, totally contrary to B's repeated expostulations, that he is sometimes wrong—even if he won't admit it!'*

The problem, as we shall amply soon see, is that he wears permanent blinders, particularly when it comes to experts, and especially so for those from science.

### **How Can the Truth Be Known?**

In 1959, C. P. Snow, a physicist and a literary man, gave his brilliant Rede Lecture, which was then published as *The Two Cultures* (a *Second Look* was added in 1963). His message was straightforward: a huge, unbridgeable chasm had grown between the scientists and the literati, so much so that neither understood the most basic knowledge of the other. The scientists did not know their Shakespeare and the literati could not even define mass or acceleration, let alone the second law of thermodynamics. Occupying both of these worlds at once, days in physics and evenings in literature (with famous individuals), Snow was acutely aware of this chasm. Lawyers would not usually be classified with the literati,<sup>9</sup> but Snow did raise the possibility of a third culture (or even more). The point remains—the gap between different specialties in the modern world is still wide, perhaps wider than ever, as Alan Sokal has proven.<sup>10</sup>

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<sup>8</sup> My own background in physics (I had taught a course on nuclear physics to seniors at the University of Michigan) quickly led me to suspect this data when I first reviewed it at the UCSD library, very early in my JFK research and before I had drawn any final conclusions about conspiracy. My response to this data was simple and prompt: if this was the best that modern science could do for the lone gunman case, I suspected that the rest of the case could hardly be stronger.

<sup>9</sup> p. xlv. B states, "I don't read fiction but I've been told... [more second-hand information]." By definition, then, he does not read Shakespeare, poetry or great novels, not even James Joyce. Some wags, to help him safely avoid fiction, would advise him also to steer clear of the Bible (see *The Bible Unearthed* (2000) by Israel Finkelstein and Neil Silberman) or even the WC volumes (B's book, p. 860; see comments by Dr. Cyril Wecht).

<sup>10</sup> Alan Sokal, a physicist, raised these old specters with his "Transgressing the Boundaries: Toward a Transformative Hermeneutics of Quantum Gravity." The original article, a parody, was published in *Social Text* #46/47, pp. 217-252 (spring/summer 1996). The paper was a thoroughgoing, tongue-in-cheek hoax of the Post-Modernists, hilarious in many places, though the humor was quite lost on the humanities crowd, which was why it got published. In a follow-up paper, declined (!) by *Social Text*, he stated, "One of my goals is to make a small contribution toward a dialogue on the Left between humanists and natural scientists—'two cultures' which, contrary to some optimistic pronouncements (mostly by the former group), are probably farther apart in mentality than at any time in the past 50 years." Also see *Fashionable Nonsense: Postmodern Intellectuals' Abuse of Science* by Alan Sokal and Jean Bricmont. For me (DWM), this issue was strongly reintroduced to my consciousness this past year when my 21 year old son at college began forced consumption of the Post-Modernists, French linguistic philosophers, and James Joyce. I was thrilled to introduce him to Sokal's work. He, in turn, enlightened me about Joyce. I then spent many long hours listening to Joyce on tape. This may be a family thing for us, but my 19 year old daughter has just left Dublin after touring the sites from Bloomsday (*Ulysses*). She assured me that she was keenly aware of the allusion to Bloom in the Broadway musical, *The Producers*.

As I see it, the fundamental difference between scientists and lawyers lies in epistemology—i.e., how does one define, or even find, truth?<sup>11</sup> For lawyers, steeped in the adversarial system, the answer is clear-cut: use expert witnesses, and then let a jury vote. For a scientist, the very notion of a debate, and then a vote on truth, would be absurd, simply laughed out of court in a nanosecond. Instead, the scientist would set up a controlled experiment, perform multiple measurements, and then publish his results in a peer reviewed journal. But for his work to be accepted as part of the scientific corpus, it would likely be repeated several times over by independent groups. So, how can these two approaches be reconciled? In fact, they can't. It is surely encouraging, though, that the legal profession has taken seriously the question of who can qualify as an expert.<sup>12</sup> This has been a useful improvement in the adversarial process, though we are not likely at the end of that road. In summary, we remain stuck today with these two widely different approaches to truth. Insofar as B goes, it is surely germane to note here his own confession: he avoided high school physics.<sup>13</sup> In the context of his discussion with his namesake, Dr. Vincent Guinn (about JFK's head snap),<sup>14</sup> it would appear that B never took any physics anywhere. If he had, this would have been the time and place to say so. On the contrary, silence is all we hear.

### **A Few Kind Words for B**

B's book represents a massive, even prodigious, outpouring of work. One must be either mad or a genius to wallow for 20 years in such an interminable project. B appears to be a wonderful admixture of both. His writing style is generally lucid. Although I often found his logic jolting, the book was fairly easy to read. I often grumble about authors' avoidable ambiguities, but B, for the most part, sidesteps these. Also, to his credit, I was able quickly to learn more about several details of the case that I had not previously had time to pursue. A long time ago, I tried *Conspiracy of One*; I don't think I ever finished it because it seemed so ludicrous. Posner was another matter. His book is the only one, about any subject, that I have ever stopped reading because honesty did not seem his strong suit. B's book is totally unlike either. In its own way, it is a masterpiece—a truly brilliant prosecutorial brief. In the end, though, the question is whether that is what we want—or need—at this stage of the case.

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<sup>11</sup> Jim Fetzer (e-mail to me) has suggested the following. "Epistemology, as the theory of knowledge, does encompass differences among different kinds of proof, which I discuss in "Assassination Science and the Language of Proof," in *Assassination Science*. There are important differences between the law (resolving conflicts in a limited interval of time based upon such evidence as is available, relevant, and legally admissible) versus science (discovering truths over an open interval of time where new evidence and new hypotheses may require rejecting hypotheses previously accepted, and accepting hypotheses previously rejected). My *Philosophy of Science* discussed alternative models of science and explains why among them—abductivism—is the most defensible."

<sup>12</sup> "Legal Perceptions of Science and Expert Knowledge," *Psychology, Public Policy, and Law* (2002) Vol. 8, No. 2, 139-153 by Joseph Sanders, Shari Diamond and Neil Vidmar. This paper reviews expert witness standards from *Frye* to *Kumho Tire*—including *Daubert*, of course. The casual reader will see that a uniformly accepted definition of science is not easily obtainable. Even worse, we don't even know whether judges are better than juries at making correct decisions about expert witnesses! It also remains to be seen whether the *Daubert* test is completely up to the job.

<sup>13</sup> p. 488.

<sup>14</sup> p. 488. Here I agree with B's cited physicist, Art Hoffman from UCLA, on JFK's head movement: a bullet would produce only slight motion of the head in the direction of the bullet, whether fired from front or back. In this I profoundly disagree with the early critics, who proclaimed the head snap to be the ultimate proof of a frontal headshot. (Of course, B portrays all of those opposed to him—presumably me, too—as believing this nonsense.) In fact, the head snap is instead telling us something quite different and quite powerful, but this is not the place for that discussion.

## **And Some That Aren't So Kind**

B's style is relentless, inexorable, invincible (a pale pun), and ultimately brutal. Scarcely anyone—friend or foe—comes off well. Nearly all, possibly except for the Warren Commission (WC),<sup>15</sup> emerge smelling like sewer rats. Although he defends his right to attack wrong-headed ideas (who would argue?) he never quite explains why it is necessary to fire off one *ad hominem* salvo after another.<sup>16</sup> Regarding such attacks, Snow himself was blindsided by his share. His response was as follows:

*It seems to me that engaging in immediate debate on each specific point closes one's own mind for good and all. Debating gives most of us much more psychological satisfaction than thinking does: but it deprives us of whatever chance there is of getting closer to the truth. It seems preferable to me to sit back and let what has been said sink in...*<sup>17</sup>

B's approach reminded me of a bulldozer in a garbage pile. Never mind anything, just plow straight ahead, crunching whatever lies below and ahead, and clear a path to the other side. At this, he is unsurpassed. After he is done, the road is indeed clear, but who would want to follow such a path? As Max Holland insightfully stated, "He is absolutely certain even when he is not necessarily right." I found that comment a little scary—as most scientific types would. In addition, on a personal level, I found his unrelenting attacks (on just about everyone) quite vexing and distracting, even uncivil, a quality that B in person clearly does not display. I had considered compiling an astonishing list of pejoratives simply for effect, but the reader will find them easily enough. No scientific treatise would permit a single one of these.

Chief among these is the phrase "conspiracy theorist," which seems to assault one's eyes from almost every page.<sup>18</sup> (Someone should count them all.) B tries to defend his incessant use of this phrase,<sup>19</sup> though this discussion comes astonishingly late in the book and only as a footnote. He specifically indicates that he uses "WC critic" and "conspiracy theorist" somewhat interchangeably, not because they are linguistically so, he says, but because they essentially are (interchangeable). Given his maniacal devotion to this phrase, an explication within the first few pages of his book would have been wise. B admits that it is possible to be a WC critic without being a conspiracy theorist, but he insists that because most critics (almost inevitably, in my view) have some non-WC notion of historical events in this case he is therefore permitted to paint them as theorists. One wonders, in particular, how kindly Harold Weisberg would have taken to such logic and to such a pejorative, particularly in view of B's direct quote from Weisberg about what his (Weisberg's) position was.<sup>20</sup> Furthermore, B's favorite phrase is used in a totally one-sided fashion: a computer search through the entire book yielded not a single use of the corresponding phrase "lone gunman theorist." In no other way does B so clearly display his hostile—even scornful—attitude toward the critics. (Though the word ultimately does not fit, "screed" often popped into my head as I read.) Those on B's side are dignified by "assassinologist" or "researcher" or "student of the assassination," but never as theorists. Only those opposed to him can qualify as theorists. To a physicist, this is a particularly anomalous—

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<sup>15</sup> p. xxxiv.

<sup>16</sup> Regarding *ad hominem* attacks see my footnote 10, *MIDP*, p. 406.

<sup>17</sup> C.P. Snow, *The Two Cultures and a Second Look* (1988 edition), p. 56.

<sup>18</sup> Regarding such attacks, see *MIDP*, p. 374.

<sup>19</sup> p. 998, footnote.

<sup>20</sup> pp. xli-xlii. Weisberg had said he could not link Oswald to any agency.



even bizarre—use of the word. In general, physicists are divided between theorists and experimentalists. As C. P. Snow notes, the former generally talk only to themselves and to God. I don't think that such sublime conversation is what B had in mind though.

### **Some Misgivings about B's Thinking**

B dispenses a few rare, kind words about our three books (edited by James Fetzer) as "...perhaps the only exclusively scientific books (three) on the assassination."<sup>21</sup> However, nowhere in these three books, or elsewhere in my writing, have I personally indicated who did it. This matters not a whit. I, too, have now been spray painted with this phrase. On the contrary, in these three books my chief goal had been to collect data, including hundreds of measured points on the JFK autopsy X-rays. If B absolutely must describe me with his C-word, perhaps he might creatively have called me a "conspiracy experimentalist." Instead, we are all indiscriminately lumped together as "conspiracy theorists." Unlike Old Abe, he is a lump, not a splitter. I truly doubt that he explored each person's history to determine whether they truly had an overall theory of the assassination—or even to what degree; he clearly did not do that for Weisberg. It was obviously more important for him to paint one and all with the same broad strokes of his prosecutor's brush. This, too, reeks more of the courtroom than of the laboratory.

### **Is This Book Scientific?**

If one is looking for a scientific treatise on the JFK assassination, *Reclaiming History* is not the place to look. To cite the NAA work again as an example *par excellence*, B disposes of Grant and Randich's work chiefly by the simple expedient of quoting a long letter from Sturdivan. To a T, this exemplifies the lawyer's reflexive approach to evidence: introduce your expert witness, and then let the matter rest. B truly has neither the time nor space to address these issues in the detail that they require, though it is unfortunate that Aguilar's short piece came too late to publish side by side with Sturdivan's. That would have balanced the ledger a good bit.

So where does that leave B vis-à-vis the science in his book? For a layman he has struggled heroically first to understand and then to explain matters for his readers. And he has done this as well as could be expected of any layman. Though B will feel quite nauseous at reading this, he has already been preceded by two who have shown how well the medical evidence in particular can be mastered by laymen—Douglas Horne and Jeremy Gunn, of the Assassination Records Review Board (AARB). No one before them in any governmental situation had shown such a command of this evidence. Though he would never deign to shake their hands, B has also now been promoted to this group of well-informed laymen. As would be expected, he sometimes misuses medical terms (and even misunderstands what I know), but overall he communicates these issues well, though we often disagree profoundly on interpretation. Whenever possible, though, he prefers simply to quote the experts who side with him, especially those from the WC and House Select Committee on Assassinations (HSCA). Of course, that's precisely what we should expect: lawyers are paid for presenting the experts, not for presenting the evidence. B rarely shows much originality or personal ability to analyze the medical or scientific data. In essence, he operates with a crutch virtually all of the time—without these

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<sup>21</sup> p. 974. Our three books are *Assassination Science*, *Murder in Dealey Plaza*, and *The Great Zapruder Film Hoax*.

experts at his side he is a near cripple. As for me, coming from a scientific background, and being thoroughly familiar with virtually all of this JFK (medical and scientific) evidence, I found B's myopic and closed-minded view of this critical data acutely disappointing. How can one dialogue with a lawyer who hides behind his chosen experts? Somehow, from such a brilliant mind, I had hoped for more. It was, of course, unreasonable of me. The gap between the different cultures is simply too large.

He also seems not to understand the nature of scientific argument or proof. A good example of this is the so-called upward bullet trail through JFK's neck (which cannot be true as he describes it). To his credit, he honestly implies that it took about an hour for him to grasp this concept, but finally, by use of his hand and finger, he got it. In physics, as a first step to a new concept, physicists often resort to what they call "hand-waving" arguments. Quite ironically in this case, B, in every sense of the word, has resorted to just such a finger-waving process—but as a proof, not just as a first step!<sup>22</sup> And that is where he leaves it. Of course, no scientist would do that. On the contrary, a scientist would describe this first step as a heuristic approach, only useful to start in the right direction. Instead, he would estimate the upward angle through JFK's neck, then estimate the thickness of JFK's neck, locate the entry and exit levels (in the vertical direction), add a range of error for each of these and then finally calculate whether the numbers made any quantitative sense. Until then our model scientist would proclaim gross ignorance about his conclusion. Not so for B—a qualitative answer is the end of his science. Again, really though, what more should we have expected? This is, after all, the courtroom.

### **What About That 60-Second Proof?**

And what about B's self-described and marvelous one-minute proof before the crowd of 600 trial lawyers?<sup>23</sup> Did he really make his case that the attorneys were being irrational to have an opinion on the JFK case—merely because they had not read the entire *Warren Report*? Suppose instead that he had asked how many believed in the atomic theory of matter? Would he likewise have demanded the reading of Einstein's seminal 1905 paper on Brownian motion? Or what if he had asked whether they believed that FDR had deliberately permitted the Japanese attack on Pearl Harbor? If anyone believed either side of this question, would he still have insisted that they must have read all nine official investigations of this controversy before coming to a decision? And if one is required to read the *Warren Report* before having an opinion, why stop there? Why not also insist on reading at least the initial volume of the HSCA? Where does this end? If he weren't so unbalanced, B might also have suggested that the trial lawyers read the report of the Church Committee. In fact, both the HSCA and the Church Committee found the WC in serious error on significant points.<sup>24</sup> In his pioneering work on this question of second-hand information,<sup>25</sup> Patrick Wilson of Berkeley emphasized a universal truth: anyone's own knowledge of the world, beyond his immediate life, is only what others have told him—either personally or via the varieties of the media. In fact, the vast majority of our

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<sup>22</sup> pp. 421-422.

<sup>23</sup> p. xxiv.

<sup>24</sup> "How Five Investigations into JFK's Medical/Autopsy Evidence Got It Wrong," by Gary L. Aguilar and Kathy Cunningham (May 2003). To find this article, the reader can simply enter this title via Google.

<sup>25</sup> *Second-Hand Knowledge: An Inquiry into Cognitive Authority* (1983). Also see *How the Mind Works* (1997) and *The Blank Slate* (2002) by Steven Pinker.



strongly held beliefs are of that nature.<sup>26</sup> No one has the time or interest to check all of this out. In fact, only the tiniest percentage of our second-hand knowledge is ever cross checked. I wonder why no one among all of those 600 trial lawyers—surely not a bashful group—had the courage to challenge B on this fundamental issue. But I think I know—B was *the* authority figure, and if trial lawyers have learned one thing it is to recognize such figures, and then genuflect as needed.

### **Shakespeare (revised) on Lawyers**

One commodity was in generous supply for the WC and for the HSCA—lawyers. Lawyers organized the agenda—just look at the Table of Contents for the *Warren Report*.<sup>27</sup> Lawyers guided the research and they wrote the conclusions. Science, when present at all, played only a consultative role (just like the adversarial system with its expert witnesses). But there is an alternate model. For a later official, presidential investigation (the *Challenger* disaster), Nobel Laureate and physicist Richard Feynman escaped from the lawyer’s zoo. Almost single-handedly, and with single-minded zeal—a contemporary Sherlock Holmes—he pursued the evidence until that magical denouement on television. With the world watching, he showed how the O-ring would not deform normally after simply being dunked into a glass of ice water.<sup>28</sup> Even after all of this, though, his personal written report was not welcome in the final publication—the lawyers still had their own agenda. Feynman even had to send a telegram to the lawyers in which he threatened to remove his signature from their final report unless his personal report appeared “...without modification from version #23.”<sup>29</sup> In view of C. P. Snow’s literary interests, perhaps Shakespeare deserves his only brief, candle-lit appearance on my stage:

*The fault, dear Brutus, is not in our stars,  
But in our lawyers, that we are underlings.*<sup>30</sup>

### **At Last, to the Evidence**

At my suggestion, Jim Fetzer wrote to B (January 23, 2001): “What would it take to convince you of a conspiracy and cover-up in the death of JFK?” And also, “Are none of our major discoveries—our ‘16 smoking guns,’ for example—convincing? And, if not, why? And, if not, what would it take?” B’s answer was simple: “Only evidence, Drs. Fetzer and Mantik. Only evidence.”<sup>31</sup>

Given those booming, opening sentences to this entire section of his book, I naturally had anticipated that B would, at last, address all of our issues in great detail. Was I wrong! Despite these cheery, introductory accolades, it was mostly evasion—authentic discussion of our

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<sup>26</sup> For example, Pinker notes that 25% of Americans believe in witches, 50% in ghosts, 50% in the devil, 50% believe that the book of Genesis is literally true, 69% believe in angels, 87% believe in the resurrection of Jesus, and 96% believe in a god or universal spirit. This is taken from Pinker’s talk, “The Evolutionary Psychology of Religion,” presented at the annual meeting of the Freedom from Religion Foundation, Madison, Wisconsin, October 29, 2004, on receipt of the “Emperor’s New Clothes Award.”

<sup>27</sup> pp. xxx-xxxi. B admits that the WC perhaps should have considered conspiracy more than it did. For example, one very long, but omitted document (June 1964) was titled: “Oswald’s Foreign Activities: Summary of Evidence Which Might Be Said to Show That There Was Foreign Involvement in the Assassination of President Kennedy.” So even if one read the *Warren Report*, he would not learn this.

<sup>28</sup> p. 1443. Although B mentions the *Challenger*, he does not credit Feynman.

<sup>29</sup> *What Do You Care What Other People Think?* (1998), Richard P. Feynman.

<sup>30</sup> *This is an irreverent adaptation from Julius Caesar, I, ii, 134.*

<sup>31</sup> p. 974. Fetzer was here referring to MIDP, pp. 1-14. These smoking guns included several medical conundrums, some of which I had raised as issues new to the case.

paradoxes was, by and large, quite off limits. There was a lot of palaver about many other things but little at all about the central 16—or my 20 Conclusions. In one footnote there was more discussion about JFK’s clothing (which I have seen more than once at the Archives), and who had supplied it, than nearly any single one of our challenges to him. There are even 16 pages of desultory discussion of Oswald’s motive.

**B’s chief claim for his book appears to be this quote:**

... although there have been hundreds of books on the assassination, no book has even attempted to be a comprehensive and fair evaluation of the *entire* [sic] case, including all of the major conspiracy theories.<sup>32</sup>

Although he does not explicitly say that his book meets this description, it is very hard to avoid the implication that that is exactly what he means. And, if not in fact, that is surely the book he wanted to write. This is an overweening claim. In fact, his fellow WC true believer, Max Holland, states: “Some might regard this as a foolish errand because there is no end to it, a fact that B readily acknowledges.”<sup>33</sup> I would have been much more sympathetic had he tried to cover even most of the medical and scientific evidence—even while leaving aside most of the conspiracy theories. In the process of sifting and winnowing his subject matter, rather large mountains in the medical and scientific arena were left unvisited. Surprisingly, among these lie most of the “Twenty Conclusions in Nine Visits,” cited above. This was one particular item that B had requested of me and which had been supplied to him. He does cite it—but we don’t get much further than that.

I turn next to those issues largely left as *terra incognita* by B. In view of his personal lack of scientific expertise, it was probably wise for him not to venture into these foreign lands. I was more than astonished though that he did not even acknowledge that these paradoxes remained mostly off his map—after all, he did promise from the beginning that he would be honest and thorough.

**Central Paradoxes Studiously (and Wisely) Evaded by B**

*(Note: Many pertinent images for the discussion below are at the website for my Pittsburgh lecture. Just Google: Twenty Conclusions after Nine Visits.)*

*“...the Commission’s fiercest critics have not been able to produce any new credible evidence that would in any way justify a different conclusion.”<sup>34</sup>*

*“One advantage of being a conspiracy theorist is that you don’t need any evidence to support your charge.”<sup>35</sup>*

*“...with the allegation of planted evidence, the other main conspiracy argument...is that much of the evidence against Oswald was forged or tampered with by authorities. But not once have theorists ever proved this allegation.”<sup>36</sup>*

*“I will not knowingly omit or distort anything.”<sup>37</sup>*

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<sup>32</sup> p. xiv.

<sup>33</sup> *Wall Street Journal*, May 19-20, 2007, P8.

<sup>34</sup> p. xli.

<sup>35</sup> p. 1041

<sup>36</sup> p. 984.

<sup>37</sup> p. xxxix.

1. The huge clash between the lateral X-rays and the brain photographs persists. Although I should not expect B to deal with optical densities, this matter can be addressed at a layman's level, via the obvious blackness at the front of the lateral X-rays. A fist-sized area shows virtually no brain at all. Although the OD measurements confirm this, simple visual inspection clearly supports the same conclusion. Besides the empty bilateral frontal area, though, a great deal of brain tissue is obviously missing on the superior right side as well. The brain photographs, on the other hand, show a nearly intact brain on *both* sides. Therefore: either the X-rays are wrong or the photographs are of some other brain.<sup>38</sup> To date, as far as I know, no one has yet had the courage to address this central conundrum. B's usual response at such a juncture is simply to invoke common sense, one of his unwavering allies throughout the book: i.e., such and such is simply impossible because common sense tells us so. (We could efficiently employ minds such as this in science; it would bypass a great deal of expensive research.) This paradox, especially via the OD data, is what prompted me to think that we were dealing with two different brains, a point that apparently made joke of the day for B.<sup>39</sup> (For me, though, the likely fact that someone had substituted a brain in this case did not seem humorous at all.) I would furthermore emphasize, most strongly and contrary to B's claim, that it was not Horne's two-brain hypothesis that sent me down this path, but rather the *evidence* in the skull X-rays, evidence that I had measured long before Horne's proposal (which I accept).
2. The constraints of cross sectional anatomy on a CT scan still seem insurmountable for the trajectory of the magic bullet through JFK. This paradox is included in Fetzer's 16 points and has been extensively discussed elsewhere.
3. The pathologists' bizarre misplacement of the trajectory trail (they claimed it extended from the occipital protuberance to the supra-orbital area, but it's actually about 10 cm more superior) in their autopsy protocol cannot be explained by B, no matter where he points his finger or what emotional or psychological arguments he uses. The pathologists had their moment with the ARRB to resolve this—and they could not. At the autopsy, in order to avoid two separate head shots, they had no choice but to ignore the obvious, much higher trail on the skull X-rays—in the face of a lower, occipital entry that their fingers and eyes confirmed (and which I accept). While they stared at the X-rays that night, they surely recognized the evidence for two bullets (to the head). Even my son, at age 10, would not have missed this obvious conclusion.<sup>40</sup> But, of course, they had not really misunderstood this basic evidence—instead they intentionally misstated it. They had been thoroughly boxed in.<sup>41</sup>

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<sup>38</sup> Robert Livingston, MD, now deceased but formerly a very good friend, had also agreed with this conclusion that the photographs cannot be those of JFK's brain. His professional credentials are impeccable.

<sup>39</sup> If B has trouble imagining two brains, one can scarcely imagine his response to modern proposals of multiple universes, surely a vastly more challenging notion.

<sup>40</sup> I know this because I actually tested him on this question at that age.

<sup>41</sup> I am actually quite sympathetic to the enormous psychological pressures that were placed on the pathologists that weekend. See my previous discussions of this issue in *MIDP*, pp. 283-290, and in the Foreword to *In the Eye of History* by William Law. To best appreciate the dynamics at play, it is essential to understand the work of Stanley Milgram, as I have emphasized before. It is striking that a 2007 book (*Spy Wars* by Tennent Bagley, p. 275) also invokes Milgram's work to explain similar pressures that had been placed on some CIA officials during this same era. He even quotes one CIA officer, who had radically changed his opinion, based on shifting political winds: "we working-level types have to work within the general framework set by the chiefs."

4. The WC bullet that traversed the skull is another impossible conundrum. According to the WC (and to B) this same bullet left part of itself on the skull surface near the cowlick area. According to the 6.5 mm object on the frontal X-ray, this had to be a nearly complete cross section from inside the bullet (not from the tip or base—which both were found inside the limousine). Even the HSCA ballistics expert, Sturdivan, insists that, based on his tens of thousands of cases, this cannot be a piece of authentic metal from a bullet. To make matters worse, one large fragment had its metal jacket bent way back. Without striking an object like concrete (e.g., the street) or other metal this is almost unimaginable.
5. No matter how many words, paragraphs, or excuses he employs, B cannot erase the radical disagreement between the eyewitnesses and the photographs of the back of the head. This issue has been extensively reviewed elsewhere, including photographs.<sup>42</sup> To a physician these are overwhelmingly powerful.
6. CE-843. These are two small lead fragments still located at the National Archives. I have personally observed them. They purportedly came from the right supraorbital area, where the pathologists removed some metal fragments. The larger of these two is easy to see on any print of the lateral or AP skull X-rays (it's about 7 x 2 x 2 mm). In fact, this latter fragment is nowhere near the shape (and probably not the size either) of the supposedly identical fragment now in the Archives. That one is about 2 x 3 x 2 mm (tiny) and shaped like a poppy flower with a large V-shaped notch taken out of the top (wider) end. No interval testing should so have morphed its appearance.<sup>43</sup> No WC supporter has ever successfully explained this anomaly.
7. At the Archives, multiple bullet fragments are clearly visible on the left side of the skull X-rays. One of these is large enough to be seen easily on extant prints of the X-rays. No WC supporter has ever explained these troublesome deviants.
8. The 6.5 mm fragment.<sup>44</sup> By eight separate and consistent lines of evidence, the optical density data show that this object was later added to the AP skull X-ray. *This was a simple feat in that era.* Furthermore, it could be performed, at a leisurely pace, in the secrecy of the darkroom. B's only real response to this proposal is to ask why a real piece of metal was not used instead. Either he still does not understand how the darkroom work was done, or he is here imagining some confederate in the autopsy room, at a moment's notice, running out to find a thin cross section of a 6.5 mm bullet, then running back and sticking it on the back of the skull—at precisely the right spot, all the

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<sup>42</sup> MIDP, p. 174 and *The Killing of a President* by Robert Groden (1994), pp. 86-87.

<sup>43</sup> John Hunt has summarized sample-size requirements as follows (private communication): "According to Heiberger [of the FBI], the optimal mass of the spectroscopy sample was a milligram or less. Heiberger explained that 'it would be about the size of a period at the end of a sentence.' So small was the preferred sample size, according to Heiberger, Gallagher, and Corbie, that it was necessary to remove and prepare it under a 20X microscope. Heiberger also stated that they would be judicious with the blade when the samples were meager. 'No more of a sample than was necessary would be removed,' recalled Heiberger." Hunt discovered that only 2 mg was actually taken for spectroscopy. (The original mass of the larger fragment was 106.92 mg.) Regarding neutron activation analysis, Hunt learned that the FBI took a total of 35.72 mg—for several measurements. That should have left 69.2 mg, but (after all of this) Guinn only got 41.9 mg. The illogically small mass that Guinn got is consistent with the visual discrepancy that I noted at the National Archives (and have reported here).

<sup>44</sup> Regarding the grid lines on this 6.5 mm object, they are difficult to see on the rightmost side, but easily visible on the leftmost side (that's JFK's left). I looked for them on many occasions—with extremely myopic eyes, eyes corrected to 20/20 with eyeglasses, a loupe, a low power microscope, and even a high power microscope. And I measured dozens, if not hundreds of data points, spaced 0.1 mm apart inside this object. What more could be asked of anyone? Who else has done even a fraction of this?

while no one in the autopsy room noticed. B's only other response is to quote (only in footnotes)<sup>45</sup> correspondence from two other individuals, neither of whom have ever explained the uncanny spatial correlation between the object seen near the cowlick (on the lateral) and the 6.5 mm object (on the AP). So, in the end, B is left almost empty-handed, with only some baseless speculations and some semantic confusion between "artifact" and artificial." Here again, of course, is the lawyer at work: merely quote an "expert," but don't offer an original idea of your own.<sup>46</sup>

9. A pair of large format (4 x 5 inch) color transparencies (from the autopsy)<sup>47</sup> of the back are inconsistent. Just superior to the fourth knuckle one of them shows a dark area (probably a blood spot), just where the other member of the pair shows a white spot. Although these observations individually mean nothing, the mere fact that they are *different* from one another means everything! At least one of them cannot be an original—despite what B claims, or what the National Archives claims or what the HSCA concluded. Given a chance, anyone could see this with their own eyes. In fact, no one has even noticed this before! Furthermore, one of the color prints (supposedly descended from the originals) has no parent in the color transparency set! It is an orphan—so how did it get into the set? Despite B's persistent claims that everything is kosher with these autopsy photographs and X-rays,<sup>48</sup> that cannot be true. Something is indeed wrong, very wrong, with the autopsy photographs. Let me spell this out: if B had really wanted to address these autopsy issues he should have gone to the Archives himself. What good is second-hand information when first hand-information is accessible?
10. Stereoscopic viewing of the back of the head is definitely not all kosher either, despite B's second-hand claims.<sup>49</sup> There is something very wrong with the back of the head photographs—and it's precisely where the disagreement between the witnesses and the photographs is at its worst. The shiny part of the hair that looks so freshly washed (it wasn't according to the autopsy witnesses) is exactly where the image is two dimensional with stereo viewing. Of course, that's exactly what one should expect if a soft matte insert had been used here to cover the posterior hole that virtually everyone saw, both at Parkland and at Bethesda. I tried looking at this area every which way—switching photos left to right, rotating them, and even looking at pairs of color prints and then pairs of color transparencies and then pairs in black and white. It was always the same—a flat, two-dimensional image inevitably appeared, just where one would expect

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<sup>45</sup> Endnotes, pp. 221-222 (footnote). The comments are by Chad Zimmerman and Larry Sturdivan.

<sup>46</sup> Endnotes, p. 222. In fact, B did have one thought: he wondered why these culprits did not bring this alteration to the attention of the FBI or to the WC in 1964! This idea is so breathtaking that one can only imagine that B has here gone briefly mad. Regarding the radiologist, John Ebersole, who probably performed this clever job, I have already noted that the instant I mentioned this 6.5 mm object to him, he forever stopped talking about the autopsy—to anyone (*MIDP*, p. 439). This tape is in the National Archives, so B does not need to take my word for this.

<sup>47</sup> The original color images were via these large format color transparencies. Any color prints derive from these. The photographs were taken in pairs; this permits stereoscopic viewing. This can be done with either a pair of transparencies or with a pair of prints.

<sup>48</sup> Endnotes, p. 221. B cites radiologist Gerald McDonnell as concluding that the X-rays had not been altered in any way (7 HSCA 41, 220). Unfortunately, McDonnell does not cite any measurements to support his conclusion, nor does he even indicate whether he actually used an optical densitometer. In fact, doing such measurements is something that would not ordinarily occur to a radiologist. A much more likely candidate for such a thought is a medical physicist—which McDonnell was not. It is most unfortunate that he had died only several months before I began my own research, as I discovered when I tried to contact him.

<sup>49</sup> Endnotes, p. 223.



image alteration. Also quite strikingly, this effect was *not* seen for any other views of the hair. Although B claims that the HSCA observers established with “...*absolute and irrefutable certainty* that the autopsy photographs have not been altered...”<sup>50</sup> via stereo viewing, it’s just no good relying on others for such things. That is not the way of science. B really should have looked at this himself.

11. Since he is so highly credentialed and famous (think O.J. Simpson and forensic shows on TV), B likes to cite Dr. Michael Baden, who is indeed a wonderful specialist (and I liked his TV shows). Unfortunately, however, he was quite wrong about the missing bone at the skull vertex, especially anterior to the coronal suture. That missing frontal bone is quite obvious on the X-rays (and even on Boswell’s sketches); even Dr. J. Lawrence Angel, the physical anthropologist, disagreed with Baden’s reconstruction. My point here though goes well beyond that. With John Hunt’s recent, remarkable discovery of the X-ray image of the Harper fragment (in the National Archives) we now know that there was metal at one small site on this bone. The *photographs* show that this metal was not on the inside, but rather on the outside. If only one headshot is accepted, then that metal debris on the Harper fragment (remember—it’s on the *outside*) must necessarily derive from the *entry* that the pathologists identified. Once that is granted, then the Harper fragment itself becomes the missing bone at the rear (or, more likely, just a part of the entire defect), just where the HSCA denied that there was a hole.<sup>51</sup> You can see all of this in my reconstructed skull.<sup>52</sup>
12. B claims that the ARRB found no smoking guns. That is surely open to debate, much of which I leave to other critics. For my part, Humes and Boswell were caught with smoking guns in their holsters. On a related matter, though, my independent discovery of the large T-shaped inscription on the extant, left lateral skull X-ray occurred after the ARRB had expired. (See the image in my on-line Pittsburg lecture.) The fact that the emulsion is intact over this inscription, when it clearly should be visibly absent, is immediate proof that this X-ray must be a copy, rather than an original. I found this observation so direct and so revolutionary that I described it, somewhat tongue-in-cheek for my Jewish friends, as a burning bush rather than a smoking gun. This X-ray also has two other odd features: a) there are no Kodak identification numbers anywhere on it and b) it is not available to the public. So the question that all of those true believers should pose to me this is: Can Mantik distinguish a duplicate X-ray from an original, in particular when a large area of emulsion (that T-shaped area) has obviously been scraped off the original (but not the copy)? If I can’t, then they should cross this item off my list. However, I am very certain that I can—and no one has suggested that I am so inept that I cannot distinguish an original (with missing emulsion) from a copy (with no missing emulsion). This is the worst possible news for WC supporters. *It means that the original has gone missing.* More importantly, though, it means that the extant X-ray (the one now in the Archives)—because it is a copy—could have been altered in any number of ways in the

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<sup>50</sup> Endnotes, p. 223.

<sup>51</sup> Even the sole radiologist at the autopsy, John Ebersole, told the HSCA that he recalled such a large hole at the back of the head. He also agreed with the pathologists that the bullet entry was *low*, near the occipital protuberance—so B has no choice but to say that all five professionals were wrong in their placement of this entry site (John Stringer, the photographer, also agreed). When I spoke to Ebersole he was practicing in my own specialty of radiation oncology, the one specialty in which knowledge of anatomy does matter.

<sup>52</sup> *MIDP*, p. 227, Figure 2C.



darkroom. I have amply demonstrated this possibility with my birdbrain X-rays, skulls with bullet debris added, and one even showing a scissors inside the skull.<sup>53</sup> But, for this simple observation (of intact emulsion), my skills are not even required. Anyone with proper vision could see for themselves<sup>54</sup> that the emulsion (over the T-shaped inscription) is *not* missing (as it must be for an original) from the left lateral skull X-ray in the Archives.

Now B's response to all of this might well be that these issues were addressed and resolved by prior experts, which is, of course, nowhere near the truth. Or, perhaps more likely, he would say: I already know from the Oswald evidence that he was as guilty as sin, so I don't really need to address all of these issues. In fact, he employs that very argument in various guises quite often.<sup>55</sup> I was a bit stunned by this type of logic. Outside of the fields of logic, mathematics and science, I really don't think I had seen it before—certainly not for evaluating forensic evidence. Are only trial lawyers capable of such magical feats? What if Henri Becquerel had reacted similarly to the first hint of radioactivity in his photographic film wrapped around uranium salts? What if he had said that a lifetime of experience had proven to him that such things were impossible? Numerous, similar stories of unexpected observations have routinely been recounted in the history of science. It is the *exceptional* fact, the misfit, that ultimately brings the fresh insight, not the routine, humdrum one. That was one reason why I was at some pains to quote Butterfield about the Scotland Yard detective who noted all the obvious clues, but still drew the wrong conclusions.<sup>56</sup> In a very deep sense, B really does not want to look at all the pertinent data—after all, he already knows the answer, so why bother? It's really just too much trouble. This again characterizes the legal mind, but not the scientific mind. And, more troublesome for him, it totally violates his own best description of his own book—a book that attempts "...to be a comprehensive and fair evaluation of the *entire* [sic] case..."

### **So, Where Are We?**

So where, in the end, are we after this massive tome? First, I think it is very good to have it as a resource. But it absolutely must be counterbalanced by at least a few open minds. Sometimes common sense does not carry the day. Sometimes even bizarre data are real.<sup>57</sup> Sometimes even government employees under unique pressures do things they never would otherwise do (e.g., missing original X-rays and altered X-rays).<sup>58</sup> Not all cases follow the textbook. As a cancer specialist with many decades of experience, that is the main thing that still keeps me interested. So let's keep this discussion wide open. Let's not just *talk* about looking at the evidence. And let's not rule out evidence simply because it violates past experience. In the

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<sup>53</sup> *MIDP*, p.432.

<sup>54</sup> With the blessing of Steven Pinker I have here avoided the awkward English construction of "himself or herself," in favor of "themselves." This will recur below.

<sup>55</sup> pp. 463-464. His logic is circular, though B won't admit it. Another good example of this, regarding the forged 6.5 mm object, is the footnote on p. 953.

<sup>56</sup> *MIDP*, p. 395.

<sup>57</sup> With his unwavering commitment to common sense, I wonder how B would have survived in the fields of quantum mechanics or chaos theory.

<sup>58</sup> *From Freedom to Slavery* by Gerry Spence (1995), p. 27: "I found the minions of the law—the agents of the FBI—to be men who proved themselves not only to be fully capable, but also utterly willing to manufacture evidence, to conceal crucial evidence and even to change the rules that governed life and death if, in the prosecution of the accused, it seemed expedient to do so." Gerry Spence, in his encounters with the FBI, also discovered yet another magic bullet.

future, unlike B, let's actually examine all of the evidence, but especially those items that are central—and even the evidence we weren't quite expecting.

After B describes his amusement at the outright silliness (in his opinion) of the two-brain proposal, he tells us how he really feels:

*How, then, can Mantik and thousands like him in the conspiracy community—many of lesser intellect—end up uttering absurdities like this, as well as countless others throughout the years?*<sup>59</sup>

But the number of well-known persons who have conceded a conspiracy, directly or indirectly, is quite remarkable. Does B truly believe that all of the following individuals have simply "...utter[ed] absurdities...throughout the years"?

## MURDER IN DEALEY PLAZA: Addendum 5.<sup>60</sup>

### Believers in a JFK Assassination Conspiracy

Lyndon Baines Johnson, President of the United States<sup>69</sup>

Richard M. Nixon, President of the United States<sup>70</sup>

John B. Connally, Governor of Texas<sup>71</sup>

J. Edgar Hoover, Director of the FBI

Clyde Tolson, Associate Director of the FBI<sup>72</sup>

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 family<sup>73</sup>

Admiral (Dr.) George Burkley, White House physician

James J. Rowley, Chief of the Secret Service<sup>74</sup>

Robert Knudsen, White House photographer (who saw autopsy photos)

Jesse Curry, Chief of Police,<sup>75</sup> 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

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<sup>59</sup> B is also incensed at Evan Thomas and Michael Beschloss, not because they necessarily believe in conspiracy, but because they both believe that the WC engaged in a cover-up. (In fact, B often seems upset that anyone would ever disagree with him about a variety of different items.)

<sup>60</sup> MIDP, pp. 404-405. Footnotes 69 –76 appear in the original appendix of MIDP.

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, et al.  
Bethesda witnesses: virtually all of the paramedical personnel  
All of the jurors in Garrison's trial of Clay Shaw<sup>76</sup>  
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.

## In Closing<sup>61</sup>

B clearly wants to destroy every last scintilla of anti-WC evidence. But even he admits that virtually no murder case is ever that clean cut. It is therefore more than a little bewildering that he does not give ground a little here and there—but he simply won't. That makes him all the less credible. And it certainly does not give him the air of a scientist. But he does not seem to care. He would prefer to appear omniscient.

There is not even a pretense of open-mindedness. His scorn, perhaps even hatred, for the critics comes through page after page. Again, the reader must decide if he can accept such a relentless bias.

Although he describes our books (edited by Fetzer) as the only exclusively scientific books on the case, he mostly avoids the issues raised therein. The 6.5 mm object does get some, rather strange, discussion, but that's about all. It's quite fantastic that he would throw such an encomium at us and then leave us largely alone. On the contrary, he should have focused on many of our paradoxes, to the exclusion of JFK's tailors or Oswald's motives, for example.

He admits that his book is mainly reinterpretation and reanalysis, as opposed to new evidence. In other words, this is a book absolutely packed with second-hand information. The reader must judge for himself whether that is good enough. That surely befits his role as a trial attorney, but a scientist would not be at all happy with that. For my part, I think it is a great loss for all of us that he did not at least visit the National Archives. He need not even have gone alone. In recent years, at least two individuals,<sup>62</sup> whom he cites favorably, have been there. Why didn't he tag along?

Despite its occasional references to science, this book is rarely a scientific discussion of the evidence—not even the medical evidence. In fact, this case is so wide and so deep, as B acknowledges, that he really cannot do justice to his opponents on a myriad of issues. The honest researcher absolutely must not take his word on most of these controversies—such an individual has no choice but to read the works of B's opponents. What is valuable about the book, though, is that these references are usually indicated. For that reason alone it will be with us for a very long time.

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<sup>61</sup> This entire debate will surely continue long after B's book and this paper. The interested reader might also visit another site: [assassinationresearch.com](http://assassinationresearch.com), where he can find the on-line *Journal for Advanced Study of the Death of JFK*. B's work would not qualify for publication in this journal. A recent refutation of the single bullet theory is Fetzer's "Reasoning about Assassinations: Critical Thinking in Political Contexts," *International Journal of the Humanities*, Vol. 3 (2005/2006). This was first presented at a conference at Cambridge University in 2005.

<sup>62</sup> Chad Zimmerman and Larry Sturdivan.

# Appendix A:

## A Small Potpourri of Other Comments and Criticisms

1. B persistently lumps all critics into grassy knoll trumpeters. I am not one—the medical evidence does not go that way. But B is a lumper, not a splitter, so there I sit in his classification scheme.
2. B<sup>63</sup> claims that nearly all critics believe the pathologists were incompetent. I do not. I have previously written that Humes was in charge of the weekly brain cutting conferences at Bethesda. There are many other reasons for believing that he was not merely competent, but probably above average.
3. B claims that critics are stuck with the position that the back bullet (if it did not traverse JFK) vanished into thin air. Nowhere does he acknowledge my proposal that the back wound could merely have been caused by a piece of shrapnel. There is, in fact, an enormous amount of evidence for lots of shrapnel in this case, even visible on the X-rays themselves.
4. He also claims that the throat bullet had to disappear miraculously if the critics are right (that it came from the front). Unfortunately again, perhaps intentionally, he does not mention my alternate proposal that a bullet traversed the windshield, but missed everyone. A fair number of witnesses describe such an event (both the stray bullet and the windshield evidence). So the throat wound might well have been caused by a small splinter of glass, which would actually fit with the wound seen at the top of the right lung (it was localized).
5. B claims that critics routinely place Connally directly in front of JFK in order to destroy the single bullet theory. That is not the case for me. I have performed very detailed reconstructions (via Z-frames and corollary data) with Connally properly placed, but still cannot prove the single bullet theory. As he often does, B likes to simplify things.
6. B notes that all the evidence points toward debris flying forward after the head shot(s). But he ignores the contrary reports of the motorcycle men to the rear and the members of the Secret Service in the follow-up car. Is he truly unaware of their reports?
7. He places great emphasis on the invisible hole at the back of JFK's head—in those Z frames immediately after the headshot. By doing so, he totally ignores my discussion of a bone fragment like a trap door at the posterior. This is based on the actual X-rays, but also on the comments of Dr. Robert McClelland. Furthermore, Z-374 does suggest the large hole at the rear.<sup>64</sup>
8. The large white patches on both lateral X-rays should at least be mentioned in passing. So far as I know these alterations have not been seriously challenged and even Humes was confused by them in his deposition. These areas, posterior to the ear, show bone virtually as dense as JFK's petrous bone, the densest in the body. His pre-mortem lateral does not look anything like this.
9. B (more than once) implies that critics believe that the CIA hired Oswald to kill JFK. Surely B's thinking has become a bit muddled here. Oswald himself stated that he was a patsy. I strongly suspect that most critics would leave it at that—and not, in any way, support B's depiction of the CIA-Oswald connection.

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<sup>63</sup> p. 426 note.

<sup>64</sup> *The Great Zaprunder Film Hoax* (2003), pp. 25 and 39. Especially see the close-up photograph at the top of p. 39.

10. B incessantly beats the drum for the WC's honesty and open-mindedness. Although B cites<sup>65</sup> Warren's autobiography, he carefully avoids his eulogy for JFK, while the body lay in the capitol rotunda. On that Sunday, Warren made it transparently clear (at this incredibly early date) that he *knew* that "...some misguided wretch [singular noun]..." had done this deed.<sup>66</sup> He also used the phrase, "an assassin." That he recounts this in his autobiography shows that he had not the least embarrassment about having said this, even in retrospect.
11. B wonders what the purpose of substituting and removing autopsy photographs from the collection could possibly be? One can only think he is being disingenuous here. What reason could there be other than to remove evidence of conspiracy, e.g., a large hole at the back of the head?
12. In his Introduction, regarding the life of Jesus, B impulsively says, "Indeed, no one has come up with anything new for two thousand years."<sup>67</sup> Many, perhaps most, New Testament scholars would leap off their chairs at this eccentric comment. For more information on this subject, see the blog for my opening quote. B seems off-handedly to dismiss all manner of fascinating items: the Dead Sea Scrolls, the Nag Hammadi documents (discovered by Mohammed Ali), the ossuaries of James (still debated) and Peter (not much debated) and Caiaphas (not debated), Peter's house (possibly correct), the Galilean boat, the inscription for Pontius Pilate, the *Gospel of Judas Iscariot*, the tomb of Herod the Great, the recent resurgence of scholarly literature on Mary Magdalene, and the very recent, hotly-debated Talpiot Tomb.<sup>68</sup>

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<sup>65</sup> p. 426.

<sup>66</sup> The Memoirs of Chief Justice Earl Warren by Earl Warren (1977), p. 353.

<sup>67</sup> p. xli.

<sup>68</sup> *Excavating Jesus: Beneath the Stones, Behind the Texts* (2002) by John Dominic Crossan and Jonathon L. Reed.



## Appendix B:

### Modern Physics and James Joyce

(This is purely for readers who want to close the gap between the two cultures.)

1. Overstreet, David. 1980. Oxymoronic language and logic in quantum mechanics and James Joyce. *Substance* (University of Wisconsin Press) **28**: 37-59.
2. Porter, Jeffrey. 1990. “Three quarks<sup>69</sup> for Muster Mark”: Quantum wordplay and nuclear discourse in Russell Hogan’s *Riddley Walker*. *Contemporary Literature* **21**: 448-469.
3. Booker, M. Keith. 1990. Joyce, Planck, Einstein, and Heisenberg: A relativistic quantum mechanical discussion of *Ulysses*. *James Joyce Quarterly* **27**: 577-586.

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<sup>69</sup> This quote is the origin of the currently used term in physics for the component particles of the proton, neutron and other baryons.

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