

WARREN REPORT—PSYCHIATRIC OBSERVATIONS

through mail-order, and 5) the shots could have been fired by Oswald who was in the Book Depository at the time.

? None of the basic facts of the Warren Report depends upon "eyeball" witnesses.

? That Oswald was capable of firing a gun at another human whom he looked upon as an enemy is certainly probable. Although the attempt to kill Major General Walker is peripheral to the topic under discussion, there is a note in Oswald's handwriting written before the attempt on Walker's life which reveals Oswald's intent; and evidence substantiates that Oswald "cased" General Walker's home, for pictures taken by a camera owned by Oswald were found among his possessions (3). It is but anticlimactic to report that Oswald's wife stated that Oswald told her that he made an attempt on the life of General Walker. Undoubtedly Oswald was capable of planning and of executing homicide.

? What is lacking in the Warren Commission Report is a structured study of Oswald which sufficiently reveals his personality, growth and emotional development. Motivation appears the item most deserving of study and investigation. Here the Warren Report bogs down into a compilation of interviews with significant persons which, while detailed, falls far short of developing any body of knowledge on which the dynamics of Oswald's personality and of his motivation can be adjudged. Mr. Murray Kempton, a columnist for the New York World-Telegram, reported in the "New Republic" of October 10, 1964 as follows: "We are the only appellate court the ghost of Lee Oswald will ever know, and so it becomes our duty to cast the coldest eye we can upon a version of the life of Lee Oswald and the death of John F. Kennedy that has been produced by men who have sifted through the memories of 522 witnesses. It is no consolation under these circumstances to read, in the Warren Commission's Report, page after page of ratiocination of the source of Lee Oswald's interior quarrel, and then to look in the appendix and discover that the Commission hired for its staff two Army historians and no psychiatrists. It heard only two witnesses who were psychiatrists, one of whom saw Oswald last when he was 13, and the other of whom saw only Jack Ruby. The Commission has acted faithful to the great tradition of a nation of persons who practice psychiatry

without a license; we then can go forward with less shame to practice the Commission's profession without a license" (4).

Experts in the forensic sciences are experts only when they speak authoritatively in those areas in which they are adequately qualified. While an analytical chemist may report on findings of milligrams percent of alcohol found in a specimen of blood in his laboratory determination, he is not necessarily qualified as a student to study the physiology of alcohol or the motivations which involve an individual in the imbibing of alcohol. It may be tragic when a specialist in biochemistry testifies in criminalistics if he is not informed in this area. It could be equally tragic if a specialist in ballistics were to testify on a specimen of handwriting. How, then, may a lawyer assume competence in the critical area of motivation? The legal mind is trained to assess fact and intent. His training and purpose prepare him to discredit rumor, speculation, conjecture and most of all, motivation.

After a comprehensive study of the Warren Report, this writer was astonished to learn that of the 522 witnesses interviewed or deposed and over 25,000 reports presented to the commission, no psychiatrist studied any data gathered by the formal and official sources or by the investigators and attorneys for the commission. The Warren Commission, composed of a group of outstanding attorneys, competently staffed with assistants trained in the law, appeared to follow the practice altogether too common in the current scene of practicing "lay" psychiatry. It is well known that the law is interested in intent, particularly in matters involving major crimes; indeed it is this fact that is the cornerstone on which the doctrine of mens rea is based. Motivation, the study of unconscious forces, upon which behavior is based is clearly and distinctly *not* the concern of the law, for it is based on conjecture rather than fact, concept rather than a knowledge of purpose. Yet it is interesting to note that an assistant counsel for the Warren Commission, Mr. Jenner, in deposing Mr. Kerry Wendell Thornley was probing for motivation which I insist is not within the realm of legal competence although I must agree that in a modern criminal trial the jury and the judge, the attorneys and the newspapers are all profoundly in search of and deeply affected by motivation. To quote Mr. Jenner, "We are dealing in a very delicate

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field here, and I am pressing you very severely." Mr. Thornley, a one-time Marine colleague of Lee Oswald, replied, "These are sometimes very grey thin lines we have to distinguish between." Mr. Jenner then stated, "*We are probing for motivation*" (5). Despite pages upon pages of detailed information gathered by competent police and legal investigators, the report is quite deficient in establishing motivation.

While reading the report in detail, the writer found himself in many ways assuming the position of a juror listening to evidence. Ballistics data, fingerprint studies, report of investigators tracing the gun and the pistol, and details of this sort are adequately presented and convincing. Occasionally, however, data are presented, which, were the investigators perhaps a bit more alert to the implications of the content, the questions asked of Oswald might have been made more enlightening and indeed more revealing. For example, early in March or late in April 1963 the Oswalds lived on Neely Street in Dallas in a little house which had a small backyard. On a Sunday, according to the wife, Oswald asked her to take a picture of him holding a pistol, a rifle, and issues of two newspapers, identified later as the "Worker" and the "Militant." Two such pictures were taken (6). These pictures have a particular significance for they clearly reveal Oswald's lack of affiliation in fact with either the Communist party or the Socialist Workers party. Students of the political parties of the left recognize that membership in the Communist party and the membership in the Socialist Workers party are totally incompatible. Oswald considered himself a Marxist but not a Marxist Leninist, stating that he was not a member and did not believe in the principles of the Leninist party which is the Communist party. On his return from the Soviet Union he carried on a limited correspondence with the Socialist Workers party, attempted to join that party, and actually subscribed to the "Militant," the official party newspaper of the Socialist Workers party.

In August of 1962, the Warren Report in detail notes that Oswald attempted to initiate dealings with the Communist party, USA, by subscribing to the "Worker" and he continued some correspondence in connection with his "Fair Play for Cuba Committee" (7). He had formed this "Fair Play for Cuba Committee" under the alias of Hidell and he was the sole member!

In addition, he wrote to the Socialist Labor party identifying himself as a member of the "Fair Play for Cuba Committee." It is important to note that neither of the above-mentioned groups of the left report any active participation or membership affiliation of Oswald. Indeed, Oswald was a loner, and it appears that he wanted more immediate recognition and instant acknowledgment as a political leader from *all* the leftist fronts. Although he claimed to have membership of 35 in the "Fair Play for Cuba Committee" in New Orleans, there is adequate evidence that Oswald was the only member and that he had an alias, Hidell, a name so closely synonymous with Fidel that its origin can be readily identified.

The photograph of Oswald holding two newspapers which represent the official publications of political parties that are thoroughly antagonistic gives convincing evidence of the fact that Oswald lacked affiliation with any of the parties on the left, that he was a loner, and this confirms the facts of the Warren Report. As a personal observation, I find the pictures more convincing than reams of print.

Childhood and development history of Lee Harvey Oswald reveal that as early as age two he was an unmanageable child usually under the care of baby sitters while his mother was employed. At the age of three he was placed in a children's home where for a critical 13 months he was visited only occasionally by his mother. When anticipating remarriage, Mrs. Oswald withdrew Lee from the children's home and he lived with her briefly. After her marriage to Mr. Ekdahl, Lee remained in her home until his mother was divorced in 1948.

A review of the history of Lee Oswald conveys the distinct impression that his home life was utterly unstable, that his family moved frequently between Fort Worth, Texas, Covington, Louisiana, and back to Fort Worth with frequent moves in the last city necessitating many school transfers while in mid-session. His earlier years in New Orleans were indeed hectic. For several years his older brothers had been placed in boarding schools. Study of the significant early years of Lee Harvey Oswald reveals an essential rejection by the mother and a lack of identification with a significant adult. This pattern usually leads to delinquent behavior.