

XXXV

## THE RUBY DIVERSION

Posner's next two chapters, "I'm a Character! I'm Colorful" and "I am Jack Ruby. You All Know Me," (pages 343-403), are, *S/S* obviously, on Jack Ruby. Why he has them at all is not obvious.

The subtitle of his book is, Lee Harvey and the Assassination of JFK.

In Loomis' description of the book to Dahlin in Publisher's Weekly he said, "At the heart it is a biography of Lee Harvey Oswald..."

Posner himself insists that his version ~~of life~~ of Lee Harvey Oswald's life is the most important thing in his book. He emphasizes this in his Preface, (Pages ix-xi). There he goes into "Oswald's curious past" and his allegedly "murky background." He says that "Forgotten in most recent studies of the assassination is Oswald" where "he is referred to only briefly and often is presented as a sterile figure... stripped of character, the reader is seldom given any insight into understanding him. His intricate personality and temperament are obscured..." *[Down like Marler?]*

Posner emphasized this in his appearances, too. Here are two examples, both from CNN.

On August 30, 1992, interviewed by Leon Harris, there was this exchange:

*indent*  
*any*  
*place*  
*no*  
*value*

HARRIS: Well, I did take some time to go through your book over the weekend and I have to admit that I was -- I did notice first off that it seemed as though you base most of your view upon the -- your investigation of Oswald himself as a person. You spent a lot of time developing his character.

Mr. POSNER: Leon, I think you asked the key question. To me, although many people focus on a single bullet and what happened in terms of the shots, I think the answer to this assassination is found in Lee Harvey Oswald's life. There's no question.

HARRIS: Why is that?

Mr. POSNER: Because what we've never had in this country -- the American public has never had a reason to understand why Oswald ended up on the sixth floor of the depository shooting at Kennedy. What I try to give you is such a psychological and detailed profile of Oswald's life that you as the reader finally understand why he killed Kennedy and I think you do see it in this book -- a man so disturbed over a period of time -- psychologically imbalanced, very violent, someone who tried to kill an American Army general -- that by the time November 22nd comes around and he goes up and takes his rifle to that corner window to shoot at Kennedy, you really understand why he's there.

[Sound like mail is?]

He appeared on CNN's "Crossfire" program four days later, with Mike Kinsley, former New Hampshire Governor and later George Bush's White House Chief-of-Staff, John Sununu, and Dr. Cyril Wecht, the eminent forensic pathologist. There was this exchange:

*independent source*  
 Dr. WECHT: And he was able to effectuate the assassination of the President, despite the fact that he was in Russia he was a total dunce, and by the way, according to <sup>K6B</sup>DKB/agent Nosenko, one of Mr. Posner's reliable persons, as of last week on another television program, 'Lee Harvey Oswald could not hit a rabbit with a shotgun' He became also an expert marksman, Mr. Posner, in that couple of years' time, right?

Posner did not even try to respond, according to the transcript, until a few other exchanges between the other participants, and then there was this:

*independent source*  
 Mr. POSNER: I must tell you that I personally believe that the most important part of the book is not the chapter on the single bullet, but is the first half of the book which deals with Oswald's life, because --

KINSLEY: Yeah, but just listening to you, it's not as convincing.

Mr. POSNER: No, no, but it is more convincing in this sense, it incrementally builds over 300 pages, a portrait of Oswald and a psychological portrait --

KINSLEY: All right, if you're going to sell your book, I think we ought to give Dr. Wecht a chance.

Dr. WECHT: And it builds and it builds Lee Harvey Oswald's anarchism and pro-socialism, communism, whatever it is, and this man sets it all up, and guess what, he kills the President after planning this all this time, and then he stands up and says, 'I didn't do it, not me, somebody else did it.' Come on now what, are you kidding? You don't have to be --

Mr. POSNER: Dr. Wecht --

Dr. WECHT: You don't have to be a Freudian psychoanalyst to understand the absurdity of your theory.

Mr. POSNER: All you have to do --

Dr. WECHT: My God, a guy like that stands up and says, 'Mea culpa, I did it, I did it. I'm a hero. I saved the world. I killed this terrible man.'

Mr. POSNER: Dr. Wecht, all I suggest you do is go back and talk to Marina Oswald and --

Dr. WECHT: I've talked to Marina personally several times, and I know what Marina thinks of your book and about you, OK. So I have talked with Marina.

Mr. POSNER: Please go back and talk to Marina Oswald and his friends Ruth and Michael Paine [sp?] who knew Lee Oswald better than anybody else, and what will they say? He looked like the cat who had swallowed the canary. He was bursting with pride and he knew now that he was going to have the fun of being able to make everybody sweat about who killed JFK.

Newspaper clippings of his interviews around the country are consistent with this. As I caught him saying on Washington TV, his biography of Oswald is the most important part of his book in his opinion. In one way or another he said the same thing on those two CNN appearances.

Oswald's "life" is the "key."

He gives "such a psychological and detailed profile of Oswald's life that you as the reader can finally understand why he killed Kennedy...psychologically imbalances (sic)"

"I must tell you that I personally believe that the most important part of the book is not the chapter on the single bullet, but is the first half of the book, which deals with Oswald's life because (interrupted by Kinsley, who found what he said "not as convincing" as the book.) No, no, but it is more

convincing in this sense, it incrementally builds over 300 pages, a portrait of Oswald and a psychological portrait...."

"Go back and talk to Marina Oswald (who contradicted his on national TV) and his friends Ruth and Michael Paine who know Lee Oswald better than anybody else, and what will they say? He looked like the cat who had swallowed the canary. He was bursting with pride, and he knew that he was going to have the fun of being able to make everybody sweat about who killed JFK."

What else where he kept only fifteen dollars for his escape?

And, as Wecht said to him, instead of boasting, claiming his glory, denied it?

Posner's reasoning is gibberish. [It is file-mailer mailer.]

This is the stuff of cheap novels. It is not real, psychologically or in any other way.

The Paines, if they said any such thing, saw him no more than the rest of us after he was arrested, only on TV, and if that was a cat and canary look, birds thenceforth should have had much less trouble from cats.

[The shrink, Dr. Renato Hartogs who psychological report on tru out school boy pronounced to have him say what he did not say.]  
So, Posner owes it all to Hartogs. Not that Posner has a single new word other than what he imagines and has probably talked himself into believing about Oswald. There is only his

resurrection of Hartogs, exaggerated in form and in interpretation.

My what that Hartogs might not have been able to do if he had stayed off of his women patients! *[For which he was assessed heavy damages, as reported in Case Open.]*

But as Posner states over and over again, with seemingly unbounded faith in his gimmick, it is his version of what he says was Oswald's life, his special twist to all of it, that is what has to be understood and is the "key" to his book and to understanding the crime, that he tells the life and the story of a born assassin just waiting to assassinate. *l/*

In his own terms, it is the life of Oswald that is the "key." *[Again, matter before M. A. H.]*

Ruby having nothing to do with that life, only with its death, its end. That he also includes his version of Ruby's life is not really appropriate to the book in which it is so large a part. Why he goes into his version of Ruby's life can only be conjectured. Some of the obvious conjectures are to titillate, and to continue to pretend overall and unique expertise -- he knows all there is to know about any aspect of the subject of which he in fact is so ignorant.

Whatever Posner's reasons, with his publisher's pre-publication description of the book and Posner's post-publication agreeing with that and adding emphasis to it, Ruby remains relevant to Oswald's death, not to his life, and with this book

on Oswald's life, devoting so large a part to Ruby, whatever Posner's purposes, is a waste of that space and any time taken for it.

If anything needs to be said of Ruby's life, and not a word of it was necessary in this book, all it is simply is that nobody in his right mind can believe that anybody could trust Ruby with anything at all that required either dependability or his silence. Ruby was really sick in the head besides being pushy, craving attention and being regarded as having some importance.

When I began my work, knowing it would be impossible to be able to cover all of the subject fully and carefully, I decided not to work on Ruby for the above reasons and because there would be a trial at which some evidence would emerge and be subjected to Wigmore's wonderful engine for establishing truth, cross-examination.

Ruby had a serious mental illness.

The report of defense psychiatrist, provided by William Neichter, Louisville lawyer and my good friend, from the University of Kentucky, <sup>Lexington</sup> Louisville archive on Senator John Sherman Cooper, a member of the Warren Commission, turned out to be correct.

(With some help from Neichter, <sup>(no relative)</sup> Bill Cooper, who is in charge of that archive, is seeking all the information he can get for it. Senator Cooper, those who were on his Senate staff say,



worked hard but entirely alone on his Commission responsibilities and none of them has any real knowledge of it or, if he had any, where he put his files on it. He wanted to be certain there were no leaks.)

Dr. Louis Jolyon (right) West, head of the psychiatry department of the University of Oklahoma Medical Center, was the defense psychiatrist. Judge Joe B. Brown asked Dallas psychiatrist Dr. R.L. Stubblefield to examine Ruby for him. Both reports were filed in May, 1964. Bill Cooper gave Neichter a copy of Dallas District Attorney Wade's letter to Rankin forwarding the reports of both psychiatrists. Both reports said that Ruby was mentally ill. West's covering letter to Wade says, "I hope it will be possible to put him in a mental hospital soon."

In a report dated April 26, West told the court un willing to listen, under "Prognosis," that for "the present acute psychotic reaction...proper treatment" should be "promptly instituted." It never was.

His "Recommendation" was, "Immediate psychiatric hospitalization, study and treatment. Close observation. Suicidal precautions." Under "Discussion" West states that Ruby is not "malingering or feigning mental illness, does not want to go to mental hospital, is a "paranoid delusional person" at "cross purposes with his attorneys," has had "acute psychotic reactions" and is "technically insane" and thus could not cooperate intelligently in his own defense.

The other side, wanting for Ruby not to be hospitalized, while stating it less severely, did conclude that Ruby was mentally ill.

That it was even more serious than West had concluded, with what could have been determined, if at all in 1964, only with hospitalization and close examination, was without any question at all when Ruby died in February, 1967. It then was determined that a cancer of the brain was the cause of his death.

I spent the afternoon of Ruby's funeral in his native Chicago with one of his lawyers, Elmer Gertz, and his wife. It was a nasty day, windy, snowy and a predicted blizzard that did come. Elmer and I were to be among the guests on WBBM-TV's John Madigan Show. It was filmed in those pre-tape days Friday, for Sunday airing. The taping was delayed for several hours by technical problems more common than now. I was escorted to the station's cafeteria where Elmer and his wife were already. The Gertz's had gone to the station from the funeral. We sat there and chatted until called for the filming.

Elmer was without doubt about the cause of Ruby's death, from that brain cancer, being correct. His rather emotional opinion was that Ruby would have been hospitalized earlier if the sheriff himself was not himself hospitalized does not mean that Ruby at that late date could have been cured. To the best of my knowledge there has not been any dependable medical opinion of when that cancer started and whether, if detected in early 1964, it could have prevented his death, delayed it, or had any

influence on his mental illness. My own opinion is that Ruby was crazy long before he killed Oswald.

Several years after Ruby's death I learned more than was public about the kind of person he was. He was not in any sense normal and it was well known locally, in part because his bad behavior was sometimes in public. When chided for that kind of behavior, Ruby's response was that he was just breaking girls in to go to work for him when they were more mature.

The sickest and the most disgusting of all was the belief of the Society for the Prevention of Cruelty to Animals. It was the kind of thing not certain to be determined on psychiatric examination.

Of his dogs, Ruby referred to his favorite, the dachshund Sheba, as "my wife."

The SPCA had reason to believe he was treating that dog that way.

While Ruby's behavior, with girls and with his dogs, may not be an indication of the serious mental illness diagnosed by West, it does reflect the kind of man nobody who knew him well would be inclined to trust with a mission or knowledge that required dependability, rationality and silence.

If with the announced purposes of his book Posner found it necessary to say anything at all about Ruby, that nobody would

have trusted him to be part of a conspiracy would have been enough.

That with all he could have said and did not say about the crime, some of which we have already seen -- not by any means all that is relevant and important -- that Posner devoted as much space and attention as he did to Ruby at the least raises questions about what he really intended with his book. I believe it represents at best the cheapest kind of literary scrimshaw.

It is not necessary and it is inappropriate in a serious book that is supposedly on Oswald's life and about the assassination of President Kennedy.

That Posner did give all this attention and spent all the time in preparation his <sup>writing</sup> Ruby required is still another indication that his was, despite all of his and of Random House's pretenses, a special formula book. They designed <sup>it</sup> for the expected market of the other side of the controversy, of those who support the official assassination mythology, and as an answer, more or less, to the Oliver Stone ~~Movie~~, JFK. *hc*

Any consideration of what is appropriate to Oswald's life that Posner suppressed from what he claims is the only definitive, understanding account of it, or of what he suppressed from his reporting on the assassination itself for which he could have used some of these pages he wasted on Ruby makes this clear. While thinking this way requires the belief that Posner is an honest man intending an honest book neither, at this point, *is*

possible to believe, just <sup>the</sup> a few ~~examples from earlier~~ <sup>chapters preceding this one</sup> in this book reflect the real Posner and his real intentions with and his real purposes in his book and in his Ruby diversion.

He knew from my *Oswald in New Orleans* that I had reason to believe that the lone official candidate for Presidential assassination had in fact held the very high security clearances of TOP SECRET and CRYPTO and that this is suppressed from all known official records. After I wrote that book I obtained from the Navy but not from any Oswald or assassination records the proof that Oswald did have these clearances. This is not relevant in any biographical account, which Posner says is the most important thing in his book? This is not relevant in any biographical account, which Posner says is <sup>the</sup> most important thing in his book? Whether ~~or~~ not Posner used my work to locate those FBI reports of its so-called investigation at the Jones Printing Company in New Orleans, the results of my work is in the file cabinets in which he worked for three days and is clearly labelled on those file folders. He also could have asked me, as he could of so very much more and not once did, if I had any information on that part of Oswald's life. He could have had it without asking me and he would have had it and more that is relevant to it if he had asked me.

That the Oswald he says was all alone was not all alone is not relevant in his supposedly unique biography of Oswald?

Of all the great volumes of information he saw that I had obtained by all those FOIA lawsuits of which he knew and wrote so

uninformedly, just what we have seen above about that missed shot and that curbstone alone is more than enough to demonstrate what he knew was available and is so very pertinent on the basis of his account of the crime. That is not necessary in the book he says his is? That, too, is not more important in it than devoting more than ten percent of his book to his irrelevant Ruby biography?

Of course it is obvious that if he had not suppressed this evidence of which he did know he could not have written and waxed rich and famous from his book. But the point here is why he wasted so much on the irrelevant and made the book impressively larger with what is not necessary to the book and is inappropriate in it.

It is part of his fraudulent pretense to having done a definitive job in his accounts of Oswald's life and of the crime when in fact he was a skilled and lying propagandist depending on the ignorance of those who would judge his book and of the reader to make this propaganda and a financial success of it. He wasted all this space and effort on Ruby to help perpetrate the false pretense of the scholarship he did not employ and of the all-inclusive content of the book, the content it does not have.



Wasting all this space on Ruby is part of Posner's trickery. It has no legitimate purpose in his book.

In recent years there was only one other commercializing of Posner's side in the controversy market. It was by former

Commission counsel David Belin and his claim to have been right because he said he was right, without regard to all the evidence he ignored when he was on the Commission and since available. Belin had no popular appeal at all except to the major media and the small minority of Americans who still believe the official mythology.

Posner, beginning without Belin's liabilities, from his approach and from not having the publisher support Posner had, did have even more support by the major media. This is represented by Random House's arranging for his large number of TV and other appearances and by the unprecedented sale of ancillary rights here, as with the first attention in *U.S. News*, and around the world, where even in Australia's remoteness it received those three pages reported earlier in Brisbane.

These ancillary uses, of course, reach and influence many, many more people than the most successful book can by sales alone.

In terms of serving government interest, particularly, possibly, that of the CIA, this ancillary attention is far more important than the number of books sold.

Whatever the truth may be, and with his record it is not expectable from Posner, all this space and attention to the irrelevant Ruby trivia also represents an unscholarly approach in a cheap appeal for added sales and for undeserved recognition as scholarship.

As we see when we leave Posner's Ruby diversion, there is no end to his abandonment of scholarly approaches and treatments he did not stoop to exploit.

[As those unfortunate enough to have read Mailer's massive mishmash will recognize, what I wrote about Posner's amateur shrinkery the year before Mailer's appeared and bombed ~~so so~~ <sup>so</sup> is entirely appropriate to Dr. Mailer's mischigas he presents and probably believes is his shrinkery.]

