

In its own reexamination of the case in the late 1970s, the House Select Committee investigated the first generation of critics and found their work wanting in terms of fairness and accuracy. Robert Blakey, the Select Committee's chief counsel, said that many early critics "had special axes to grind. As a result of our investigation, the Committee found that 'criticism leveled at the Commission . . . [was] often biased, unfair and inaccurate . . . [and] . . . the prevailing opinion of the Commission's performance was undeserved.'"²¹

Thomas Buchanan, an American Communist living in Europe, wrote *Who Killed Kennedy?* based on press accounts, and published it before the Warren Report was even in print.²² The FBI, which studied Buchanan's work, concluded he was responsible for "false statements, innuendoes, incorrect journalism, misinformation, and . . . false journalism," and that his book stated as facts items "which the Commission's investigation has disproved completely."²³ A German leftist, Joachim Joesten, published a vitriolic book also based on newspaper accounts, *Oswald: Assassin or Fall-guy?*, but its questions were answered when the Commission's report was released.²⁴

In 1966, Harold Weisberg published *Whitewash*, the first in-depth attack on the Warren Report.²⁵ Weisberg, who later published another five books on the case, was a former Senate investigator who had been dismissed for possibly leaking information to the press. Robert Blakey said his "rhetoric was so obscure, his arguments so dependent on accusation rather than logic, the effect of [his] work was to make complex issues confusing."²⁶

That same year, the first major commercial success for a Commission critic was *Rush to Judgment*, by New York attorney Mark Lane.²⁷ Dan Rather, of CBS, dubbed Lane "the gadfly of the Warren Commission," but Governor John Connally called him a "journalistic scavenger."²⁸ Lane, a former New York State legislator associated with some prominent left-wing causes, had represented Marguerite Oswald. He unsuccessfully argued with the Commission to be allowed to represent the deceased Oswald at the hearings and to be permitted to cross-examine the witnesses who appeared. Reportedly, *Rush to Judgment* has sold more than a million copies in various editions.

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Lane's attack on the Commission was an admitted brief for the defense by a skilled advocate. Using only the evidence that buttressed his arguments, he persuasively argued that the Commission's work was seriously flawed. And while he was careful in his book about whom he accused and about the scope of the conspiracy he said he had discovered, in his dozens of college lectures and radio and television appearances he went much further, charging complicity at the highest levels of government. The Select Committee concluded: "Lane was willing to advocate conspiracy theories . . . [without checking] them, [and his] . . . conduct resulted in public [misperception . . .]." Blakey said he was "the best example of a critic who fit the Committee's 'unfair and inaccurate' description . . ." ²⁹ Walter Cronkite, in a four-part 1967 CBS documentary, concluded there were a number of examples in Lane's work of "lifting remarks out of context to support his theories. Perhaps the most charitable explanation is that Mark Lane still considers himself a defense attorney . . . [whose] duty is not to abstract truth but to his client [Oswald]." ³⁰

A rash of books appeared on the heels of Lane's success. Philosophy professor Richard Popkin, in *The Second Oswald*, was the first to use mistaken sightings of Oswald to develop the theory of an imposter. ³¹ Raymond Marcus, the owner of the retail sign business, published *The Bastard Bullet*, an attack on the single-bullet theory. ³² Leo Sauvage, a professional journalist, wrote *The Os-*

*Harold Weisberg believes Lane is interested only in self-promotion and money, and says that Lane largely "cribbed" from his book *Whitewash*. Professor David Wrone, a respected historian on the assassination, told the author, "I took every footnote in his *Rush to Judgment*. There's 4,500 of them. I checked them against the text and so forth, for accuracy, fidelity, and all of that. . . . His chapter on Perrin, [Nancy] Perrin Rich, who was Jack Ruby's nightclub lady—I mean, that's a terrible one. . . . She gave three separate and distinct accounts of the assassination that are mutually exclusive. And he selected the one that fit his scenario. The woman is disturbed. This is an outrage. One time I was going to do a smallish book on Lane, but I thought, you don't honor slime."

Lane has said that if only 10 percent of his footnotes were accurate, that would still mean the Warren Commission had serious problems (January 25, 1967, UCLA Student Union address). Warren Commission staff attorney Wesley Liebeler said, "It's just incredible to listen to him. He talks for five minutes, and it takes an hour to straighten out the record."