

30 September 1966

Mr. Louis Nizer
c/o The Barry Gray Program
Radio Station WMCA
415 Madison Avenue
New York, N.Y.

Dear Mr. Nizer,

Although I must rely on my recollection rather than a tape recording, I should like to comment on your unscheduled remarks on the Warren Report during your appearance last night on the Barry Gray program. Mr. Gray urged you, as author of supremely laudatory praise of the Warren Report two years ago, to comment on the spate of critical books which have appeared during the last few months with the result that there has been a dramatic loss of confidence in the findings of the Warren Commission, here and abroad.

Although you were reluctant to discuss the Warren Report, you proceeded to denounce its critics and their charges as grossly unfounded and irresponsible. As your first example, you specified alleged charges about a funeral rehearsal by the Army two weeks before the assassination of President Kennedy. Allow me to point out that none of the books recently published (apparently you have read none of them) nor even the books issued early in 1964 ever dignified that absurd rumor by mentioning it. Only the John Birch Society, through its spokesman and its publication, and the Warren Commission, in an appendix to its Report, have ever paid the slightest attention to that idiotic allegation--the Birchers, no doubt, in sincere hysteria and illogic; and the Warren Commission, and you yourself, in order to divert attention from serious and responsible criticism which they are unwilling or unable to confront.

The question of the bullet-damage to the windshield of the Presidential car, while it is a relevant question of evidence, has not been raised by any of the current critics of the Warren Report. I am not aware of any challenge by these critics to the Warren Commission's discussion and conclusions about the windshield.

The third "example" of so-called irresponsible attacks on the Warren Report which you offered last night was that of rifle performance. You made completely inaccurate remarks about the on-site reenactment tests of May 1964. A man was stationed in the sixth-floor window of the Depository. But he did not fire any shots at any human skulls. The wound penetration tests were conducted by

U.S. Army experts at Edgewood Arsenal (not in Dallas). The on-site reenactments were conducted by mounting a camera on the rifle and shooting pictures, not bullets, as FBI stand-ins for the President and the Governor reenacted the fatal motorcade ride. It is surprising that anyone who claims to be even moderately acquainted with the Warren Report would make so elementary a misstatement about the on-site tests.

Similarly, in discussing the identification of the rifle found in the Depository, you completely misstated the facts. There was never any reference to a "carbonieri" (which is not a rifle but a secret society that once flourished in Italy--the Carbonari). The confusion arose when the rifle was said to be a 7.65 Mauser--by the Dallas district attorney, by a deputy sheriff, by a deputy constable, and, according to the co-finder of the rifle, by Captain Fritz himself. The Warren Report states that the rifle was not a 7.65 Mauser but a 6.5 Mannlicher-Carcano belt-action rifle--again, an elementary fact for any student of the Report.

Somewhere during your discourse you stated that Oswald kept the rifle at the Paine residence "in another room...in a crib, covered with a blanket." No doubt he kept his baby on the floor of the Paine garage? No, Mr. Nizer, the rifle was not kept in a crib; and, if you had troubled to read any of the critical books which you denounced, you would know that Wesley J. Liebeler, assistant counsel to the Warren Commission, himself charged in the "Liebeler memorandum" that there was no actual evidence that the rifle was in the Paines' home on the eve of the assassination (Inquest, by Edward Jay Epstein, page 112 of the Bantam edition).

You several times urged the public to read for themselves the "20 volumes" of testimony and exhibits published by the Warren Commission. There are 26 volumes, not 20. But here I am finally able to agree with your statement: the public should read the 26 volumes (if they can summon up the \$76 and the six months required for conscientious reading), and thus see for themselves the shocking misrepresentation, omission, and distortion of the basic evidence on the pages of the Warren Report.

You are well-advised to avoid discussion of the Warren Commission's work and I hope you will refrain from doing so, at least until you have acquired a little familiarity with the Report, the Hearings and Exhibits, and the charges advanced by responsible students of the evidence without any material response by spokesmen for the Commission--charges which have caused honest men such as Lord Devlin, Max Lerner, Richard Goodwin, and Tom Wicker, among others, to

reconsider their earlier acceptance of the Warren Report. An outpouring of hysterical ignorance and uninformed partisanship such as issued from you last night is an unconscionable affront and a disservice to intelligent, impartial confrontation with the facts. There has been more than enough resort to cheap demagoguery in beclouding the issues in this case. Those whose pronouncements are founded on complete ignorance of the basic facts which are in dispute should spare the listening public from the contagion of ignorance implicit in your fulminations, and from the not-very-subtle imputations against the patriotism of those who venture to rely upon fact, reason, and logic rather than upon "faith" in illustrious men.

Anthony Merton wrote recently in the London Observer, "Today it is the august Warren Commission that is in the dock, not the lonely Oswald." Although I repudiate the Report, I do hope, in simple fairness, that the Commission's defense counsel—even if self-appointed—will at least be capable of presenting a factually accurate brief.

Yours very truly,

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cc: Barry Gray
Lee Savage