

## The Warren Report and the Truth

In an age that prides itself in belief in science and a country that puts a high value on the role of technology the Warren Report is not only an anachronism, but it and its reception by the intellectual community is a measure of the credulity of our times.

The highest body of scientists precisely concerned with the subject matter of the Warren Report, the American Academy of Forensic Sciences, has published a symposium of qualified experts in this field, and their findings are adequate justification for the three judges in New Orleans in their rejection of the Report as evidence in a court of law. Explicit and patent falsification in reporting evidence was noted, a basic political motivation, and failure to make use of qualified experts in the field. These findings alone should be enough to alert at least the scientific community to the need for a qualified review of the work of the Warren Commission. As attorney Jay Schwartz summarized his findings, "The government case is weak because it cannot establish a chain of evidence... It is weak because it relies upon faith in the personalities and institutions involved as opposed to evidence and reason".

"The commission did calm the public clamor for information. It successfully achieved its prime political purpose. Its intellectual conclusions, however, leave much to be desired.

"The Warren Commission has failed to establish that Lee Harvey Oswald singly assassinated the President of the United States."

The moderator of this panel of experts, Charles Am. McInerney, Director of the Pittsburgh Pa. Crime Laboratory, indicates the

objective and judicial approach<sup>2</sup> of the panelists in saying,  
"The panelists have made an evaluation of the report from the  
perspectives of their separate disciplines. The approach is  
academic; therefore disciplined. There is no specific purpose  
to impugn the judgement of the Warren Commission, or to  
undermine the United States Government, or to encourage  
any extremist views of conspiracy..

"This is a critique by panelists, all of whom are well  
qualified in the areas explored in their discussions. In  
these instances where the participants treat their subject  
harshly, these should be recognized as natural consequences  
of learned, objective studies, totally consistent with the  
aims of the Academy to advance the application of forensic  
sciences. In fact, the nature of this symposium is not  
appreciably different than some presented in former years  
where real situations provided the basis for panel discussions  
and mock trials."

"Some of the questions to be considered are: Was everything  
done that could have been done? Was anything done that should  
not have been done?

Were the "expert" witnesses truly expert?  
Should additional independent witnesses have been consulted?"

It is highly significant that one of the most prominent of  
the forensic scientists participating in this symposium, Dr.  
Gyril Wecht, director of the Institute of Forensic Sciences at  
Duquesne University, criticized the government case at a crucial  
point while yet assuming that its conclusions were sound. Yet  
after further study of the evidence Dr. Wecht later revised his  
judgement to as severe an indictment of the Warren Report as  
that of any of the panel members during a two and a half hour  
interview with Columbia Broadcasting Company staff who

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prepared the four hour CBS documentary on the Warren Report. CBS took from this interview only a brief excerpt that was the most innocuous and least definite in criticism of the Warren Report -- to the effect that unlikely things happen every day, but the Warren Report was a whole fabric of unlikely things.

One of the faults that Dr. Wecht first found and reported in his discussion of the Warren Report for the panel was that qualified expert pathologists were not used by the government, although they were available. He wrote, "~~As pointed strongly to be criticized is the fact that the three pathologists who were designated by the government to perform the autopsy did not~~

"I do not believe that the government was wise in its choice of pathologists. One or more prominent civilian pathologists should have been called in to help perform the autopsy, and I further believe that the autopsy should have been performed only by qualified forensic pathologists. . . . It must be born in mind that many of the foremost forensic pathologists in the country are located within a flying distance of one hour from Washington D.C.. (Indeed, ~~all~~ these men have previously been utilized by the government . . . Were these occasions more important than the autopsy of President Kennedy?)"

~~The importance~~ of this comment by Dr. Wecht is made more pointed by the criminologist Osterburg's observation that "the Commission, despite the high quality of its members, was nevertheless a case of the government investigating itself." The military officers who performed the autopsy were members of the government and subject to its authority as a civilian pathologist might not have been. We can document the fact that military doctors all too commonly make medical findings at the command of their superiors in conflict with civilian medical standards.

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at Duquesne University, criticized the government case at its achilles heel while yet assuming that its conclusions were sound. Yet after further study of the evidence Dr. Wecht later revised his judgement to a severe indictment of the Report (during a lengthy interview with CBS, briefly used in its documentary. first

The particular fault that Dr. Wecht found with the government case was that it did not draw upon the many qualified civilian forensic pathologists available to it and relied exclusively on military officers. Thus the only judgement brought to bear on the autopsy of the late president was by men subject to the authority of the ~~government~~ very government whose motives had been under suspicion. It is not commonly recognized that a military doctor is not free to tell the truth as he sees it, but ~~only~~ as his superiors order him to find it.

Despite such findings by the most qualified body of scientists in America, the public press has been flooded by the disquisitions of literary men defending the Warren Report in the public press. Only in the margins of the literary world have serious and competent critiques of the Warren Report been given a hearing, as in Ramparts magazine. The meaning of this phenomenon is pointed up by a statement by Martin Buber about our times:

The intellect with its gift for language has been all too willing to put itself at the disposal of whatever trends prevail at the time. Instead of letting the word grow out of thought in a responsible silence, the intellect has manufactured words for every demand with all mechanical skill. It is not only the intellectuals who are now finding a suspicious reception for their disquisitions, who must suffer for this 'treason'. What is worse is that their audience, above all the younger generation of our time, is deprived of the noblest happiness of youth, the happiness of believing in the spirit. It is easily understood that many of them now see nothing but 'ideologies' in intellectual patterns, nothing but pompous robes for very obvious group interests:

that they are no longer willing to believe there is a truth over and beyond those who wield power and are greedy for it." . . .

No matter what others may do, we, my friends should not choose this way."

The "way" that Martin Buber warns against is particularly exemplified in an essay by a prominent English intellectual, John Sparrow, in the Times Literary Supplement of December 14, 1967. Writing ex cathedra as from the responsible scholar of authority, Mr. Sparrow proceeds to survey the wide field of literature on the Kennedy assassination and Warren Report, laying down the law, making judgement and establishing "fact". The Warren Report is accepted as authoritative, and its critics are immediately labeled "demonologists", with the emphasis and approach to the wide spectrum of the critics <sup>as</sup> ~~one~~ of a study of social pathology in these misguided people. The facts and interpretations Mr. Sparrow adduces are as ~~stated and~~ misrepresented by Mr. Sparrow as those of any of the critics of the Warren Report that Mr. Sparrow excoriates. It would take a long study to list all of his misrepresentations. A few must suffice.

Early in Mr. Sparrow's argument he states that after the Warren Report, "for a year or more it seemed that the demonologists were making no headway with the general public.

"Then, halfway through 1966, the storm broke, there appeared a number of books that were intended to discredit completely Chief Justice Warren's Commission and their Report."

"The campaign was astonishingly successful. By the end of 1966, according to a poll taken during the closing months of that year, most Americans considered that the Report was not to be trusted."

Mr. Sparrow proceeds to ask, "What was it, posterity will ask, that inspired this outbreak of "demonology", and how were its exponents able to cast their spells so widely and compel belief in their lurid denunciations?"

This approach to the subject established a false premise as a springboard to a slanted and propagandistic survey of the literature. The facts are, as carefully developed in the Journal of Forensic Sciences, that the FBI Report that proceeded the Warren Report, <sup>and the Warren Report were</sup> ~~was not~~ accepted by the <sup>majority</sup> American public, ~~and~~, in the words of attorney Jay Schwartz, "one of the underlying causes for the creation of the commission was a need to provide a cloak of dignity for the agencies primarily responsible for the investigation. It was asked to examine certain evidence in the possession of the FBI and to make additional search. It did not examine the FBI evidence, but instead relied upon it, although the Commission did go through the motions of a large scale investigation to provide window dressing for the report which was already deemed unacceptable by the public." As proof of this statement Mr. Schwartz quotes the Report:

"Because of the diligence, cooperation and facilities of federal investigative agencies, it was unnecessary for the Commission to employ investigators other than the members of the Commission's legal staff."

The extent and character of this "diligence" and "cooperation" is indicated by the fact that the CIA did not respond to the request by the Warren Commission staff for information on the key leads as to conspiracy (now being investigated by Jim Garrison) during the period of investigation by the Warren Commission, despite repetition of the request. Liebler <sup>in Epstein's Inquest</sup> is quoted as saying that the CIA was "virtually useless"

to the Commission" in Epstein's Journal. Mr. Sparrow derogates Epstein's work with a blanket condemnation that his work <sup>had been</sup> was attacked as full of misquotations. But this quotation from Liebeler can be fully substantiated as a statement of fact by reference to the documents in the Warren Commission's Hearings.

As further evidence that Mr. Sparrow's introductory premises are false, another of the specialists in the the criminologist James Osterburg of the University of Ind. Forensic Sciences panel, analysed in detail the public response to the Warren Report, since the public was the "jury" to this trial. He writes, "The data disclosed through a special survey made by Louis Harris of a cross-section of American public shortly after the release of the Report is possibly suggestive of its success." After listing the questions and response, Mr. Osterburg writes,

"Any investigation which fails to satisfy 55 percent of those for whom it was made can hardly be designated an outstanding success." It is here that Osterberg observed that ~~the~~ "Contributing to this skepticism is the fact, the Commission, despite the high quality of its members, was nevertheless a case of the government investigating itself."

There is no mention in Mr. Sparrow's essay of such factors <sup>causing skepticism</sup> or of the existence of the high degree of skepticism before <sup>mid-1966</sup> the wave of new criticisms of the Warren Report.

There is one point at which I would particularly emphasize ~~in~~ Mr. Sparrow's work as being fraudulent as a piece of intellectual scholarship. ~~Among the many others, this point needs to be given emphasis.~~ Mr. Sparrow writes at

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length about the fantastic impossibility fo coordinating an assassination by assassins shooting from widely different places. This would have been a sound objection two years ago when the critics of the Warren R<sup>m</sup>port had neither theory nor evi ence for such coordination. In the early spring of 1966 I developed a thory and was given from the Commission's Hearings evidence to support it, that the coordination of shots was achieved by means of mobile radio communication ~~(to be proved)~~ between members of the assassination team. This theory is generally accepted and frequently referred to in the literature on the assassination that Mr. Sparrow pretends to have mastered. <sup>It Mr. Sparrow's potential knowledge of the facts at the time</sup> This is reminiscent of those

lengthly disquisitions by orthodox scholars trying to disprove the theory of evolution without ~~ever~~ having carefully read D<sup>r</sup>win's Origin of Species. Mr. Sparrow's review is full of expressions of belief and disbelief but lacking in any real substance, any coping with hard facts. To him the hard facts are that the honorable men on the Warren Commission <sup>being</sup> ~~are~~ honorable men of the establishment, ~~and~~ like others wearing one's old school tie, are to be trusted, ~~as the facts of reality,~~ whereas those questioning the Establishment are ~~the~~ pathological, to be held up to his analysis as a <sup>study</sup> ~~case~~ in social pathology.

This assertion on my part would be on a par with most of Mr. Sparrow's review if I were not to prove it with hard evi ence. As proof, we have the presentation of <sup>is summarized</sup> The hard core of argument in Mr. Sparrow's twenty-five hundred word essay in a two hundred and thirty word <sup>review</sup> ~~summary~~ on printed in the National Observer, which carefully pulls out the substantive heart from ~~the~~ <sup>Mr Sparrow's article</sup> ~~long~~ review. The brief summation follows:  
(here include the Observer statement)



In the list of periodicals Mr. Sparrow consulted in the preparation of his review Jim Garrison's Playboy interview is included. In this interview Mr. Garrison said <sup>of the assassination</sup> "It was a precision operation and was carried out coolly and with excellent coordination; the assassins even kept in contact by radio."

I discovered this factor of radio communication about two years ago and shared it with other critics of the Warren Report after presenting it to <sup>some</sup> members of the Warren Commission. These other researchers in turn gathered documentary evidence of radio communication being used by the assassins from the Hearings of the Warren Commission as well as some photographic evidence. This made it possible for us to establish the means by which a high degree of coordination between several people out of sight from each other could have been attained just as a modern police force uses such tools of communication.

Thus the major factual argument Mr. Sparrow is able to present for his incredulity about the critics of the Warren Report is proved invalid and Mr. Sparrow's scholarship is proved at fault, for nowhere does he mention this theory or the evidence for it or its implications.

The implications of the radio communication theory extend to Mr. Sparrow's assertion that it is "really impossible" to believe that conspirators would have placed a gunman in the grassy knoll "in total ignorance of how many lookers-on, when the procession passed, would be standing nearby or perhaps occupying the place selected as his firing point." The evidence is that a civilian automobile cruised through that area at the time required for this information to be transmitted

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to serve the purpose intidated by Mr. Sparrow's argument, with the driver speaking through a microphone as he drove. And immediately after the assassination one of the men seen running from this area was described as carrying what looked like a headset -- the visible compon<sup>e</sup>nt of portable radio communications equipment.

Thus the ~~text or~~ factual argument in Mr. Sparrow's lengthy attack on the critics of the Warren Report is shown to be as unsound as the arguments of the early savants who proclaimed in the presence of a phonogfaph that it was not possible, and must be ventriloquism. In each case competence in dealing with the implications of modern technology is ~~simply~~ lacking.