

The Russell (and Warren) Commission

By Max Holland

The assassination of President John F. Kennedy and the wounding of Texas Governor John Connally, in November 1963, have incited more debate and controversy than anyone could have imagined at the time. The notion of a conspiracy quickens the pulse, but there was none. All reliable evidence leads to the conclusion that there was one shooter acting alone.

Why then is the report of the Warren Commission – which was supposed to be the federal government’s “last word” on the assassination – so widely disbelieved, if not ridiculed? Part of the answer, to be sure, lies in what we do not know, and can never know, about Lee Harvey Oswald. He took some secrets to the grave. Yet it is also true, but not well understood, that part of the disbelief stems from the internal politics of the commission. One striking example of how politics affected, or perhaps infected, the work of the commission can be found in its description of the sequence of events in Dealey Plaza.

What Really Happened?

After the assassination, most of the spectators in Dealey Plaza – and there were upwards of four hundred people there – reported hearing three distinct shots. And initially, the FBI and Dallas police believed, based on witnesses’ testimony, that the first of the three shots wounded President Kennedy; the second wounded Governor Connally; and the third fatally hit the president in his head. But is that what happened? Could it have happened that way? For the definitive answer we must weigh the best evidence, namely, the medical/forensic reports about the wounds suffered by the two men.

The third shot, which penetrated President Kennedy’s rear skull, is the easiest to analyze. The direction of such a missile is determined by the “beveling effect” on its target. “Beveling” or “coning” always occurs on the target’s surface of exit. In this instance, when doctors at the Bethesda Naval Hospital conducted a postmortem on President Kennedy’s body, they found that the surface of exit was the interior surface of the president’s rear skull. In other words, the beveling proved that the third shot came from above and behind the president as he sat in the limousine.

The second shot is far more complicated. It is commonly known as the “magic bullet,” but there was nothing genuinely magical about it. The muzzle velocity of a bullet leaving Lee Harvey Oswald’s rifle was about 2,100 feet per second. After piercing President Kennedy’s upper back it exited his throat right above the knot of his tie. At that point of

exit it was traveling at 1700 feet per second. Governor Connally was sitting directly in front of the president, no more than thirty inches away. One must consider the question: If this missile did not hit Connally, where did it go? In point of fact it *had* to hit the Texas governor. Otherwise one is left trying to explain a high velocity bullet that disappeared altogether. Such a missile would truly have been a “magic bullet,” as opposed to one that wounded both men, which is precisely what military-style ammunition – the kind Oswald happened to use – is designed to do.

But what of the [first shot](#), since the consensus was that three rifle retorts were heard in Dealey Plaza? The Zapruder film of the Kennedy assassination showed a little girl in a red dress and white coat running alongside the motorcade while the president and Mrs. Kennedy drive by. Shortly before the president is obviously wounded, this little girl stops abruptly in her tracks. When later asked why, she said she stopped because she heard a loud noise. I believe, as many other students of the subject do, that this loud noise was in fact the first shot, and that it missed the occupants of the limousine entirely.

The Warren Panel’s Investigation

The Warren Commission was established exactly one week after the assassination, and deliberated ten months before publishing its report. The key to understanding the report, and its ambiguity about such critical sequences as the shots in Dealey Plaza, lies in the relationship between the chief justice after whom the commission was named, and the other senior member of the panel, Senator Richard B. Russell (D-Georgia).

By 1963, Russell was serving his fifth term. Staunchly conservative, and an exceptionally powerful and influential senator, Russell was a reluctant member of the commission. Although as interested as anyone in finding out who was responsible for the tragedy in Dallas, his problem was Earl Warren. He did not respect Warren and did not want to serve with him, even on such an important mission. Warren’s remarks immediately after the assassination typified why Russell so disliked Warren. About forty minutes after the news was broadcast, Warren held a press conference at the Supreme Court. The chief justice ascribed the murder to “hatred and bitterness that has been injected into the life of the nation by bigots.” At the time, “bigots” was often used as a code word for southerners. Then, to compound matters, Warren repeated his preferred formulations when he gave a eulogy for President Kennedy on November 24th. For Senator Russell, this “rush to judgment” was all too typical of Warren’s liberal jurisprudence and all the more grating because the alleged assassin was in fact a self-described “Marxist-Leninist” and not a “bigot” at all.

Why did President Lyndon Johnson want Richard Russell on the commission? Immediately after the president was killed, and especially after the vigilante slaying of the alleged assassin two days later, passions were running dangerously high in the country. There were two schools of thought. One held that because the assassination occurred in Dallas, a city known for its opposition to President Kennedy, extreme right-wingers simply had to be behind Lee Harvey Oswald. The ex-marine had been framed in

order to allow the real killers to go free. In contrast, persons of a more conservative bent asserted that since Oswald was an avowed Marxist-Leninist with links to Cuba and the Soviet Union, a secret communist agency had to have been responsible.

In this situation, President Johnson believed that if he could get both Earl Warren and Richard Russell to serve jointly, ninety percent of responsible opinion in the United States would be satisfied with any conclusion that these two men endorsed. To their respective constituencies, Warren and Russell represented everything that was virtuous and respectable.

Initially, during the commission's organizational meetings in December, there was surprisingly little friction between these two most important members of the panel. The first sign of profound differences surfaced in January when the commission was being staffed. Warren wanted the staff to be geographically diverse, and initially selected, as being representative of the South, a Georgia civil rights lawyer named Morris Abrams. Russell knew Abrams all too well. The fellow Georgian had instigated a state reapportionment case that had vast racial and political implications. In sum, Morris Abrams was anathema to Russell and undoubtedly the senior senator from Georgia was insulted by the notion that Warren deemed Abrams representative. In a private note, Russell wrote that "for some reason, Earl Warren is stacking this staff with extreme liberals." The probable explanation was that Warren intended to soft-pedal communist involvement in the assassination.

Russell's estrangement deepened in February 1964 once the first witnesses began testifying before the commission. He became especially disturbed over the kid-glove treatment accorded Oswald's wife, Marina. Russell felt that she was perhaps the only witness who could testify about Oswald's activities in the Soviet Union. Moreover, she was known to have been less than candid during FBI interviews, only admitting to certain facts when confronted with incontrovertible evidence. Yet Warren insisted upon treating Marina Oswald with great deference and solicitude, explicitly banning any tough cross-examination by commission staff.

As a consequence, Russell's attendance during commission deliberations began to flag. Discontent with Warren's leadership was not the only reason though. Another factor was LBJ's determination to push a very strong civil rights bill through Congress. Russell was intent on fighting such legislation to the bitter end, and the demands of the commission – which had grown far beyond anything contemplated in December – greatly impeded his plan to filibuster the bill to death. A conscientious man, Russell did not want to affix his signature to any assassination report he could not fully endorse, and he did not trust Warren to produce such a document. Consequently, he decided to quit the commission in late February and even drafted a letter to the president declaring his intention. Ultimately, however, he decided not to quit, perhaps recognizing that his resignation would strike a great blow against the Johnson presidency, not even yet a hundred days old.

From March until late August, Russell was missing in action at the commission. He seldom if ever attended hearings and was rarely seen in the offices. Every night though,

he meticulously weighed and sifted through the copious evidence, reading both raw transcripts and superb memos prepared by Alfreda Scobey, a young lawyer from Georgia hired to help him digest the huge mass of information being generated. Not until Labor Day weekend of 1964 did Russell re-enter the commission's deliberations. With two other panel members, he flew down to Dallas and cross-examined Marina Oswald himself. It marked the toughest examination she would undergo, but in the end Russell did not discover anything of great moment.

On September 18th the Warren Commission met for the last time to decide upon the language in its intensely-anticipated final report. Earl Warren believed it was critical to deliver a unanimous report in all respects, and rightly so. Anything less might render the whole effort worthless because the press would surely zero in on the differences in opinion. It would be especially troublesome if Richard Russell were to dissent.

Warren's fears were realized when Russell announced his intention to dissent on two key issues, one of which was the sequence of shots in Dealey Plaza. The problem here was John Connally's testimony, and Russell's misplaced pride. In Connally's testimony before the commission, the Texas governor had been absolutely adamant about one thing: he wanted his own bullet. He refused to believe that he had been injured incidentally. According to Connally, the president was injured by the first shot; then he, Connally, was wounded separately by the second shot; then the third and final shot hit the president in the head. It did not matter that this explanation, carried to its logical conclusion, meant that a missile, after striking the president, disappeared into thin air. The staff of the commission, conversant as they were with all the forensic details, recognized that to accept Connally's account was tantamount to saying that there were two shooters and therefore, by definition, a conspiracy. In addition to positing the disappearance of a bullet, Connally's account made it impossible for Oswald to get off two shots in such a short period of time, thus raising the specter of two shooters. And if there were two shooters, *ipso facto*, there was a conspiracy.

Despite these considerations, Richard Russell would not budge from his position. He would not permit the report – Warren's report – to contradict the sworn testimony of an honorable Southern governor, no matter how impossible the testimony was. Accordingly the language proposed by the staff was changed so that it found as follows. First, the report concluded that three shots were fired in total. Second, the report stated that the shots which killed President Kennedy and wounded Governor Connally were all fired by Lee Harvey Oswald. And third – in a paragraph that defies common sense – the report was written to assert:

Although it is not necessary to any essential findings of the commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the president's throat also caused Governor Connally's wounds. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability but there is no question in the mind of any member of the commission that

all the shots which caused the president's and Governor Connally's wounds were fired from the sixth floor window of the Texas School Book Depository.^[1]

With respect to the single bullet conclusion, both Richard Russell and John Connally went to their deaths steadfastly maintaining that Connally had been injured by his own bullet. But every test, and there have been many since 1964, shows that the single bullet conclusion is the correct one.

The politics inside the commission – in particular, the antipathy and distrust that existed between Richard Russell and Earl Warren – garbled a pivotal finding of the commission's hard-working staff. Indeed, it was really the only genuine contribution to the forensic facts that the commission actually made. Consequently, the commission itself bears some responsibility for the disbelief attached to its labors.

Yet, even if the relationship between Warren and Russell had not intruded, and the final report presented with greater clarity what happened in Dealey Plaza, that surely would not have been enough to keep the conspiracy pot from boiling. For no matter what Russell and/or his colleagues did or did not do, this matter could not have been laid to rest in 1964.

On the day the *Warren Report* was made public, a reporter asked Russell this question: "Are you glad it's over?" Shrewd and wise in the foibles of human nature, Russell responded, "Do you really think it's over? They'll be debating this thing for a hundred years."

[1] President's Commission on the Assassination of President Kennedy, [Report](#) (Washington, DC: Government Printing Office, 1964), 19.