

JFK ASSASSINATION SYSTEM

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CRIMINAL DISTRICT COURT  
PARISH OF ORLEANS  
STATE OF LOUISIANA

.....

STATE OF LOUISIANA	.	198-059
VS.	.	14:26 (30)
CLAY L. SHAW	.	Section "C"
.....		

PROCEEDINGS IN OPEN COURT OF  
FRIDAY, FEBRUARY 28, 1969

JIM GARRISON'S CLOSING ARGUMENT

BEFORE:

THE HONORABLE EDWARD A. HAGGERTY, JR.,

JUDGE, SECTION "C"

Reference copy, JFK Collection: HSCA (RG 233)

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SLIM GARRISON

COPY TO

- Robert Blakey
- Gary Cornwell
- Kenneth Klein
- Charlie Mathews
- Jim Wolf
- Donovan Gay
- Jackie Hess
- Cliff Fenton

Team #1

Team #2

Team #3

Team #4

Team #5

Form #2

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1 THE COURT:

2 Do I understand, Mr. Garrison, you wish  
3 to address the Jury?

4 MR. GARRISON:

5 Yes.

6 May it please the Court:

7 Gentlemen of the Jury, I'm not going to  
8 dignify Mr. Dymond's personal  
9 inferences about my staff, because  
10 I think you've seen them for some  
11 days, and I think you've seen me  
12 here, and I'll leave it to your  
13 judgment whether or not we would take  
14 advantage of any human being in order  
15 to try and get any gain of any sort;  
16 and I'll address myself to the  
17 remaining issues of the case which  
18 have been posed by Mr. Dymond.

19 Now, I know you're very tired. You've  
20 been very patient. This final day  
21 has been a long day, so I'll speak  
22 only a few minutes, and I'll  
23 probably make one of the shortest  
24 closing arguments that's been made  
25 in this Court, because I think most of

1 the issues are clear to you, and  
2 I feel that you probably have an  
3 understanding of the case by now.

4 Mr. Dymond posed, in his last argument,  
5 one final issue which in a sense  
6 raises a question of what we do when  
7 the need for justice is confronted  
8 by power.

9 So, let me talk to you about whether there  
10 is Government fraud in this case.

11 Now, a Government is a great deal like  
12 a human being; it's not necessarily  
13 all good, and it's not necessarily  
14 all bad. We live in a good country,  
15 and I love it, and you do, too.

16 But, we have, nevertheless, a  
17 Government which is not perfect,  
18 and there have been indications since  
19 November the 22nd of 1963, and that  
20 was not the last indication, that  
21 there is excessive power in some  
22 areas of our Government -- that the  
23 people have not received all of the  
24 truth about some of the things that  
25 have happened; some of the

assassinations that have occurred;  
and particularly with regard to the  
assassination of John Kennedy.

Going back to when we were children, I  
think most of us, probably all of  
us here in this Courtroom, thought  
that Justice came into being auto-  
matically; that virtue was its own  
reward; and good would triumph over  
evil; that it occurred automatically.  
Later, when we found that it wasn't  
quite so, most of us felt that,  
hopefully, that at least Justice  
occurred frequently of its own  
accord, but now I think that almost  
all of us would have to agree that  
there's really no automatic machinery,  
not on this earth at least, which  
causes Justice to happen auto-  
matically. Men have to make it  
occur. Individual human beings have  
to make it occur; otherwise, it  
doesn't come into existence, and this  
is not always easy. As a matter of  
fact, it's always hard, because

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1 Justice presents a threat to power;  
2 and, in order to make Justice come  
3 into being, you often have to fight  
4 power.

5 Mr. Dymond raised the question: Why  
6 don't we say it's a fraud, and  
7 charge the Government with fraud,  
8 if this is the case?

9 Well, then, let me be explicit and make  
10 myself very clear on this point.

11 The Government's handling of the  
12 investigation of John Kennedy's  
13 murder was a fraud. It was the  
14 greatest fraud in the history of our  
15 country. It was probably the  
16 greatest fraud ever perpetrated in  
17 the history of humankind.

18 So, that's where I stand on that point.

19 But that doesn't mean that we have  
20 to accept the continued existence  
21 of the kind of Government which  
22 allows this to happen. We can do  
23 something about it. We're not  
24 forced to either leave this country,  
25 or accept the authoritarianism that's

1 developed, which tells us that in the 5  
2 year 2039 we can see the evidence  
3 about what happened to John Kennedy.  
4 Government does not consist only of  
5 secret police and domestic espionage  
6 operations and Generals and  
7 Admirals -- Justice consists of  
8 people. The Government consists of  
9 people, and our Government consists  
10 of juries; and cases of murder,  
11 whether of the poorest individual,  
12 or the most distinguished citizen  
13 in the land, should be looked at  
14 openly in a court of law, where  
15 juries can pass on them, and not  
16 hidden; not buried like the body  
17 of the victim, beneath concrete for  
18 75 years.

19 Now, you men in the recent weeks, have  
20 heard witnesses that no one else  
21 in the world has heard, and you've  
22 seen the Zapruder film. You've seen  
23 what happened to your President, and  
24 I suggest to you that most of you  
25 know right now that in that area at

1                   least, a fraud has been perpetrated.  
2                   That does not mean that our Government  
3                   is entirely bad; and I want to  
4                   emphasize that. It doesn't mean that  
5                   the President is bad. It doesn't  
6                   mean that the Supreme Court is bad.  
7                   It does mean that in recent years,  
8                   through the development of excessive  
9                   power, because of the cold war,  
10                  forces have developed in our Govern-  
11                  ment over which there is no control,  
12                  and these forces have an  
13                  authoritarian approach to Justice,  
14                  meaning, they will let you know what  
15                  Justice is.

16                  Well, my reply to them, is we already know  
17                  what it is. It is the Jury System.  
18                  In the issue which is posed by the  
19                  Government's conduct in concealing  
20                  the evidence in this case. In the  
21                  issue of humanity as opposed to power,  
22                  I have chosen humanity, and I will do  
23                  it without any hesitation, and I hope  
24                  every one of you will do the same, and  
25                  I do that because I love my country,

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and I want to communicate to the Government that we will not accept unexplained assassinations, with the casual information that if we live 75 years longer we may be given more data.

In this particular case, our efforts to look into it, and it was our duty when we found out that part of the assassination finally occurred in New Orleans, massive power was brought to bear to prevent Justice from ever coming into this Courtroom as it has. The power to make authoritative pronouncements; the power to manipulate the news media by the release of false information; the power to interfere with an honest inquiry; the power to provide an endless variety of experts to testify in behalf of power, was demonstrated in this case. The American people have yet to see the Zapruder film.. Why? The American people have yet to see and hear from witnesses about the

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1                    assassination. Why?

8

2                    Because, today in our Government, we have  
3                    a problem area in which too much  
4                    emphasis is given to secrecy with  
5                    regard to the assassination of our  
6                    President, and not enough emphasis  
7                    has been given to the question of  
8                    Justice; to the question of humanity.

9                    These dignified deceptions will not  
10                   suffice. We have had enough of  
11                   power without truth. We don't have  
12                   to accept power without truth, or  
13                   leave the country. I don't accept  
14                   that alternative. I don't intend  
15                   to leave the country, and I don't  
16                   intend to accept power without truth.  
17                   I intend to fight for the truth, and  
18                   I suggest that not only is this not  
19                   un-American, but it is the most  
20                   American thing we can do, because  
21                   if the truth does not endure, then  
22                   our country will not endure -- not  
23                   in the way it was supposed to... In  
24                   our country the worst of all crimes  
25                   is when the Government murders truth.

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1 If it can murder truth, it can  
2 murder freedom. If it can murder  
3 freedom, it can murder your own sons,  
4 if they should dare to fight for  
5 freedom, and then announce that they  
6 were killed in an industrial accident,  
7 or shot by the enemy, or God knows  
8 what.

9 But, in this case, finally it has been  
10 possible to bring the truth about  
11 the assassination into a Court of  
12 Law; not before a Commission composed  
13 of important and powerful and  
14 politically astute men, but before a  
15 Jury of citizens.

16 Now, I suggest to you that yours is a hard  
17 duty, because in a sense what you're  
18 passing on is equivalent to a murder  
19 case. It has the same essential  
20 characteristics, and the difficult  
21 thing about passing on a murder case  
22 is that the victim is out of your  
23 sight, and buried a long distance  
24 away, and all you can see is the  
25 Defendant, and it's very difficult to

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identify with someone you can't see; and sometimes it's hard not to identify to some extent with the Defendant and his problems.

In that regard, every Prosecutor who is at all humane, is conscious of feeling sorry for the Defendant in every case he prosecutes. But, he is not free to forget the victim who lies buried out of sight, and I suggest to you that if you do your duty, you also are not free to forget the victim who is buried out of sight.

You know, Tennyson once said that authority forgets a dying king. This was never more true than in the murder of John Kennedy -- the strange and deceptive conduct of the Government after his murder began while his body was warm, and has continued for five years. In a sense, you have even seen in this Courtroom indications of the interest of some part of the Government power structure, in keeping

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the truth down; in keeping the grave closed.

We presented a number of eye witnesses, as well as an expert witness, as well as the Zapruder film, to show that the fatal wound of the President came from the front. A plane landed from Washington, and out stepped Dr. Finck for the Defense, to counter the clear and apparent evidence of a shot from the front. I don't have to go into Dr. Finck's testimony in detail for you to see that it simply did not correspond with the facts. He admitted that he did not complete the autopsy, because a General told him not to complete the autopsy.

Now, in this conflict between power and Justice -- to put it that way -- just where do you think Dr. Finck stands? A General, who was not a Pathologist, told him not to complete the autopsy, so he didn't complete it. This is the way I don't want my country to be. When our President is killed,

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1 he deserves the kind of autopsy that  
2 the ordinary citizen gets every day  
3 in the State of Louisiana. We can't  
4 have Government power suddenly  
5 interjecting itself and preventing  
6 the truth from coming to the people;  
7 but in this case, before the next  
8 morning when the sun rose, power had  
9 moved into the situation, and the  
10 truth was being concealed. And,  
11 five years later, in this Courtroom,  
12 it's continuing in the same way.

13 We presented eye witnesses who told you  
14 of the shots coming from the grassy  
15 knoll. A plane landed from  
16 Washington, and out came ballistics  
17 expert Frazier for the Defense.

18 MR. DYMOND:

19 Object to this, if the Court please.

20 Mr. Frazier was subpoenaed here as  
21 a State witness.

22 THE COURT:

23 He testified for the Defense. He was  
24 called by the Defense, Mr. Dymond.

25 MR. DYMOND:

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He was subpoenaed here from Washington  
as a State witness.

THE COURT:

Makes no difference who subpoenaed him;  
it's who put him on the stand.

MR. DYMOND:

We didn't have anything to do with his  
coming here on a plane from  
Washington.

MR. GARRISON:

Now, the issue I'm getting to, as I'm  
sure every one of you understands,  
is whether or not the Government has  
created a fraud, and I call to your  
attention that Mr. Frazier's  
explanation of the sound of shots  
coming from the front, which was  
heard by eye witness after eye  
witness and after eye witness'-- his  
explanation is that Lee Oswald  
created a sonic boom in his firing.  
Not only did Oswald break all of the  
world's records for marksmanship,  
but he broke the sound barrier as  
well.

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And I suggest to you, that if any of you have shot on a firing range, and most of you probably have in the Service, you were shooting rifles in which the bullet traveled faster than the speed of sound, and I ask you to recall if you ever heard a sonic boom. If you remember when you were on the firing line, and they'd say, "Ready on the left; ready on the right; ready on the firing line; commence firing;" you heard the shots coming from the firing line, to the left of you and to the right of you, and if you had heard, as a result of Frazier's fictional sonic booms, firing coming at you from the pits, you would have had a reaction, and you would still remember. It simply doesn't exist. It's a part of the fraud -- a part of the Government fraud -- and the best way to make this country the kind of country it's supposed to be, is to communicate to the Government

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1 that no matter how powerful it may  
2 be, we do not accept fraud. We do  
3 not accept false announcements. We  
4 do not accept the concealment of  
5 evidence with regard to the murder  
6 of President Kennedy.

7 Who is the most believable -- a Richard  
8 Randolph Carr, seated here in a  
9 wheelchair, and telling you what he  
10 saw and what he heard, and how he  
11 was told to shut his mouth -- or  
12 Mr. Frazier, with his sonic booms?

13 Do we have to actually reject Mr. Newman  
14 and Mrs. Newman and Mr. Carr and  
15 Roger Craig, and the testimony of  
16 all those honest witnesses --  
17 reject that and accept the fraudulent  
18 Warren Commission, or else leave the  
19 country?

20 I suggest to you that there are other  
21 alternatives; and one of them has  
22 been put in practice in the last  
23 month in the State of Louisiana;  
24 and that is to bring out the truth  
25 in a proceeding where attorneys can

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cross-examine; where the Defendant  
can be confronted by testimony against  
him; where the rules of evidence are  
applied, and where a Jury of  
citizens can pass on it, and where  
there is no Government secrecy.  
Where you do not have evidence  
concealed for 75 years in the name  
of National security.

All we have in this case are the facts --  
facts which show that the Defendant  
participated in the conspiracy to  
kill the President, and that the  
President was subsequently killed in  
an ambush.

The reply of the Defense has been the  
same as the early reply of the Govern-  
ment in the Warren Commission; has  
been authority, authority. The  
President's Seal outside of the  
volume of the -- each volume of the  
Warren Commission -- made necessary  
because there's nothing inside of  
these volumes. Men of high position  
and prestige sitting on a Board, and

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1           announcing the results to you, but  
2           not telling you what the evidence is,  
3           because that has to be hidden for  
4           75 years.

5           You heard in this Courtroom in recent  
6           weeks, eye witness after eye witness  
7           after eye witness, and, above all,  
8           you saw an eye witness which was  
9           indifferent to power -- the Zapruder  
10          film. The lens of the camera is  
11          indifferent to power, and it tells  
12          what happened, and that is one of the  
13          reasons 200,000,000 Americans have  
14          not seen the Zapruder film. They  
15          should have seen it many times. They  
16          should know exactly what happened.  
17          They should know what you know now.  
18          Why hasn't this come into being, if  
19          there hasn't been Government fraud?  
20          Of course, there has. But, I'm  
21          telling you that I think we can do  
22          something about it. I think that  
23          there's still enough Americans left  
24          in this country to make it continue  
25          to be America. I think that we can

1 still fight authoritarianism -- the  
2 Government's insistence on secrecy;  
3 Government force used in counter-  
4 attacks against an honest inquiry --  
5 and when we do that, we're not being  
6 un-American -- we're being American,  
7 because it isn't easy, and you're  
8 sticking your neck out in a rather  
9 permanent way, but it has to be done,  
10 because truth does not come into  
11 being automatically. Justice does  
12 not happen automatically. Individual  
13 men, like the members of my staff  
14 here, have to work and fight to make  
15 it happen, and individual men like  
16 you have to make Justice come into  
17 being, because otherwise it doesn't  
18 happen.

19 And, what I'm trying to tell you is that  
20 there are forces in America today,  
21 unfortunately, which are not in favor  
22 of the truth coming out about John  
23 Kennedy's assassination. As long as  
24 our Government continues to be like  
25 that; as long as such forces can get

1 away with these kind of actions,  
2 then this is no longer the country  
3 in which we were born.

4 The murder of John Kennedy was probably  
5 the most terrible moment in the  
6 history of our country. Yet,  
7 circumstances have placed you in the  
8 position where not only have you  
9 seen the hidden evidence, but you  
10 are actually going to have the  
11 opportunity to bring Justice into the  
12 picture for the first time.

13 Now, you are here sitting in judgment on  
14 Clay Shaw; but you, as men,  
15 represent more than jurors in an  
16 ordinary case, because of the victim  
17 in this case. You represent, in a  
18 sense, the hope of humanity against  
19 Government power. You represent  
20 humanity which yet may triumph over  
21 excessive Government power, if you  
22 will cause it to be so, in the course  
23 of doing your duty in this case.

24 I suggest that you ask not what your  
25 country can do for you, but what you

can do for your country.

What can you do for your country? You can cause Justice to happen, for the first time in this matter. You can help make our country better by showing that this is still a Government of the people; and if you do that, as long as you live nothing will ever be more important than that.

Thank you.

...oOo...

I, Eileen T. Hebert, transcribed the above from the tape recording of the proceedings, this date, New Orleans, Louisiana.

5 March 1969

*Eileen T. Hebert*  
Eileen T. Hebert

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