

TALES  
MAILER'S WHITEWASH

-JFK-

OF THE JFK ASSASSINATION  
I. "Ultimately Nothing in History is True": Norman Mailer

"History is exactly like novel writing. They're both fiction."

Thus spake not Zoroaster from ancient Persia but fourteen centuries later these are the words of the aging former high priest of American novel-writing turned historian, Norman Mailer.

"Ultimately, nothing in history is true," Mailer added.

In reporting these profundities by the winner of two Pulitzer Prizes for literature on Friday, March 24, 1995, the Philadelphia Inquirer's headline was "A NEW GENERATION AT PENN MEETS NORMAN MAILER: STUDENTS WHO HADN'T HEARD OF THE PROVOCATIVE WRITER AREN'T LIKELY TO FORGET THEIR ENCOUNTER."

Howard Goodman's account of the momentous literary occasion at the University of Pennsylvania begins:

"To the World War II generation, he was one of the young lions who set out to conquer the Great American Novel. To the sixties left he was an antiwar hero and feminist's foil. To college kids today, he's 'Norman Who?'"

Goodman did not explain how and why Mailer was that "feminist's foil." Aside from the content of Mailer's 28 books and innumerable magazine articles Goodman could have had in mind Mailer's accumulation of six wives or his having been charged with knifing one of them.

Nor does Goodman report the occasion of Mailer's proclamation of his new religion of the writer's responsibilities in our society. Of it, Goodman does write,

"The world-renowned writer spent four days at Penn this week, reading from his work, participating in discussions on advertising, architecture, politics, and 'spiritual ecology,' and meeting a generation that's estranged from the world he inhabits and signifies - a world of letters and of intense engagements with the issues of the day. The students in History 398 half-expected to meet the Mailer who appears as a character in the 28-year-old autobiographical literature they had been assigned: Pugnacious. Part drunk. A tough guy, treating literary reputation as a field of combat. In his opinions Mailer was as feisty as ever. But his manner was mellow, his attitude toward the twenty-somethings not a bit condescending. His 28th book, an 800-page nonfiction study of Lee Harvey Oswald appears in bookstores next

month, adding to a body of work that includes *The Naked and the Dead*, *Advertisements for Myself* and *The Executioner's Song*."

In short, Mailer was promoting his book due in May and his condensation of it that was to have appeared first in *The New Yorker* dated April 10. The book, as Goodman reports incompletely,

"*Oswald's Tale* is the result of six months' research in Minsk, where Mailer interviewed KGB agents who tailed Oswald during the accused assassin's puzzling 2 1/2 year sojourn in the Soviet Union."

Having described this book as nonfiction, Goodman wrote,

"Mailer said he decided 'it was likely' that Oswald acted alone in killing President John F. Kennedy - not from the evidence, 'which is impenetrable,' but 'because I got to know his character.'"

As Goodman does not note, this was Mailer justifying Mailer in his contribution to the education of a new generation of Americans specializing in the study of their history. It was Mailer's justification for his great profundity that "history is exactly like a novel. They're both fiction." Of his saying, really undertaking to prove, that "Ultimately, nothing in history is true."

This is why Mailer spent those four days at the University of Pennsylvania with its students in History 398. This and to get going on his propaganda to sell his book before the major propaganda in *The New Yorker*.

How does history become a novel, other than by the assassination-writing and book publishing industries treating the assassination and what followed the great and lingering tragedy of that assassination as a novel?

"Mailer said he decided 'it was likely' that Oswald acted alone in killing President John F. Kennedy - not from the evidence, 'which is impenetrable,' but 'because I got to know his character.'"

Adding his own amateur shrinkery to his new concept of history, in Goodman's words,

"Moreover, 'this [Oswald] is a man who has this idea of himself that he is destined for greatness,' Mailer said. 'That's the mind of a man who does commit assassination.'"

Is it not a wonder that any of the world's political leaders survive at all?

Mailer, from the Goodman account, did not undertake to explain to those students why he said of the "evidence of the assassination" that it was "impenetrable."

Nor did he undertake any explanation of his new book's subtitle, "An American Mystery."

The evidence as it relates to Oswald's guilt or innocence was never "impenetrable" except for the fact that Mailer began not wanting any such evidence. He began with his seer's vision of Oswald as the assassin, as we shall see, with his only question whether there had been a conspiracy, others involved in the assassination with Oswald.

As we shall also see, when Mailer was offered this evidence free - by me - and more than two decades before he got around to his personal commercialization and exploitation of the assassination, he was too "busy".

In his promotions for his literary gimcrackery, Mailer palms his fiction off as an authentic account of our tragic history. I

In further promotional efforts he seeks to justify his total ignoring of the anything but "impenetrable" evidence, in trying to prove that history is never true (other than as he says he records it), and in saying that history "is exactly like novel writing" in puffing up his *New Yorker* condensation.

Mailer told the Associated Press, beginning with reference to the great novelist Henry James,

"James frightens me forever with his dictum that one must never put information into a novel unless it is digested through the lens of a protagonist's perception. In 'Harlot's Ghost,' my protagonist is connected umbilically to the reader. If everything flowed from one character to the reader, then there isn't that need for an intermediary, a narrator. Now in 'The Executioner's Song,' I was the narrator because the information about Gary Gilmore and other characters is received information: I wasn't making it up."

Mailer "wasn't making it up" when he just assumed that Oswald was the assassin?

He wasn't making it up in ignoring the readily-available "evidence"? He lies, and there is no point in mincing words, he lies knowing <sup>what he said is not</sup> it is true; lies knowing he had made no effort to learn it; lies knowing full well that he had turned actual assassination evidence down toward the end of 1973 when I offered it to him free; <sup>lied</sup> when he said he was too "busy" for it after having stated repeatedly that Oswald was the assassin.

In fact in "The Executioner's Song" Mailer did have an "intermediary" who was his continuing associate despite Mailer's characterizing him as a man who could not tell the truth, the intermediary who became his "associate" in his fictionalizing of history in *Oswald's Tale*, albeit unmentioned in the

prepublication puffery.

Goodman does not mention him, nor does this AP story as quoted from the *Chicago Tribune* of April 3.

Nor did either reporter comment on or solicit any contrary opinion when Mailer says that any lie any writer chooses to regard as truthful for his own purposes is properly included in responsible writing if he does not, personally, "make it up," if it is, in Mailer's words, "received information."

Like the world being flat, the "received information" of Columbus' day?

Like Poland invading Germany, the "received information" from Hitler?

Like Oswald being the assassin and the lone assassin, the "received information" from the Warren Report, Mailer's only basis for his assumption that Oswald was the assassin?

This is Mailer trying to justify his own literary harlotry.

As we shall also see, it is Mailer justifying in advance his personal suppression of "received information" that was not congenial to his version in *Oswald's Tale*. "Oswald in Minsk" is the earlier reported title of Mailer's personally manufactured "American Mystery."

All of this makes appropriate a little of the readily available "received information" about Mailer other than about his accumulating and rejection of all those wives and his alleged abuses of women; the dependability of his "information" when he is the "narrator" of it; and aside from whether one can "digest" through a "lens," what he told the AP, how the murk of his mind, "connected umbilically to the reader," becomes the truth, the fact, the reality of our history.

The history so precious to others that is "fiction" to him - and as he writes it for money that from the kind of life he led Mailer always needed more than most people can live well on - really extravagantly on - for his alimony and for paying the large debts he accumulated by the kind of life he led.

On this we have some "received information" that can be considered "predigested" from opposite sides of the world, from Moscow, from the *London International Express* of January 21-27, 1993, to California, to the 1995 premier issue of *Prevailing Winds Quarterly*.

"Our Man in Moscow" for the British publication, Will Stewart whose article will interest us

further later as we examine whether Mailer is hobgoblined by the consistence of small minds, wrote under the subheading of "Alimony" referring to what upset Mailer very much, Oliver Stone's powerful movie *JFK*, wrote:

But the film *JFK* suggested that members of the U.S. government and anti-Castro Cubans, not Oswald, conspired to kill Kennedy.

At the end of his last book, *Harlot's Ghost*, Mailer - six times married and twice winner of the Pulitzer Prize - left his fans in suspense.

His tour de force of the Cold War took them up to the Kennedy assassination, then said brusquely: "To be continued".

During his cold, winter sojourn in what is now the capital of newly-independent Belarus, Mailer - who at almost 70 has to earn 150,000 [Lire] a year simply to pay alimony - has interviewed everyone still alive who had any links with Oswald.

In writing about Mailer's "associate" in *Oswald's Tale*, Larry Schiller, in whom we have a special interest, this is what appeared in *Prevailing Winds* (page 80):

So why has Mailer made this man his partner?

I don't know. But I feel financial worries might be one key to the mysteries of Mailer, whose legendary tax problems bring Willie Nelson to mind. For many years, Mailer dodged (and for all I know may still be dodging) the IRS. In Manso's biography, we find the following quotes from Mailer's sixth wife: "All the while Norman was writing *The Executioner's Song* he was in serious financial trouble, and we were borrowing money every month." "After going through all the records and the bills, I realized what idiocies had been committed by his financial people." "The nut was \$1000 a day, a staggering figure." "So it's a given - owing number of dollars a year - and he's got to work like crazy to pay for it." In the late '70's the debt to his publisher alone was \$300,000. Mailer even resorted to borrowing a further \$90,000 from his own mother.

Has this scramble after bucks ever affected the accuracy of Mailer's reportage?...

Mailer's interest in the JFK assassination that he declared publicly predated what Will Stewart wrote about it by at least two decades.

There is nothing wrong with making money, especially not if it is to comply with the judgement of the courts or to pay back what was borrowed because of profligacy. There may be wonder, however, about how one can so impoverish himself after a string of best-selling books two of which won Pulitzer's. But not about the need to pay what one owes.

Most of us have the need to earn money. At least some of us care about how we earn it.

Most of those of us who write what we regard as nonfiction would not think of boasting that we

found symbols  
or water  
grounds instead  
of [Lire]

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lie to sell books or for any other reason, real or imagined. Few of us would dare make this boast in claiming to write about our history to the faces of legitimate, professional history experts and that where they teach it.

That is to tell them to their faces that they are professional frauds teaching lies. Yet this is what Mailer spent four days doing without any protest recorded in Goodman's account of it in the *Inquirer*.

Or in the AP's account.

Few writing nonfiction would expect to get away with boasting that we lie; would expect publishers to accept that; or reviewers to tolerate it in silence; or audiences not to throw it in our faces; or those who book paid lectures to want us after such an expression of arrogance and contempt for all of the above.

To say nothing of those who buy books expecting them to be truthful, not lies.

But Mailer is Mailer and what is poison to mere mortals is manna to him.

Bizarre as Mailer's method is in declaring that all history is lies and in this it is like novels, Mailer says that as a novelist he is also a historian and is licensed to lie and he has the brazenness to boast in advance that his *Oswald's Tale* is a lie.

Which by design an intent it without question is.

In this he also reflects that he is a man of principle. Not the usual principle of your normal, everyday writer without those Pulitzer's and other honors and successes.

But principle it is to boast of being a liar who writes lies, abnormal if not unprecedented as that is.

2 Mailer, the principle/liar, or Mailer, the liar of principle?

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There are other means of understanding what kind of man Mailer is, what kind of writer - historian or if you will, novelist working in all that "received information," for all the world as though he is a historian and writes as one, with the obligations that imposes on an honest, principled writer. In assessing this we have an abundance of what he refers to as "received information" that

Mailer himself provides.

I have not been a Mailer-watcher or reader. His fame came when I was too busy with other matters to take the time for reading much of anything not related to my work. His adventures that got him into the papers were not of any interest to me. But when he declared an interest in the assassination of President Kennedy friends sent me accounts of them. Two of these items had the same date, February 7, 1973, although one probably appeared a few days later. This one is from the "CURRENTS" page of *Publishers Weekly* dated February 12:

MAILER LAUNCHES HIS "FIFTH ESTATE"

Norman Mailer, fresh from his \$50-a-head 50th birthday party Monday night ("only about a quarter of the size of Truman Capote's, but at least everyone paid to come to mine") took time out the following day to try and enlighten a puzzled press about his proposal for a citizen body to check on America's "secret police"--the FBI and the CIA. What he has in mind, he said, is a body something like Nader's Raiders or the American Civil Liberties Union, which could keep an eye on Governmental surveillance activities. He has some people in mind for a steering committee to study the idea, and the "take" from his party will get the funding started. Subjects he feels worthy of study by such a group would include the Kennedy assassination, "still a major unsolved mystery in American life," and such recent political events as the Watergate affair and perhaps even the Eagleton case. Stressing that he wanted only to see if anyone was seriously interested in the proposal, and would then back out, Mailer said "I want only to be a literary man the rest of my life. I don't trust myself to be anything else." Good news for Robert Markel, editor at Grosset & Dunlap for Mailer's forthcoming book on Marilyn Monroe; he says Mailer's copy is still coming in on time, and the book is to be a full-length one, not just a brief essay to accompany pictures of the actress.

Whether a book on Marilyn Monroe that was "not just a brief essay to accompany pictures of the actress" was Mailer being "only a literary man the rest of" his life is that or scandal-mongering may be a question but for his Fifth Estate to study the Kennedy assassination seems to state a serious interest. And he did refer to it as "still a major unsolved mystery in American life."

Apparently I received the *New York Times* story on Mailer's party as it appeared in the *San Francisco Chronicle* before getting this *Publishers Weekly* item because to it I attached a memo to my friend and FOIA lawyer Jim Lesar asking if he could get Mailer's address for me so I could make him aware of the work on the JFK assassination I'd done for the previous decade. In that memo I noted that,

"When something like this gets known all the nuts with nutty notions they believe are reality latch onto the money, which is worse than just

the waste of money. I seriously doubt that if any of the people Mailer can get to serve on his board will be in a position to evaluate. There has been so much irresponsible propaganda spread around as though it were the vibrant truth!...The unfortunate consequence is that instead of the people being informed they are misinformed, and....credibility is undermined."

Here I cited a few illustrations of what then had been getting attention. I noted that "All the crazy stuff about the CIA makes it look pure and wholesome," it was that ridiculous. Many "are dreaming up all kinds of theories and are persuaded of their truth by their affection" for them. "Ultimately this redounds to the benefit of the spooks." Has history more than confirmed that! I then told Jim, "I think this is the kind of thing Mailer is least likely to believe because he has been subjected to an endless din from people he knows and in many cases may trust." I wanted to keep Mailer "from another futility" and I offered him access to the several thousand pages of FBI reports I had by then obtained. (More on this later.)

The news story adds to what Mailer had in mind:

NORMAN Mailer, the self-styled "embattled aging enfant terrible of the literary world," has just turned 50, and to celebrate the occasion Monday night he threw himself an elegant \$50-a-couple birthday party at the Four Seasons Restaurant.

The party was intended not only to celebrate Mailer, but to let him announce the formation of what the author called "the fifth estate" - a "democratic secret police."

Facing 500 invited guests, the author said: "I want a people's FBI and a people's CIA - to investigate those two" - referring to the real Federal Bureau of Investigation and the Central Intelligence Agency.

"If we have a democratic secret police to keep tabs on Washington's secret police, which is not democratic, but bureaucratic, we will see how far paranoia is justified," he continued.

Mailer's notion was to "let the idea sink in tonight," and to form a steering committee to investigate the possibility of forming such a civilian secret police.

The meaning of the Fifth Estate, a nonprofit foundation that would receive its initial financing from the receipts of the party, was Mailer's secret until last night.

The birthday party was originally the idea of Lady Jean Simpson, Mailer's third wife, and Frank Crowther, an old friend. According to Crowther, when he suggested the party, Mailer at first declined, saying, "another ego trip? Who needs it?" Later he decided to use his birthday party as "a launching pad" for the foundation.

About 5000 invitations were mailed for what Crowther characterized as "a family and literary event - a night for the written word."

Jacob Javits, Paul O'Dwyer, Melvin Van Peebles, Benardo Bertolucci, Mrs. Henry Heinz, Bobby Short, Shirley MacLaine, Andy



Warhol, Jules Feiffer, Jose Torres, Murray Kempton and many other of Mailer's writing cohorts were there. In addition there were at least two Mailer ex-wives, plus his mother and his ten-year-old daughter.

At a news conference yesterday, Mailer clarified, "the Fifth Estate."

He said that he is regretting calling the body, as he did in his original announcement, "a people's police," and explained that it was "open-ended," with a structure and specific goals to be determined after the formation of a steering committee.

Mailer compared the Fifth Estate to Nader's Raiders, the American Civil Liberties Union and Common Cause.

As several possible areas for investigation, he named the assassination of John F. Kennedy, the Warren Commission report, possible Republican involvement in the exposure of Senator Thomas Eagleton's mental history, and the Watergate affair.

He was creating the Fifth Estate, he explained, because "we have to face up to the possibility that the country may be sliding toward totalitarianism...I have an absolute huge distrust of the American government."

So, Mailer had \$25,000 less the cost of the food for the beginning of his Fifth Estate.

It appears to have done nothing, to have accomplished nothing and a little more than a year later it merged with another nothing. This is from Louise Lague's account of it in the *Washington Star* of March 25, 1974:

Norman Mailer didn't look much like a media heavy, slipping in the front door that way, in a baggy pin-striped suit. With his pale gray quasi-afro and watery eyes, he could have been just anyone from around the neighborhood in Cleveland Park, a place where free schools flourish in rumpus rooms and cars still bear raggy remnants of McGovern stickers.

But it was Mailer and he had come to make his announcement again. A year ago, Mailer threw himself a 50th birthday party at the Four Seasons and charged his friends \$50 to get in. At the end of the glittery, liquid and boisterous evening, a swaying, blood-shot-eyed Mailer announced he was starting the Fifthstate, a people's counter-espionage organization designed to spy right back at the CIA and the FBI to keep the nation from "sliding towards totalitarianism."

THE EARTH didn't shake very much and people went home. The next day, a soberer Mailer said he was quite serious. But with the fuss over "Marilyn," nothing much came of Mailer's Fifth Estate in 1973. Here and there, he slipped it cautiously into his speeches at colleges and came up with a more or less solid 150 volunteers.

Meanwhile, some former-agents, former-journalists and Vietnam Veterans had formed in Washington something called CARIC - the Committee for Action/Research on the Intelligence Community - with an eye to ending clandestine foreign intervention and domestic repression and staving off Orwell's Big Brother from 1984.

CARIC already has two programs under way. The Intelligence Documentation Center is a library of information on "U.S. intelligence and secret government operations available to journalists, researchers,

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scholars and concerned citizens.”

THE COUNTER-SPY campaign is an attempt to organize groups on the local level to gather the information.

Mailer read about CARIC in the *Village Voice*, got together with CARIC coordinators Tim Butz and Winslow Peck, and a natural merger was born. CARIC was working hard but wasn't famous, Mailer was famous but not working hard.

The merger, now called The Organizing Committee for a Fifth Estate, was announced Saturday night at a \$10-a-head wine and cheese party in the Newark Street home of Sam Smith, editor of the *D.C. Gazette*.

Speaking of Mailer again, Lague wrote:

Finally he mounted a stair landing to speak. With one hand on the balustrade and the other gesticulating from the elbow, he spoke at great length about himself and his cause.

“This idea came to me through the aegis of an angel,” he said, “This angel said: ‘You are the dauphin. You must ride forth and bring this idea. You must save France.’ The angel was a drunk and he meant America.

So I said, ‘Okay, anything to relieve my illimitable boredom.’”

“I think this pooling of resources is a fine idea,” he said, “The people from CARIC have brains, pluck, energy and dedication. I...I am just Phineas T. Dauphin. If this remains my plaything, nothing will happen to it. I just want to be remembered as old Uncle Norman who had something to do with it.”

Neither the *Star* nor the *Post*, which carried Bethlyn Bates' story the same day, took Mailer or his spy-catching seriously. Both stories were with entertainment news. The *Post*'s story begins:

For months Norman Miler's Fifth Estate was nothing more than a Norman Mailer lecture tour.

But then Mailer heard about (CARIC, the Committee for Action/Research on the Intelligence Community: and joined with them to form the Organizing Committee for a Fifth Estate. Now he's in business - of a modest sort - to create a nationwide, nonprofit, nonpartisan citizens' intelligence organization designed to check “technofascism,” the Big Brother state of George Orwell's “1984.”

Bates' story ends with what the *Star* did not report:

Asked about his \$1 million deal with Little Brown for an as-yet-unwritten book, he said the contract was for 700,000 words and wouldn't describe the book's contents.

“It may take several years,” he noted, “and during that time most of my speaking engagements will be for the Fifth Estate.”

So we now have Mailer with, whatever may have remained from his previous literary successes, the million dollars he was to get from still another publisher plus whatever he got from the lecture fees on which he would be spending most of his time speaking for his Fifth Estate, with

whatever assistance he got from the 150 volunteers the *Star* reported he had mobilized.

Has anybody heard anything at all about Mailer's Fifth Estate or about the CARIC with which he merged it or about anything Mailer or either group or the combination when they merged?

With all Mailer had to work with? And without a lack of funding?

In between Mailer's two pay-to-be-admitted parties for himself, the late Bernard "Bud" Fensterwald organized a conference of speeches to mark the tenth anniversary of the JFK assassination, it was to be held at Georgetown University in Washington. I declined an invitation to speak as soon as my suspicions, that it was to be a gathering of the nuts who would spout their nuttiness, was confirmed. After several more refusals to be there, when I was promised that at the beginning I would be able to try to inject a dose of rationality into the certain irrationality I agreed. And when I did just that the denunciations of me as a CIA agent were immediate.

Mailer was one of those Bud got to be a sponsor. He was there. He sat in silence in the back, accompanied by two younger and attractive women. Although I have no notes on it we did speak then and he did, apparently make an offer to help me that I accepted by getting his literary agent to take me on. This is stated in my December 19, 1973, not to Jim Lesar attached to Mailer's letter to him of December 11, a copy of which I had just gotten from Jim. I described Mailer's letter as copping out. Of one of his copouts I said that "if he has a novel in mind for 15 years and will take two more to write it must be *War and Peace*.

Mailer represented being quite impressed by copy of what in the lawsuits are called a "Memorandum of Facts" Jim had sent him. He said it "is fascinating and incidentally quite well written. I wouldn't be at all surprised if you could find a magazine to publish it. *Ramparts* perhaps, or even one of the *Playboy*-type magazines. And if you'd like help on this I'll be happy to send it to my agent who might have some thoughts on the subject."

Whether or not Mailer's agent had any thoughts, nothing came of them.

In all the many lawsuits Jim filed for me, he and I used them to make a record facts about the assassination and its investigations that would be part of our history. My friend Dave Wrone, professor of history at the University of Wisconsin at Stevens Point, said of my affidavits, which were

long, detailed, and documented, that I was writing history while it was happening. And Mailer did have his declared interest in the assassination and in taking the truth to the people.

Mailer also wrote,

“On the other hand, as far as getting together with Harold goes, I have to confess to you that it is impossible to think of another book other than the one I’m on. I have this novel I’ve been promising to write for fifteen years, a huge work, and I haven’t gotten near to doing anything more than the foundations of it now, and have made a vow to myself that I will do nothing else for then next few years.”

This from the man of those professed interests in having the people know the truth about the assassination after I had offered him the several thousand pages of FBI reports on it I had gotten when they were rather scarce and few had any copies of them.

It is also from the man who shortly thereafter, as quoted above, had said that during the “several years” on which he would be working on that novel his many speaking engagements would be devoted to the Fifth Estate. For that, and for the money he got from those speaking engagements, he did have time.

When I was invited to his party reported above from the *Star* and the *Post* I wrote him. I got no response.

That was a year after he had announced his determination to study the JFK assassination like Nader’s Raiders or the American Civil Liberties Union would do it, his organization of his “democratic police” that was “to investigate” the FBI and the CIA, to “keep tabs” on them. It was also a year in which he had nothing to show for his work or that of his “democratic police.” A year in which he had done nothing at all in the President’s assassination or its investigations. Other than to promote himself. Which meant to get more speaking engagements for which he was paid large fees and sell more books on which he got royalties.

My letter began:

It is worse than “too bad” when people engage in futilities. It can be fatal. When we kid ourselves we get Hitlers and Nixons.

I felt great when I read of your idea for the Committee for the Fifth Estate. We sure need something like it. Particularly pariahs like me. We become pariahs by doing what those who enjoy a less unwelcome status cannot or do not do.

But Norman, that was more than a year ago. And now for the

next week you are holding a benefit for the organizing Committee?

Will you have it organized and functioning in time for the coronation?

And will it spend scarce resources on such projects as Bud's lamentable counter-productivity at Georgetown? Or fail to learn that failures, as his CTIA was before you pitched in?

At Georgetown I told you that if you want to let the greasy kid stuff go, come and see me.

The CTIA was the defunct Committee To Investigate Assassination. "Greasy kid stuff" was the tag line of a then popular TV advertisement.

I reminded Mailer that at Georgetown he said he would speak to me later and after four months he had not.

After recounting some well-known political futilities he should remember I needed him a little:

Since your 50th birthday present to yourself of this still-coming Fifth Estate I have wondered if you would also talk big and do nothing. What you have done that I know of was not helpful, was hurtful, and should have cost you some money. That was the Georgetown fiasco. It required little sophistication to know it held no other possibilities...

If you dream of inventing the wheel, dream, Norman. But in silence.

We have a wonderful generation of young people. Life and the world you and I have given them will disillusion them enough and fast enough. Please don't add to it. And don't make frustrations for yourself.

It takes more than fine words and noble dreams to do something. One has to know how and then dare...

Not having taken the time to learn if I indeed have that which is now so topical, and having avoided any appraisal by others, you don't know if I bragged at Georgetown, either. Is it unfair to take this complete lack of interest as a measure of your intentions for the Fifth Estate and as a forecast of what it may and may not do - if you get past parties with it?

I concluded by repeating that there was a need for what he had announced and celebrated with his nice celebrity-starred party and done nothing else about and then said again, "there is no need for more futilities" which his Fifth Estate was, no "more self-deceptions" by or "propagandizing of the paranoid" and then I told him in Mailer-like language that all he had said, and had supported, had been involved in, was futile and empty, and was by those who equated masturbation with love.

"History is like novel writing. They're both fiction." This is what Mailer told the history students at the University of Pennsylvania. As self-descriptive, which is not what he intended, he

had proved it long before then, and he was proving it all over again in *Oswald's Tale*.

"Ultimately, nothing in history is true," he also told those students.

He has spent more than two decades proving how he has done his best to see to this being the added tragedy of the JFK assassination.

His *Oswald's Tale* that without intending it he described so perfectly at Penn is his latest effort to prove it still again.

(His book is not Oswald's tale. It is Mailer's tale. His original title was close to what his book is. That was *Oswald in Minsk*. But when we examine his book we will find Mailer was selective in what he used and careful in what he suppressed from it.

The maturity, the understanding, the wisdom and what he had derived from his experiences that qualified him not only to make these startling statements to those history majors but as he reflects it in his book, given the attention to that book and the well-established means his publisher has for getting attention will be evaluated further for our non-novelist's history.

It will be interesting if on his tour to promote the book announced by Random House prior to publication he is asked by a holocaust survivor if it is a lie that there was Hitler; if it is a lie that there was a holocaust; if it is a lie that Stalin had his own murders of his own people in the millions and of so many of his supporters; even if the Japanese attack at Pearl Harbor is one of histories lies.

He did not say some of history is a lie. He said all of it is.

It is not history that lies.

It is some of those who write history who lie.

Like Mailer.

## II "Harlot" and "Ghost"

As we have seen, Mailer regarded the CIA as the greatest of domestic dangers to the nation, so great a danger that if they paid him \$500 per person first they would be allowed to hear about and join his planned "democratic police."

A man of principle, no less; a man willing to incur official displeasure when he alleged all sorts of dastardly deeds to those officials who were offended, suspicious, wrong-headed, nazi-minded or just ordinary intelligence and police cowboys running wild in their rodeos in which people were cattle to them.

Principled and brave, a real Dick Daring, that is Mailer, so portrayed by Mailer himself.

Lacing the land with it in all his speeches, for which it just happened he got rather decent fees.

This was in 1973 and 1974. He wrote a book about these intelligence horrors, as he saw them, big book, even for Mailer a big book. *Harlot's Ghost* appeared in 1976.

In its August 16, 1976 issue *New York* magazine gave Mailer 24 pages for the text of the article he wrote for it and the entire cover except for the magazine's name. More than a third of the cover is taken up with "MAILER ON THE CIA." About a quarter of the cover reads, "A Harlot High and Low: Reconnoitering Through The Secret Government."

This "reconnoitering" was by the Mailer who had never been there. Not once. But Mailer being Mailer, he "reconnoitered" it anyway. Authoritatively, pointedly and a bit excitedly.

Underneath a half page of headlines facing the first page of his text is, in large type, "A long trail infested by the CIA's 'moles' leads from the death of Marilyn Monroe to Watergate. By this analysis, the author explores the bizarre, interconnecting burrows underneath it all."

Not bad for openers, inferring that Marilyn Monroe's death and Watergate are both CIA jobs.

On the first page, inferring again while saying there is no proof, he again has the CIA as the "producer of Watergate."

By his substitute for proof: inference, assumption and what is with him called "analysis."

Actually it is mostly rehash with a special Mailer interpretation that is sometimes

facilitated by a bit of his amateur shrinkery.

It is real penny-dreadful stuff that most publishers would have laughed at without a name like Mailer's on it, one that would numb the reviewers and commentators. To those who had no knowledge or recollection of what was live on coast-to-coast TV and on the newspaper pages three years earlier perhaps it was stimulating to read, set off with italics:

*"The Master who taught me the deadliest of Oriental martial arts taught me that the outcome of a battle is decided in the minds of the opponents before the first blow is struck. - Gordon Liddy"*

In the course of blowing up a case out of nothing Mailer gets really scholarly:

"There is a tool of inquiry provided by Lenin...ask the question: 'Whom?' Whom does this benefit? Who did the Watergate benefit?..." (page 44)

Long before Nicholai was a gleam in any eye *cui bono* was a Latin maxim and it had long been a question for lawyers to ask themselves as they thought about their cases that were not entirely clear.

It means "who benefits?"

Why attribute it to ancient Latins, if you are a Mailer, when you can excite people by attributing his version of it to Lenin?

With all the name Lenin brings to mind. All the prejudice, too.

It is but one of Mailer's of neat tricks.

Another is the powerful weapon he employs to make the nonexistent - not even rational conjecture - case that Watergate was a CIA job.

Watergate and ex-CIA spook E. Howard Hunt's wife was the bag lady for the Committee to Re-elect the President, not inappropriately known as CREEP. She died when the airplane in which she was taking the payoff to a cutoff who was to get it to those capture. That crash was near Chicago's Midway airport. It was not a mysterious crash save to those who live for inventing mysteries. *ed crashed*

Because Dorothy Hunt was on the plane, as with other aspects of the fabled Senate Watergate committee made an investigation that while extolled by the media as the best of possible investigations was much less of an investigation than was believed.

For example, with the question of the source of that crooked money so important and no record of



it having come from any bank, that derring-do committee did not get the serial numbers of the large denomination bills. Large withdrawals in cash in such denomination are required to be recorded by the banks. I got them by asking a Chicago reporter to ask the sheriff's office for them. The Chicago papers did not even seek and publish those numbers that could have led to the source of all that illegal money.

Some "investigation," official and journalistic.

But there was no reason to believe that the plane was sabotaged.

Read by the CIA.

Which is the case Mailer is phonying up.

With that for him magical "if":

"If Hunt and Dorothy Hunt had known a great deal about Dallas (which involves both the JFK assassination and in Mailerese the CIA) and were threatening to tell the world, then Hunt would not have to brood over such details. He could assume his wife's plane had been sabotaged to crash. Of course we would not be talking about anguish, but masterplots and last-reel perils. The likelihood is that Hunt and Dorothy were trapped in a smaller game, and the crash was a mixture of inefficiency, cynical maintenance and who knows? - some overloaded psychic intensity among the passengers."

C/S/

There is, naturally, not the slightest reason even to suspect, that powerful Mailer "if", that "Hunt and Dorothy Hunt had known" anything at all, leave alone Mailer's "great deal" about Dallas.

It is pretty horrible to suggest that the CIA killed an entire planeload of people and then over a major city with the added deaths possible on the ground in the thousands, just to kill one woman - a non-Mailer "if" - if it had wanted to.

But there are Pulitzer's in such uses of the tiny word "if" to give enormous meaning to what does not and cannot have any meaning at all. The whole concept is zany as well as baseless.

J/

But without them such articles cannot be foisted off on trusting readers (whether or not editors are conned when they see green that folds) by those so impressed by their omniscience that they do make fiction out of our history - for money.

However one may evaluate this childishness contrived in long words, it is still Mailer, in 1976, roughly equating the CIA with the Gestapo and the KGB, without any holocausts. (Other than that of that Dorothy Hunt planeload of innocents.)

That a be-Pulitzered writer would be so indifferent to his making such a fool of himself and so indifferent to the national harm from it is not as bewildering as it once was. But in this kind of irresponsible, immature writing Mailer was doing to his reputation what no enemy could do to it.

As it seems Mailer himself began to understand by early 1994.

The CIA then extended an invitation for him to visit and speak to them.

Surprise?

Then even more of a surprise, given all he had said about it, Mailer accepted the CIA's invitations.

With pictures the *New York Times* gave that momentous event about a full page on February 3, 1994. Under the three deck headline that reads,

Mailer Visits CIA  
And Finds He's  
With Friends. Really.

Elaine Sciolino's story includes:

Like the narrator of "Harlot's Ghost" who devised convoluted schemes to avoid detection in his spy posts overseas, Norman Mailer quietly slipped in and out of the Central Intelligence Agency last week.

Although the veteran novelist spent seven years writing his 1,310-page book on the agency and its role in American life, the visit marked the first time he had set foot in its sprawling headquarters on the banks of the Potomac, invited as part of its guest speaker program.

But why was Norman Mailer, the lifelong promoter of the left, receiving a standing ovation from a standing-room-only crowd of more than 500 officials who crammed into the bubble-topped auditorium to hear him?

#### **A Reversal of Roles**

And why did three dozen senior officers meet him afterward in the private conference room of Robert M. Gates, the Director of Central Intelligence, for a two-hour debate on subjects as wide-ranging as his definition of treason to the demise of Communism?

Had they all forgotten that this was the same Norman Mailer who between belts of bourbon at his 50th birthday party in 1973 announced the creation of a "people's C.I.A." to rein in a devious agency that he said threatened American democracy?

Forgotten, no, but perhaps forgiven. Over the years, as the cold war waned and then ended, both the author and his subject have mellowed. At one point during the long afternoon encounter it seemed that the world had changed so much that the two sides had reversed roles.

When Mr. Mailer confessed that he was not opposed to the

C.I.A. conducting "wet jobs," K.G.B. slang for murder and assassination, and that the American people would not be upset if the agency assassinated President Saddam Hussein of Iraq, one career officer in the clandestine service said he was shaken.

"It really shocked me when he said that," the officer said. "We've been so conditioned to the fact that such operations are wrong, that they're illegal. Then you hear this and you gasp."

Mr. Mailer's novel is glorification of the godless, life-and-death struggle against Communism from the mid-1950's to the mid-1960's and the men and women who waged it, a rare validation of an institution unaccustomed to accolades from the outside.

For him, the invitation to address the agency was an opportunity not only to see first hand the institution he had studied so long from the outside but also to get its stamp of approval...

The visit, as described by officers and analysts interviewed later, also seemed to be splendid entertainment.

One longtime agency official recalled that in a gushy introduction Richard Kerr, the Deputy Director of Central Intelligence, "talked about how Mailer was a World War II veteran, how he wrote 27 books, how he won the Pulitzer Prize twice, how he ran for the mayoralty of New York, how he went into the ring with Jose Torres."

"When Kerr said, 'Who would have ever thought I'd be here introducing Norman Mailer at Langley,' well it brought the house down," one official said.

Mr. Mailer surprised his audiences when he told them that even without a cold war the agency had a more important role than ever, a message that fit nicely with Mr. Gates's pronouncements that the agency's mission has not evaporated just because the Soviet Union has disintegrated.

"I told them that ideology distorts intelligence and that during the cold war they ended up being seen by the world at large as spoilers," Mr. Mailer said in an interview...

### Novel Draws Criticism

As for the novel itself, several agency officials dismissed Mr. Mailer's C.I.A. as not at all believable, not now, not ever...

One veteran operations officer familiar with American intelligence even before the C.I.A. was created after World War II said the agency was never the free-for-all that Mr. Mailer describes, not even in the days of William J. (Wild Bill) Donovan, the creator of the O.S.S., America's first coordinated intelligence agency.

"Anyone who worked for Bill Donovan knew perfectly well that you didn't run riot," he said. "Yes, he was a flamboyant man of endless ideas, 90 percent of which were wild. But in the last analysis, he was a sane, rational man, and the impression that his people were running off doing things with no sense of responsibility is not true."

A female C.I.A. analyst was more blunt. The aristocrat, larger-than-life, East-Coast, Ivy Leaguers with insatiable appetites for sex and duplicity, she said, "would never have passed the polygraph."

But when you have Norman Mailer in your presence, why quibble over facts? The audience did not dwell on the inaccuracies in their craft or on his mixing up cryptonyms and pseudonyms...

## Delight About Mistakes

On the contrary, some officials were delighted that in a world where secrecy is sacred, Mr. Mailer got it wrong. "It bothers you most when someone has a lot of sources in the agency and what is written is totally accurate," said one official who has worked both as an analyst and administrator. "You like to see inaccuracies."

Is it any wonder they loved Mailer?

There is, fortunately, only one Norman Mailer. Also, fortunately, there is only one CIA.

Sciolino asks the right question, "Why was Norman Mailer, the life-long promoter of the left, receiving a standing ovation from a standing-room only crowd of more than 500" CIA officials?

She did not have to answer this question. Her story did that.

And so we have the Mailer who was impelled to organize to oppose the CIA and who condemned all its barbarous acts, like assassination, giving the officials of that CIA a pep talk in which he "confessed that he was not opposed to... 'wet jobs,' K.G.B. slang for murder and assassination," if by the CIA.

That really shook those CIA officials up!

### III. Mailer's Assassination Home

I had ~~not~~ particular interest in collecting all the statements Mailer made about the JFK assassination and I made no effort to obtain copies of what he has run off at the mouth with relating to it for the more than two decades that my file holds some copies of his pontifications about it that amount to self-condemnations of various kinds. These range from flaunting his determination not to soil himself with any factual knowledge of the crime to making himself part of major disinformation about it, to flaunting his ignorance about what he wrote about, to his determined carelessness in what he wrote and, ultimately, to making himself part of those powerful and evil forces he condemned. He refers to these nefarious evil forces as "the establishment" and even as "the Washington Club." J/

What he may have spouted off about for the decade prior to what I cite above I do not know and have not sought to learn. That, it is clear, is not necessary. The part I have of his record of more than two decades is more than enough.

In 1973 I was so little interested in him or in what he said I did not even prepare a memo on our conversation at that gathering of the assassination nuts at Georgetown University in Washington, the nuttiness of which he made himself part and which he assisted. What I did keep and file about that makes it apparent that if not earlier he then made it clear that he would, as he then did, refuse to have anything at all to do with any effort to bring established fact about the assassination and its investigations to the attention of the public. The public it is his lifelong pretense he sought to inform truthfully.

As we have seen he then resolutely refused even to look at the rather large collection of FBI

assassination reports I had collected and have always made freely available to all writing in the field even though I have always known that most would write what I do not agree with. While he did indicate a willingness to involve his literary agent in helping those of us who had no such help he did not even do that. And that would have cost him nothing at all. If it required anything at all of him it was no more than mentioning to his agent without even the time required for making a phone call. He could have mentioned it when they were talking, as they did often.

In considering this, aside from his self-exposure as a phony in all he said about his belief that the people should know the truth, it is impossible to ignore two other possibilities. One is that all along he intended his own writing on the subject and two is that he wanted nothing that could reflect on him and that writing when that time came. And, as the CIA noted when he addressed those 500 of its officials in 1977, he had indicated in his *Harlot's Ghost* that on it there would be "more to come."

*to be what it is, Oswald's Tale rather than Oswald's Tale,*

92/

Aside from the brief note I attached to Mailer's letter to Jim Lesar I refer to above, there is but a single thing in my file that originates with me. That is the *Washington Post* I quote above on his Fifth Estate pay-me-to-attend second birthday party at which he announced his short-lived and totally ineffectual Fifth Estate. All else that I cite was sent to me.

While that far from all this slack-jawed self-importance prated and wrote, always in his speaking promoting himself, his book or both, there is a consistency in this man of soaring inconsistencies that makes it a faithful representation of both himself, his mind, his attitudes and approach and his preconceived and "safe" position on the assassination.

Contrary to his posture of being a deep thinker and of knowing what he talks and writes about Mailer's clear and unchanging position on the assassination begins with and never once changed his assumption that Oswald was the assassin.

That was only his assumption. He had no factual basis for it and he never once even suggested that he did.

Trying to dignify it and make it seem respectable as he told those Penn history students he tried so mightily to corrupt, he "decided", as Goodman wrote, "'it was likely' that Oswald acted alone in killing President John F. Kennedy - not from the evidence, 'which is impenetrable,' but 'because I got to

know his character.”

Amateur shrinkery? ESP? Or the word he likes, bullshit.

Unless we can accept that the character of a young man he never knew or even saw and long dead can be understood and interpreted perfectly by a man whose judgement it is that novels and history are the same because both are fiction and who from his wisdom states both are lies, Mailer's sole basis for "deciding" that Oswald was the assassin is his preconception - when he knew from their long, consistent and public record that no major publisher would consider a book that said anything else.

The one variable <sup>in what he said</sup> was whether or not Oswald was entirely alone, whether or not there had been any conspiracy. On that he wound up solidly with those he condemned with such vigor as "the Establishment" and "the Washington Club." If he had ever really "decided" otherwise.

If anyone <sup>the</sup> in major media at any time or in any way reported this I have no knowledge of it, no indication of it and no reason to believe that it was done at any time or in any way.

If we seek any explanations of this the most obvious is that Mailer was the major-media's boy. On the assassination on which the major media has always supported the official mythology, Mailer is not the daring man who says what others fear to say in his "exposures" of "the establishment."

He is its and the official mythology's running dog.

Even when he appears not to be he is that, resolutely that, inflexibly that.

Besides what we have seen of this, as in his futilities of those never-functioning pretenses of exposing it, like his Fifth Estate and CARIC, my file holds a few other items that bear heaving on this and on the kind of dedicated, resolute and widely-promoted phony, this pretender, this world-class, subject-matter <sup>ignoramus</sup> he remained at the time *Oswald's Tale* was making him more money from his undeviating endorsements of and services to the official mythology and his bete noire, "the establishment" and his "Washington Club."

Of all the prominent writers who have been in unflinching support of this official mythology, of all those who cast themselves in the Orwellian role of controlling the past for Big Brother to control the future, the only role in which there is fame and fortune, not one competes with this self-presented he-man Mailer in his decades-long and very public kissing of official ass.

This is also true of his *Harlot's Ghosting* of the CIA with all its excesses that make it appear to be unfairly criticized, even persecuted, to his going there and praising it for its dedication to democratic principles and its "wet jobs", urging more of them on it.

For him that was and remains more a harlot's ghost than Banquo's because it has not come back to haunt him.

He gets away with anything and everything.

As do all the darlings of "the" <sup>Establishment</sup> he condemns while doing its dirty work for it that it cannot do itself.

A small selection of this on the assassination follows. As in all instances, in them he always has Oswald as the assassin.

The first of these selections was when official dirty-workers, those I have always referred to as the "House assassins," ran into trouble precisely because they were doing what Mailer castigates as "the Establishment's" dirty deed for it.

The House of Representatives created a select committee to investigate the assassinations of President Kennedy and Martin Luther King, Jr. A select committee has to be renewed by each Congress, which also funds it. When it was in danger of not being renewed and refunded Mailer came to its rescue. As David Braaten wrote in the March 25, 1977 *Washington Star*, Mailer acknowledged that it had earned the trouble it was in. In a statement he sent to Congress and to the White House (of which the Congress, under the Constitution is entirely independent) he said that committee:

"...May be imperfect, impractical, and a demon for poor publicity, for all we know it may be riddled with undercover men. But it is the only investigating body we have in the House of Representatives with the obligation to subpoena recalcitrant witnesses on these matters and the duty to listen to witnesses who have studied the flaws in the Warren Commission report for years. By its existence, therefore the committee represents a threat to anybody who would hope to maintain public apathy about the assassinations...A clear idea of the character of the events of the recent past is essential to a democracy. Without knowledge of what happened in an event how can one debate its meaning?"

For all his prating about the requirements of democracy being "a clear idea of the character of events" Mailer himself spent no time on this in the more than two decades of his claimed interest in



the JFK assassination or in his book. He does the exact opposite, what he says would "maintain public apathy," the exact opposite of what he supported that committee for in himself never once doubting or even questioning the official mythology. And his book is based on that mythology.

In saying what he really means this Mailer was careful to stipulate that there was no "clear idea of the character of" the "event" of the JFK assassination and that "without knowledge of what happened" that committee would not bring to light what he said is "essential to a democracy."

He did this in what Braaten next quotes from his appeal to the House and to President Carter:

"If we do not know whether Jack Kennedy was killed by the demented act of an isolated man, or whether by the concerted acts of a group of conspirators who employed Oswald..."

Thus he has the committee beginning a supposed full and open investigation with his own assumption that Oswald was the assassin. Then, in postulating that "an order came to Jack Ruby" to kill Oswald, Mailer further postulates that "order came to Jack Ruby out of the chain of command that ran between the CIA and the Mafia..."

What Mailer was really talking about is a phony investigation that would confirm his "decision" that Oswald was the assassin, his preconception that it just happened to coincide with that which all earlier official investigations began, the unproven assumption that Oswald was the assassin. (This is reflected in the mostly previously secret official records with which I begin *NEVER AGAIN!* and based on those records report that as soon as Oswald was killed and there thus would be no public trial of him, on the highest levels there was a defacto conspiracy not to investigate the crime itself. Involved in this conspiracy by those records were the man then in charge of the Department of Justice, Nicholas Katzenbach, its deputy attorney general; J. Edgar Hoover, FBI director; Courtney Evans, an assistant FBI director who was its liaison with the Justice Department; Bill Moyers, then an assistant to the President-by-assassination Lyndon B. Johnson; and from the records of LBJ's phone conversation, there is the possibility that the hawkiest of Viet Nam hawks of those days, Walt Whitman Rostow, was also part of that cabal.)

In effect, Mailer's books having so long a period of gestation, he was demanding that the House assassins committee be renewed so it could lay the basis for validating what he finally birthed as

Oswald's Tale. *(As we see, it is really Mailer's Tale.)*

Whatever may have been in the minds of some of the House members when they created that committee, the men they selected to run it for them began with the Mailer/Warren Commission, FBI, CIA preconception of Oswald's guilt.

*& Mailer's endorsement of and public campaigning for that committee tells us something about Mailer and his stated belief the people must know the truth for democracy to work.*

Thanks to Mark Lane, according to his own boasting of it, that committee chose the former Philadelphia district attorney Richard Sprague to be its general counsel and staff director when it was created. Lane claims he decided on Sprague and persuaded the committee to appoint him. Sprague was, as anything connected with Lane is certain to be, a disaster.

After he had been shwashbuckling around for several weeks for all the world as though he were the king of the Congress Sprague invited me to confer with him. That conference, which lasted an hour or more, consisted of Sprague being occupied with all else, not with asking anything of me or discussing anything with me when it was known by then that I had acquired more than a hundred thousand pages of official records relevant in his investigations of those two assassinations. Sprague did not ever even ask if any of his staff could examine them.

*1 →* *4 on,* As I have always permitted anyone writing about those crimes to do *3* and to make copies of those they wanted. *3/5/*

A number of his assistants were in that room with Sprague when he had me sitting facing him from the other side of his desk while he was so ostentatiously engaged in everything but what he had, presumably, asked me to come in to do with him.

Before then I had already published *six* ~~five~~ books on the JFK assassination, one on King's, I had been James Earl Ray's investigator. My habeas corpus investigation got him an evidentiary hearing that was supposed to determine whether or not he would get the trial he never had and with that success, had conducted the investigation for the two weeks of that evidentiary hearing before the federal district court in Memphis, Tennessee.

In the few moments he could tear himself away from what he was doing rather than confer with me Sprague made not a single mention of the JFK assassination.

Just before he did ask something of me I had decided to leave rather than continue to waste

that time that way. It had already wasted the trip to Washington and half a day for me and I was then deep into all those FOIA lawsuits I had filed - to get the information Sprague should have wanted and never did get - so I did not want to waste any more time. Preparatory to getting up and going, when for a moment Sprague was not on the phone speaking to one of his assistants, I warned him that he was destroying his investigation and about to get himself fired. I remember clearly what I told him, if not the exact words. It was not very long this was recalled by one of Sprague's assistant counsel, Ken Brooten. Brooten was a Gainesville, Florida lawyer with much experience on Capitol Hill. He then was an assistant to Texas Congressman Henry Gonzalez. Gonzalez, who was a member of that committee, ~~3/8/71~~ He had a leading role in getting it established.

"The Congress is a different world," I told Sprague. "In it you do not have the liberty and authority you enjoyed as the district attorney of a great city. I know the Congress. I worked for it for four years. The way you are going it will not be long before you are cut off at the knees."

That is what happened just as I told Sprague it would. That was the easiest of predictions. It was inevitable. Sprague had left the Congress no real choice by his conduct and by his steady flow of unjustified statements to the press that embarrassed, really demeaned the House.

Then, briefly, Gonzalez was acting committee chairman and Brooten was its temporary general counsel and staff director.

The evening of the day it happened, before I had become aware of it, Brooten phoned me to tell me,

"If ever a man was Merlin, remembering the future, you were the day you told Sprague what was going to happen to him. It did this afternoon. He was fired."

Just as I was about to bid him adieu Sprague did ask something of me. Still without once mentioning the JFK assassination he asked me to meet with some of his staff assigned to the King part of their assassination inquiry.

After a couple of hours with them in a different room it was obvious that with only one exception I remember, Donovan Gay, then the committee's research director, they were all latched firmly to the official mythology of that assassination as so clearly Sprague was to the JFK

assassination official mythology. And Sprague's successor, Robert Blakey, wasted little time in firing Gay and others who displayed any interest in an independent investigation not in support of either official mythology.

The man who was most visibly determined to prove Ray was guilty of the King assassination instead of investigating it was a young former assistant prosecutor named Ozer. He was a white man who wore his curly red hair in the Afro style then popular among blacks. He was of imperial presence. Knowing nothing other than some of the official mythology he prated what he neither knew nor understood, what he argued was proof of Ray's guilt. He had no interest in anything else. It was not long before he articulated his and the committee's determination to make the nonexistent case of Ray's guilt.

Ray had not yet fired us as his defenders. Jim Lesar was still of his counsel and I was still his lone investigator, pursuing that work in federal district court in Washington in my CA 75-1996. Percy Foreman, then the country's most famous criminal lawyer, had coerced Ray into a guilty plea. In all the months he was Ray's counsel, the jail records reflected that Foreman had spent only about ten hours with him. He had spent that time not listening to Ray but trying to get him to cop a plea. As Foreman himself told Ray's brothers John and Jerry, he could not afford to spend any time on the criminal cases he took. They served, the record confirms, to attract the attention of his profitable clients in those days when lawyers could not advertise. Most of those who made Foreman wealthy were women suing their rich husbands. Not long after that futile afternoon I wasted with Ozer and the others who were uneasy saying a single thing in his presence or asking any questions about the nuts and bolts of that assassination, Ozer phoned Lesar.

As Ray's former attorney, Foreman was prevented from saying a single thing he had been told by Ray without waiver of that privilege. Not being able to say anything at all he was prevented from saying anything he made up and said Ray told him.

Ozer phoned Lesar seeking permission to speak to Foreman.

"What for?" Jim told me he asked Ozer.

"To prove Ray is guilty," he told me Ozer responded.

Truthfully, if not wisely.

In all the time I spent with those King-case people of the committee's staff most of the rest of that day, there was only one thing I was able to get a single one of them interested in. That took embarrassing them and one young lawyer in particular, before I could get him to say they should look at the stenographic transcripts I have of those two weeks of evidentiary hearings for which I had conducted the investigation and presented most of the witnesses we used. 3/

That was the only time any alleged evidence in that assassination had been adduced in any court, with cross-examination by both sides and with witnesses under oath.

Finally, after much needling, that younger lawyer came and borrowed my transcripts of those hearings with the evidence presented in them.

As it took much needling for that to happen, it was also difficult to get those transcripts back when the committee was shutting down.

It had made no use of them at all.

The evidence I had produced and was in them refuted the case alleged against Ray. Proving him not guilty was the exact opposite of what that committee wanted. So it had no use for such evidence already tested as under the American system evidence should be tested, under oath and subject to cross-examination. 4/2

That evidence was so clear that in denying Ray the trial he was supposedly entitled to under our system of justice, Judge Robert R. MacRae had actually stated in his decision that guilt or innocence were not material to what was before him - whether Ray had entered his guilty plea knowingly and voluntarily (and all the evidence is that he had not, had been coerced) and whether Foreman had rendered him effective assistance of counsel. (Foreman had in fact neither made nor had any investigation made and he had not adduced the testimony I, a nonlawyer was able to produce for the defense that had no funding at all. It was an unpaid, pro bono defense. 3/

The House assassins did manage to lose one volume of the transcripts I had loaned it. Fortunately, someone had made copies of them without returning my copies. So the volume lost was replaced by copying the copy.

on up in space

Mailer had referred to the committee as "imperfect, impractical and a demon for poor publicity." To a large degree I was responsible for that.

Sprague had invited me in one more time and that one time I went again. It was as much a waste of time as before. That time Jim Lesar was with me. After that second session with Sprague I was convinced he would not conduct any real investigation and decided to have no more to do with it.

When Blakey replaced Sprague he stopped all those wild and unwise statements coming from that committee. In fact he insisted as a condition of employment that each and every staff member sign an oath of permanent silence. He alone could speak to the press. The others would be fired if they did. When the hearings under Blakey began it was apparent from the first that his idea of investigating the assassination of the President was to debunk all who had written critically of the Warren Report.

All with a single exception. I was that exception.

Blakey began each public session with what he styled his "narration" of what the evidence adduced in it would establish. Each hearing thus began with Blakey's version of what the critics he named had said. He could not have been more obvious in telling the country, the silent House in particular, that he was conducting an investigation not of the crime itself but of the critics and criticism of the official mythology.

Not a single reporter or media element ever reported this, obvious as it was.

Once this was apparent I was the source of that "poor publicity" as that committee's "game" was being so "badly played," as Mailer had it out.

I never once asked for any anonymity. Some papers cited me as their source, some did not. But I was the source of strong and entirely unrefuted criticism of that committee in the *Washington Post*, the *New York Times*, the *St. Louis Post Dispatch* and a number of other papers.

*Blakey*  
He never once mentioned my name or my published work at his hearings.

Of all the many widely-published exposures of what Blakey and his committee were doing, of all the direct assaults on his and its integrity and intentions for which I was the unhidden source, what may have embarrassed Blakey most of all is what he did not go into when he had as a witness the late Oliver Patterson, a "symbol" FBI informer.

To the FBI its "symbol informants" - it detests the <sup>word</sup> "informer," which is what they all are - is one who has served a period of probation, usually about six months, after approval of that tryout period by FBI headquarters. From the beginning that informer, who is paid by the FBI, is identified by a symbol. The symbol is composed of three parts, it is an <sup>usually</sup> arbitrary four digit number assigned by the field office. It begins with the two letters that are the letters by which that field office is known inside the FBI. It ends with another letter or letters. Thus an informer for say the FBI's Birmingham, Alabama office has a symbol that begins with the capital letters BH. This number then has four digits. If he is a criminal informer these numbers are followed by the letter "C." If a political informer, and the FBI never uses this accurate description, the letter is "S" for "security." And during the probationary period the letter "P" precedes the concluding letter or letters.

Oliver Patterson became an informer for the FBI's St. Louis office when he was a member of the right-wing militant and well-armed and trained "Minutemen" who were capable of and suspected of violence. From another Minuteman who was one of its "network directors," I obtained some of their training manuals and propaganda. Under its organizer/fuhrer, Robert DePugh, it did turn out solid information on everything from spying to shooting and making and using homemade bombs. When he was a Minuteman informer the FBI asked Patterson to penetrate the legal defense of the two Ray brothers, John and Jimmy. He did and he reported to the FBI on those legal defenses. That should have been enough to get both cases thrown out of court but <sup>in</sup> neither case did it.

As an FBI symbol or official and paid informer Patterson participated in and influenced St. Louis city council decisions on such things as housing as the more virulent racists wanted them influenced.

But I did not know these things when Patterson became an informer for me.

That began in the most improbable and unlikely of ways - when Oliver provided transportation and company for Jerry Ray after Jerry had been subpoenaed Blakey's House assassins! What Jerry did not know is that Oliver had also been subpoenaed to testify before those House assassins that same trip. When Jerry got Oliver to stop off and visit me on their way there, as I had years earlier with Jerry, I established a friendly relationship with Oliver.

They shared a hotel room in Washington and when Jerry was not there Oliver stole from Jerry what he gave the House assassins that it used to embarrass Jerry and to help phony up the case it ended phonying up ~~if~~ his and John's alleged by but entirely non-existing involvement with Jimmy in the crime Jimmy did not commit. *of/*

Strangely Jerry did not come to hate Oliver after that. Also ~~Strangely~~ as it then seemed but for a reason later learned, Oliver was willing to give me a written privacy waiver so I could use FOIA to get the FBI's records on him. What the FBI gave me was not all of them, as the records it did give me proved. *lc*

But what it did give me explained Oliver's willingness to become an informer for me and to give me that privacy waiver.

The FBI claims it never exposes the identity of any of its informers or sources without their permission and approval. In Oliver's case it not only did not seek and get his approval - it ignored his written demand that he not be exposed.

It is true, as the FBI claims, that exposure of its informers can lead to their injury - even to their being killed. Oliver had a legitimate reason to fear that - more from the Minutemen than from the Rays. The Rays, in fact, never even broke off from him. They remained in friendly contact.

I learned this and more from the records the FBI gave me.

They reached me just as I was leaving to speak at a university in Illinois about 30 miles east of Davenport, Iowa. I do not remember its name. As usual, I arranged to get there the day before I was to speak so that students, faculty members and others could if they wanted speak to me.

A blizzard and I got to that city at the same time. I had no visitors that day other than a few students from the group that had gotten the university to invite me. So I used that day to go over those of its Oliver Patterson records the FBI had given me.

That night, despite the depth of snow and the harsh and cold wind, the auditorium was filled. In the course of my talk I began to tell the students this Oliver Patterson story. To my surprise who stood up and identified himself before all those students so many of whom were black but Oliver Patterson himself!



It created a mild and unexpected sensation. If any of those students suspected that I had rigged it, I had not. I was more surprised than they.

Despite the blizzard Oliver had decided to drive up and listen to my speech. He was accompanied by his then girl friend who I'd never met, Susan Wadsworth. And when the speech and the questions following it were over Oliver came up and insisted that I go with them and have a drink. He drove us across the Mississippi to Davenport and to a motel with a good bar and decent food. We ate, drank and talked for several hours. Having spent several hours fighting the blizzard to get there, Oliver and Susan then drove back to St. Louis over the plowed roads still heavy with snow.

While we ate, drank and talked, Oliver added details to what the FBI's records reflected of his intrusions into domestic political and racial matters while he was a paid FBI informer. So when I was home I phoned the Washington bureau of the major St. Louis paper, the *Post Dispatch*. It had already gotten some page-one stories from me, its bureau was glad to borrow those FBI Oliver Patterson records. In the end the papers got a series of four page-one stories from them that it also syndicated, making in some instances of which I was sent copies, page-one stories in the papers that subscribed to the *Post Dispatch's* syndicate wire.

And Blakey, supposed demon investigator that he was, armed with what no private citizen has, subpoena power if any agency or private person refused to cooperate, had not gotten from the FBI what the *Post Dispatch* had used and more that did not make sensational headlines for it like the proof that Oliver had penetrated both Ray defenses and the indication that he was not alone in having done that for the FBI.

Which at least in theory was what Blakey and the House assassins were to be investigating.

That committee had had access to Patterson in St. Louis. They had access to him in Washington before he testified and when under oath he testified. But it had no interest in any real investigation and it made none so it had no interest in any aspect of what Oliver had done for the FBI that was so very wrong for it. Including penetrating the Ray defense, which could have gotten those cases thrown out of court and those charged freed.

(This did happen in a Detroit case when I gave defense counsel copies of some of the Minutemen

records I had gotten from my private source who was then one of its network directors. The FBI informer over whose improper activities that Detroit case ended with the case against them thrown out of court, with those defendants freed, also, according to other Minutemen information I had, enjoyed and additional and spectacular career. The Minuteman boasted that he had been responsible for the blowing up of the Greenwich Village townhouse in New York City in which a leftist and violence-prone offshoot of the Students for Democratic Action were making explosives. That Minuteman/FBI informer Larry Grathwohl merely gave them the wrong instructions and then absented himself. Those wrong instructions caused the explosion. Grathwohl later surfaced teaching police in California. I have a thick file on him and of those Minutemen records I loaned the FBI.)

So, not without what for him was cause, Blakey did not like me.

Once, when as always, Blakey was unable to respond to these widely-reported criticism of him and what he was up to, my name was used as the source of that criticism. That was when Blakey came as close as he could to making any response at all. It came out this way:

“Weisberg? Weisberg? He can kiss my ass.”

The *Washington Post's* JFK assassination expert, George Lardner, who had printed many of the stories critical of Blakey and the way he was running his committee, phoned to ask me if I minded his using what Blakey had said verbatim. I said I thought that was fine. He used it, verbatim.

So Mailer was right on two counts in his prepared statement and in his letters to the House and to the President. That committee's was officially “the only game in town” and it was “being badly played.”

We have seen a little about what kind of “game” that committee was playing, the kind of disinformational game that was intended to support the official assassination mythologies to the degree possible.

So it could continue playing that game, the same game that Mailer was playing and continued in his *Oswald's Tale*, Mailer did enlist significant big-name support for it. Those identified by name in Braaten's story are:

The writers, whose names were listed in alphabetical order after Mailer's, are Robert Bly, Malcolm Cowley, Will Durant, E.L.

Doctorow, Allen Ginsburg, Doris Kearns Goodwin, Richard Goodwin, Francine du Plessix Gray, John Hawkes, Shirley Hazzard, Joseph Heller, Larry King, Stanley Kunitz, Joyce Carol Oates, William Phillips, Richard Poirer, James Purdy, Dotson Rader, Muriel Rukeyser, Francis Steegmuller, Wallace Stegner, William Styron, Hunter Thompson, Kurt Vonnegut and Richard Wilbur.

This was a truly impressive representation of major writers of that day.

And the committee's life was extended. With this assist from Mailer it continued its rewriting of our history, a la Orwell, and in that helped along the future prospects of Mailer's book in which he agrees with it and with the other government investigations in ordaining Oswald the assassin.

In his story Braaten added another part of Mailer's consistent career of supporting disinformation about the JFK assassination. As was not unusual, those to whom Braaten reported he was lending his support pretended to the exact opposite, to bringing information to light.

"Mailer took the occasion [of his press conference in support of the House assassins] to announce he had joined the Cambridge-based research organization called the Assassination Information Bureau."

The AIB may have been a bureau but it did not "research" the assassination and what it overloaded the campuses and the media with was not "information."

It practiced what other critics articulated, if it embarrassed the government it was legitimate and to be used as widely as possible, without regard to whether or not it was true. The AIB's speakers creamed the college lecture circuit. Nobody sticking to fact could be as exciting as what they made up was. So the colleges wanted only them and they spent several years keeping themselves and their disinformation going by misleading and misinforming a major segment of the college generation of those years and all others they could and did reach.

By their excesses, by all they alleged that was neither true nor possible, they enabled the FBI and other agencies to quote them accurately and defended themselves by proving, as was child's play, that the AIB alleged was neither factual nor in many instances even rational.

Some of those AIB young people are bright and well intended. Some thought they were but were not. One work of fiction that was to them nonfiction was *the Yankees and the Cowboys* "solution" of one of the AIB's founders and leaders, professor Carl Oglesby.

But the House assassins committee was tough competition for the AIB. It moved from

Cambridge, Massachusetts to Washington where it accomplished no good with either the committee or the media and where it finally came to an end, that committee putting it out of business.

The AIB did not assume Oswald was the assassin but with the multifaceted disinformation it had been circulating effectively for several years it became an important unofficial adjunct to the official assassination disinformationists in the government.

It did reach many and it disinformed and misled them all except on the one point, the official claim that Oswald was the assassin. But that the AIB did not agree with that part of the official mythology made their disinformation more effective. They, before and with Mailer's help, were the major unofficial source of the assassination disinformation of that era. They were exceeded only by the House assassins in the dissemination of assassination disinformation and misinformation.

Mailer, as Braaten's report alone makes clear, was part of both of this major disinformation of that post-Garrison era. He was part of the two major sources of what led people to believe what was not true about the assassinations.

That was and it remained, as it had earlier been, Mailer's assassination home.

Saying that Mailer had found his home is a figure of speech. He did not just find it - it had been there all along - snug in an <sup>Establishment</sup> back room. While he was seeming to berate it it was seeing to it that he got all the attention possible, the more extreme his proclamations, the more attention it, including his "Washington Club," gave him so that he could do for it what he did what it could not do for itself.

SW As which he did.

As in his always stating that Oswald was the assassin without even pretending until he was winding up with *Oswald's Tale* that he even looked at the actual official evidence, we will come to the kind of ~~book~~ <sup>book</sup> he then wrote.

ll As in the decades of attention he got for his "decision" - his decision for him being superior the actual evidence. ~~That~~ Oswald was the assassin, as his Establishment and his Washington Club want believed.

As in his great excesses about the CIA, especially in his *Harlot's Ghost*. (It would have been titled more appropriately had it been *Harlotry's Ghost*.)

As in his winding up praising the CIA as the most democratic of institutions and encouraging it to more assassination. For which the *Times* among others of his Establishment lavished so much attention on him and what he then said.

And as he did in so many other matters, winding up doing it all over again in *Oswald's Tale*, which is actually what he did not intend, *Mailer's Tale*, as we shall see.

Mailer had not only then just found his home.

He'd been there all along - with his Establishment and his Washington Club.

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~~XXXXI~~. Three Postscripts, Two by Mailer

Ben Bradlee's autobiographical *A Good Life* (Simon & Schuster, 1995) got about 2 1/2 pages in the Post's Style section 9/17/95. Most of the article is on the publication of The Pentagon Papers by the Post after the NY Times was <sup>pro</sup>hibited from publishing them. That was, without doubt, an ~~act~~ act of principle and of courage, a daring and ~~a~~ risky public service of great importance. As an editor Bradlee was a real pro in every way. The Post's Watergate reporting is another illustration of courage and principle. But in reporting Watergate the Post, which means Bradlee, was careful not to push for more than getting rid of Nixon. There was more it could have published that I gave it that it did not use, CIA involvements. While I have no knowledge I believe the thinking, whether or not Bradlee's, was that impeachment would be too hard on the country. And thus Reagan and Bush dared do what deserved impeachment and got away with it, disasterously for the country.

As I read the Post's <sup>of</sup> article some passages reminded me of the past and I highlighted a couple of them. Speaking of publishing The Pentagon <sup>o</sup> Papers:

"Not publishing the information when we had it would be like not saving a drowning man, or not telling the truth. Failure to publish without a fight would constitute an abdication that would brand the Post forever an Establishment tool of whatever administration was in power..."

"...Kathryn (Graham, <sup>major</sup> owner and publisher) had show guts and commitment to the First Amendment..."

"I wanted to publish because we had vital documents explaining the biggest story of the last ten years. That's what newspaper do: They learn, they report, they verify, they write and they publish."

When the Post (as did the NY Times) knew in <sup>o</sup> advance of The Bay of Pigs and it was asked not to use the story, it killed that story. If it had paid any attention to the <sup>N</sup> proceedings it would have gotten wind earlier. So, was it less "an Establishment tool" that it would have been with The Pentagon Papers? *Or was with the assassination,*

When I published Whitewash for general distribution in early May, 1966 I took copies to the Post. I also took and showed both managing editors, Bradlee and Al Friendly, the only and incomplete references <sup>by the FBI</sup> to the assassination in the five volumes of the special report on it ordered by LBJ the night of the assassination. Two sentences in five volumes! Without mentioning all the known wounds or the third man wounded and not even giving the cause of death!

That turned him on. A story on the book was assigned to Dan Kurzman. In a few days Kurzman told me, "Kid, you are in! It is a helluva book!"

Then it was decided to ask question of Howard Willens of the DJ criminal division and formerly No. 3 on the Commission staff. The Post liked him. I sat down in the



newsroom and typed a single page of question off the top of the head. Kurzman and Larry Stern, a liberal reporter by reputation and an excellent reporter, saw and questioned Willens. When they returned Stern went in to see Bradlee and I think Friendly and Kurzman came to me and again said, "Kid, you are in! He had no answer for anything."

Kurzman had read the book and was ready to write. But the next time I was in he was no longer with the Post. I do not know that there is any connection and what I heard means there was no connection. I heard he had been given generous severance pay to leave and that he left over a story on the Dominican Republic, then run by the strong man Samoza.

Dick Harwood, fresh from the Chicago Tribune, was in his place. He is not friendly. He is still with the Post and for some time had moved upward on it. When Harwood's story appeared it was run across the top of the front page and was long inside. Almost all on Epstein's Inquest. And his defense of the FBI.

To the Post this was no breach of faith.

The Post's then book-review editor, if I recall the name correctly, was Geoffrey Schmidt. He told me he'd read his copy, liked it and was reviewing it. When it did not appear I went to his office. He was not in as I now recall but his secretary was. She told me he'd done a review praising the book and reporting some of its contents and that Bradlee had killed the review. The Bradlee explanation is that Schmidt did not know enough to read the book critically.

That must be true of all who do any reviews at all for the Post because none of my books has ever been reviewed in it. *As mentioned.*

Nor has any news story except on a reporter's initiative. No story has ever been assigned by any editor. For all the FOIA litigation I recall only two stories and I interested the reporters who covered <sup>three</sup> any court proceedings, each one time.

When I charged the FBI with perjury that was not newsworthy (nor was it to the NY Times, as Hedrick Smith told me, another in its Washington Bureau agreed with him.).

Most of the Post's critical stories on the House assassins were my idea and the Post and Gardner liked those ideas.

They've used me extensively and I've been willing and not misused or misquoted. All under Bradlee. Who was always friendly enough when he saw me in the newsroom. But I think his claim not to have been an Establishment tool is properly somewhat limited. *It did not include the assassination of the President who'd been his friend.*

Jeffrey Frank of the Outlook staff gave the book review editor, Sunday, a copy of Case open. She did not use it. Nor has she NEVER AGAIN!

It also did not report our getting honorary degrees. *and so much else.*

*HW 10/11/95*

"The Holocaust and the Historian," Lucy S. Dawidowicz  
Harvard University Press 1981

The first law for the historian is that he shall never dare utter an untruth. The second is that he suppress nothing that is true.

CICERO

## AFTERWORD

From the evidence offered in this book on one subject—the destruction of the European Jews during the Second World War—it appears that writing objective history is a consummation desired more often than attained. Even nowadays, when scholars pride themselves on the advanced skills of their craft, historians do not always turn out to be reliable guides to the recovery of the past. The obstacles to writing objective history reside within the historian himself and sometimes in the society in which he lives.

One of the fundamental elements that mold the historian's personal identity is the sense of belongingness to a people, a nation, a country. More than 2,000 years ago, Polybius conceded as a regrettable necessity "that historians must show some partiality to their own countries."<sup>1</sup> Nevertheless, he cautioned against writing untruths in behalf of one's country. While Polybius's methodological strictures are no longer the criteria used in modern historiography, this particular advice still retains its moral energy.

Every people has used its history to justify itself in its own eyes and in the eyes of the world and every people has enlisted its historians to that end. History has traditionally been a partisan or an accessory of national policy. When nationalism became a driving force in nineteenth-century politics among peoples striving for nationhood as well as among those who had already achieved it, history was called on to shape national consciousness and historians were called on to provide the

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shaping materials. Rousseau advocated patriotic education to rear the nation's children to love of country. Inculcation of knowledge of their country, of its traditions and history, would make them "honest citizens and good patriots." Michelet and Guizot, each in his own way, used history to extol France for its intellectual and political traditions and achievements. Treitschke and Ranke, for their part, put their craft at the service of the German *Machtstaat*. Nikolai Mikhailovich Karamazin, Russia's first national historian, glorified imperial Russia even over the grandeur that had been the Roman Empire.<sup>2</sup>

Among the Czechs, the Serbs, and the host of nationalities submerged in the Hapsburg, Ottoman, and Tsarist empires, the poets and the historians became the chief molders of national identity. They articulated their people's aspirations for liberty and independence. They used history as an adjunct of politics. Jewish historians too, like Graetz and Dubnow, imbued their histories with a powerful sense of the unity of the Jewish people through time and space. In a time of accelerating anti-Semitism, they used history as comfort and consolation, impressing upon their Jewish readers their belief in the continuing viability and creativity of Jewish religious, cultural, and communal traditions. Everywhere, in the words of John Morley, "the historian has been the hearth at which the soul of the country has been kept alive."<sup>3</sup>

Nowadays, in countries where historians are free to pursue any historical investigation that interests them, they are less likely to make their work a validation of national policy or a passionate statement of patriotism. The war in Vietnam definitively effected such a change in the United States; the Algerian war did so in France. In Germany the impact of the Third Reich on historians loosened the traditional ties between them and the state. Nevertheless, though professional historians are nowadays more detached than their predecessors, they are still bound by ties to their country and their people, perhaps especially when they take their country to task for its moral shortcomings in war and peace. For attachment to one's roots is an abiding element of the personality and the historian is not exempt from such attachment.

National identity is not the only factor that shapes the historian's personality. "It is astonishing," Herbert Butterfield

noted in his critique of the liberal bias in British historiography, "to what extent the historian has been Protestant, progressive, and whig, and the very model of the 19th century gentleman."<sup>4</sup> Another English historian has advised readers to "study the historian before you begin to study the facts."<sup>5</sup> For besides the ties that bind him to his people and his nation, the historian retains ties of love and faithfulness to his religion, his language, his family, his class. His home, his upbringing, his education have inculcated in him beliefs and values that govern his thoughts and his acts. This complexity of subjective elements affects the kind of history he writes, the choices he makes in subject matter, the intensity of his involvement in the events of the past he is constructing, the sympathies or antipathies he holds for certain historic figures. These subjective elements may, to be sure, provide the very qualities that endow the historian's work with character, distinctiveness, and vitality. Yet they have the capacity also to implant bias and prejudice in the historian's conceptions, to warp his historical judgment, to cause him to distort the events of the past and to misrepresent the men and women who took part in them, or altogether to overlook them.

The responsible historian, conscious of his predilections, his indifferences, and his dislikes, conscientious about his self-imposed mission to construct the past as it was, strives to offset his subjectivity. To compensate for the inadequacy of his experience and the limits of his vision which create the pitfalls of subjectivity, he relies on the discipline of his craft, on the methodology of writing critical history. The historian's craft obliges him to rigorous readings of documents, fair selections of significant data, and honest deliberation. It compels him to divest himself of bias, though not of empathy. The responsible historian knows that, like unthinking devotion, commitment to dogma interferes with the pursuit of historical truth. By distinguishing between "apologetic" history and "conscientious" history—Lord Acton's distinctions—the historian can attain his goal of writing objective history.

History is a discipline dedicated to the recovery of the past from the black pit of oblivion. To fulfill this task the historian must pursue truth. This historical truth is not, of course, truth in the sense of eternal verity, absolute and unqualified. The

pursuit of truth in writing history entails the obligation to construct the past with the utmost accuracy, without misreading the documents, without misrepresenting the events of the past, without falsification. The historian's task is often to uncover and expose fraud and deceit as it existed in the past and in written history, to bring to light suppressed facts and documents, to lay bare documentary forgeries, to strip away the accumulated overlays of myth and legend upon the past. "The morality of historians," said Lord Acton, "consists of those things which affect veracity."<sup>6</sup>

The authoritarian and totalitarian societies that flourish in our time have suffered no dearth of historians who have been willing to subvert their craft in the service of political dogma. In the Soviet Union and in Poland, as this book has shown, there is a sufficiency of historians who are prepared to falsify history in their national interest. Those who do so convincingly are well rewarded, but those who write history with moral integrity and with respect for professional standards have been punished. Aleksandr Solzhenitsyn's *Gulag Archipelago* testifies to the fact that gathering historical documentation in the Soviet Union is a sacrificial enterprise and that the even more challenging task of using that documentation for a truthful historical account of slave labor in the Soviet Union is practically a suicidal enterprise.

Lying in history can also take more devious forms than the outright falsifications or obliterations of the past that characterize Communist or Nazi historiography. In his search for explanations to account for how things came to pass, in his investigation of causes and effects, the historian assigns historical responsibility for the events of the past. This aspect of writing history, like other stages of historical scholarship, demands intellectual integrity as well as methodological rigor. In times long past, chroniclers used to attribute responsibility for the course of human events to the wheel of fortune or the hand of God. In more sophisticated times, historians have found more sophisticated substitutes for the *deus ex machina*. Under the influence of German historicism and then of Marxist historical materialism, as we have seen, historians assigned responsibility for certain events not to the men of history who acted, governed, and legislated, who made war and peace, who con-

spired and revolted, who agitated and educated, who tyrannized and murdered, but rather to "vast impersonal forces," beyond direct human responsibility. The phrase, which is T. S. Eliot's, has been used by Sir Isaiah Berlin as an epigraph to his classic essay "Historical Inevitability."<sup>7</sup>

By attributing historical responsibility to the medieval mind, the Renaissance spirit, the Industrial Revolution, mass culture, secularism, or inevitability, some historians have managed to evade the attribution of human responsibility for the occurrence of historic events. But the Renaissance spirit was, after all, created by individuals and that spirit, once it became a historical phenomenon and a cultural presence, could act as a historic agent only in relation to human beings. The historian who assigns causal responsibility to those "vast impersonal forces" rather than to the movers and shakers who made events happen has abdicated his professional obligation, for if he cannot locate the human factor in explaining historical events, he cannot then decipher the import of those events. History is at bottom an account of what men did and achieved, and the historian's task is to untangle that meshwork of human character, behavior, and motive whose intertwining creates the very material of history.

Morality in history has less to do with the historian's judgments about the actors in his historical drama and more to do with the historian's ethics in dealing with his historical data. "The morality of history-writing," according to G. J. Renier, "is exclusively methodological."<sup>8</sup> To maintain his intellectual integrity the historian is required to discipline his biases, though not to divest himself of his values. To preserve his intellectual honesty, the historian must apply the same kind of skepticism with which he regards all historical sources to whatever religious or political dogma claims his allegiance.

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in addition to laying each country waste we incurred hundreds of thousands of casualties, increased our bankrupting national debt enormously, and in each case the immediate cause of each of those wars was the refusal of those we put in power to agree to the election mandated by the Geneva convention settlements for those lands. Our mendicants who ruled the lower parts of each of the countries knew very well they would not win those elections and therefore made them impossible.

These are truths our children are not taught and our political leaders ignore. The newer breed of politicians of the right may well be ignorant of these truths as they are so ignorant of so much that is basic and true from their political spoutings.

Yet with Viet Nam as an example, there was JFK's so-called "intellectual general, James Gavin. When I interviewed him thirty years ago he was quite explicit in detailing how JFK planned to end our involvement there after the election he did not like to win.

by no means are all our retired Navy top brass like my high school friend and the Oliver Norths or like the Admirals Anderson and Burke. Many of them, joined by a great number from the other forces, establish their Center for Defense Information. With a careful eye on actual national defense needs they try to educate the people and our political leaders of the enormous waste and the dangers of the most costly and unnecessary military programs created and pushed by those who today control the military. But the media is more like an arm of errant government, including its military, and the CDI gets scant attention in its efforts to tell the truth about the actualities of the military and their programs so that the people can know and so that our democratic system can work as intended by our founding fathers.

There has been great fear of the military since before our Constitution was adopted, that far back.

Their efforts to inform the people in those early days of the most primitive communication were centered in a series of essays written Alexander Hamilton, John Jay and James Madison. They were later collected and published as a book with the title The Federalist Papers. In the twenty-fifth of these Federalist papers Alexander

add to Waketh Afterwörd, at end or after Arleigh Burke insert, either with extra space

This should not be taken to mean that all of our top military leaders ache for wars, declared or undeclared or for world domination. That is not now true and it has never been true.

Beginning with our first great general, George Washington.

His urgent advice to the new nation in his "farewell" address was to "beware of entangling foreign alliances." Yet despite his advice precisely those kinds of foreign alliances have been national policy and the policy of much of our military leadership for the past century.

In more recent years our military trained and indoctrinated most of those who with the aid and support of our military established military dictatorships throughout Latin America. In this they had quintessential political support.

All of these "entangling foreign alliances" were disastrous for the peoples of those countries, without a single exception. In more recent years Chile is the most egregious example in South America. It went from the most democratic of countries to the most vicious and murderous of military dictatorships. This is also true of its large neighbor, Argentina, although unlike Chile it was not a model of a democratic society before the military overthrew overh overthrew the sort-of democratic government that succeeded the Peron military dictatorship.

In Central America in which we have always meddled, under the administration of former General of the Armies Dwight Eisenhower we overthrew the democratic and democratically-elected Guatemalan government on the false pretense that it was communistic. That cost the lives of almost 150,000 innocent Guatemalans and desolated that land. In Nicaragua, when the Somoza military dictatorship we installed was ended we supported the military coup against the democratic and democratically elected Juan Bosch government. In El Salvador it was much the same and countless thousands of El Salvadorans lost their lives to that military dictatorship.

military

The history of our illegal involvements in Korea and S Viet Nam, both our wars fought without the Constitutionally required declarations of war by the Congress,

Hamilton, writing about the military of those days and of the future, said:

...For it is a truth, which the experience of all ages has attested, that the people are commonly most in danger when the means of injuring their rights are in the possession of those of whom they entertain the least suspicion"

(quoted from the 1961 Mentor edition of the New American "Library of World Literature, Inc.)/.

In those days it was pretty much the military alone but with the enormous expansion of the means of communicating it is today the military with its allies, allies who include the intelligence agencies and industry along with the major media that consistently fails to inform the people truthfully about those major issues that are of such importance to the military-industrial-intelligence complex

But in fairness to those of the military who like those of the GDI are for both genuine national security and for peace it should be understood that not all our military, now and in the past, were those of the LeMay, Anderson, and Burke mind, are not those who could have been successful and content under Hitler or Stalin if not under Genghis Khan and Attila.

Auckland, 28 June 1995

Dear Harold

This will have to be a very brief note, I am currently swamped with work I am doing to get briefing papers into the hands of various education lobby groups and other professional associations in an effort to stall the government's plans to dismantle the LINK programme and along with it the jobs of transition education staff in high schools and tertiary institutes.

I had a very good meeting in Dunedin last weekend, fruitful and successful in terms of what we wanted to get done, but exhausting. We started work on the Friday evening and carried through until the Sunday afternoon. We went out to a restaurant for a meal together on Saturday evening but we seemed to talk about the meeting most of the time! On Sunday evening we out of town members returned to our homes. I had a window seat on the plane coming back and saw the sun setting over the alps, a beautiful sight, snow topped peaks and ridges and clouds all tinged different hues of red and pink.

I enclose the story that the "Harbour News" ran in its issue today. It was two weeks late in coming out because the journalism student who wrote the article missed her deadline. I have put the starting date for the course back by a week to give people who read the article more time to enrol.

Do you have any more material on the brown paper bag that is accessible? Would it be possible for you to send me copies of any of the testimony that related to this bag, or to the package that Oswald carried with him to the TSBD, such as by Buell Frazier or his sister? What you have sent me so far are some FBI memos.

In great haste, I really must fly. Going away for the whole weekend like that has made me even further behind with everything than I was. I am thankful the meeting I was to going attend in Wellington next weekend will now be covered by a teleconference.

With much love and best wishes to you and Lil.

Yours,  
Dan



# At last, Robeson to enter College grid Hall of Fame

SOUTH BEND, Ind. (AP) - Paul Robeson was the greatest football player of his time, a renowned entertainer and a scholar. But he is best known for being what he really was not - a communist.

For nearly 50 years the former Rutgers player and first black to win consecutive All-American honors (1917-18) was shunned because of his political beliefs and efforts to win equal rights for blacks.

Now, 77 years after his final season, Robeson is taking his place in the College Football Hall of Fame. He and 12 others today are to be the first class of inductees enshrined in the new hall in South Bend.

"My father always believed, he didn't worry about whether the appropriate or the full recognition would come during his lifetime," said Paul Robeson Jr., who will accept the honor Friday for his father, who died in 1976.

"He knew what he had done, why he had done it and he knew eventually he would be (recognized)," he said. "That's all he ever expected and he was right."

Robeson fought for equal rights for blacks beginning in his Rutgers days and developed a reputation as a leftist. When he refused to denounce communism or the Soviet Union, he was labeled a communist.

In the era of McCarthyism and the Cold War, few wanted to be seen as a Robeson supporter. While other greats took their place in the Hall of Fame, Robeson was passed by. He wasn't even on the first ballot in 1951.

"This was the McCarthyism era, and American society had a phobia about radicals," said Ritter Collett, sports editor emeritus of the Dayton (Ohio) *Daily News* and a current member of the Honors Court, the National Football Foundation's 12-member selection committee.

"We have come, in successive years, to view that in a different light, especially as it relates to black radicals," Collett said. "It was only the radical element in American society that was trying to do anything in a legal sense for blacks at that time."

Robeson was neither surprised nor angry at his exclusion, his son said.

Robeson also graduated Phi Beta Kappa and was the valedictorian of the class of 1919. The son of a former slave, he worked his way through Columbia Law School by playing in the American Professional Football League.

Robeson gave up a law career to be a singer and actor, and he entertained all over the world. He played Othello on Broadway and his signature song was, "Ol' Man River."

The other inductees are: Jim Brown, Syracuse; Chris Burford, Stanford; Tommy Casanova, Louisiana State; Jake Gibbs, Mississippi; Rich Glover, Nebraska; Jim Grabowski, Illinois; Jim Martin, Notre Dame; Dennis Onkotz, Penn State; Rick Redman, Washington; Billy Sims, Oklahoma; Mike Singletary, Baylor; and former Arizona State coach Frank Kush.

Those of you to whom I'll send this are too young to remember the Robeson of the period covered in this story. I did not see this story in today's Wash. Post. This clipping is from our local newspaper, morning paper, today's, 8/25/95.

Robeson was a pre-McCarthy victim. As many others also were. While it is largely true, as Collett says, that it was only blacks who then tried to do something for blacks, it is not entirely true. While it is also true that many people were afraid in those days, all were not. When Robeson went to Washington to address a peace meeting in about 1940 and to sing to it (~~now~~ many songs in foreign languages) the hall was overfilled. I met him at old National Airport, which was where the Pentagon now is, drove him around and to the home of friends of his who were on the Howard faculty. We had a chance to talk some. We also talked as we walked from the hall to where I'd parked the car, several

blocks away. Beautiful as his singing voice was, from my recollection his speaking voice also was. He was a very big man, not fat, large, with a large frame. All he carried to and from the meeting was a small square box in which he had what he used for his throat or voice. It was not much more than three inches square. Old Man River was the title of an operetta song, not of the operetta itself. I'll add I do not now recall the operetta title. There was a fourth and more radical if not for the era revolutionary albeit entirely American fourth verse he told me he sang when he could but was not used in the commercial presentation. He was famous for that song; but I think it was not really a signature. There were many other roles for which he was famous. One was the title role in "The Emperor Jones." We have an original pen-and-ink sketch of him as Othello that we will give to Hood, possibly mostly for the black student union, and an original pressing of his singing Ballad for Americans.

We may have some other original pressings of his records at 78 rpm. For all the violence of football, he was a very gentle man and his voice normally was, too. He was to have sung Ballad For Americans at the pre-Carl Harbor Republican convention in Philadelphia, where as I recall Wendell Willkie was nominated to run against FDR, but the right-wing campaign against him was strong. They scratched him but not the song. When he sang at Foughtleside, New York, that gathering was assaulted with the apparent intent of killing him. My recollection is not clear but I believe that is what led him to leave this country. I believe that the home in which he spent his last days in West Philadelphia has been bought to be converted into a memorial to him and for community uses. At the time I drove him around in Washington, world-famous as he then was and so often honored, All-American hero that he was, he would not have been allowed to dine in any downtown restaurant in Washington or in any white restaurant. He dined that night with his Howard friends at the home to which I drove him and where I picked him up.

NO. SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

CLASSIFY AS APPROPRIATE

Intelligence Community Staff  
TO: Central Index

FROM:  
**FBI**

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

**11/5/75**

<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER
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3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

**Memorandum and enclosures**

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

**SSC letter 9/18/75 Parts 2 and 3c, supplementary to 7/28/75 Part 3d and 8/20/75, Part 3, 1a**

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

**U**

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Information handling**

8. SUMMARY (see reverse side before completing this item)

**Files on Warren Commission Critics and [redacted] investigation.**

*NAR*

**62-116395**

**FMK: fmk  
(4)**

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX  
IN CONNECTION WITH SENSTUDY 75**

~~DEC 8 1975~~

**TREAT AS YELLOW**

*5-2-75*

CLASSIFY AS APPROPRIATE

November 8, 1966

BY LIAISON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 3-1-93 BY 9803 RDD/jct  
(JFK)

100-130434-1

Honorable Marvin Watson  
Special Assistant to the President  
The White House  
Washington, D. C.

Dear Mr. Watson:

Reference is made to your request regarding the authors  
of books dealing with the assassination of President Kennedy.

John F

Attached are summary memoranda setting forth pertinent  
information contained in FBI files concerning the following individuals:

Edward Jay Epstein  
Jacobin Joesten  
Penn Jones, Jr.  
Mark Lane

Professor Richard H. Popkin  
Leo Sauvage  
Harold Weisberg

UNRECORDED COPY  
100-409743-3  
100-395171-  
100-370471-

The files of the FBI contain no pertinent data with  
respect to Sylvan Fox, author of "The Unanswered Questions About  
President Kennedy's Assassination."

A copy of this communication has not been sent to the  
Acting Attorney General.

REC 26

Sincerely yours,

REC.D

10  
19 NOV 9 1966

Enclosures (11)

- 1 - Mr. DeLoach (sent direct) - Enclosures 7
- 1 - Mr. Gale - Enclosures 7
- 1 - Mr. Rosen - Enclosures 7

DGH:jmh (8)

NOV 8 1966  
116395  
ENCLOSURE  
Delivered to [unclear] 11-8-66

This communication is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

November 8, 1966

~~SECRET~~  
**WHITEWASH -- THE REPORT ON THE  
WARREN REPORT"**

BY  
**HAROLD WEISBERG**

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

5170 HBB/KSL  
3-1-93 11-4-93  
Classified by 9873 RDD/gcl  
Declassify on: OADR JFIL

Harold Weisberg, the author of the above-captioned book, and his wife, Lillian Stone Weisberg, jointly own a 14-acre tract of land in Hyattstown, Maryland, upon which they operate the Coq d'Or Farm whose principal business is raising of pheasant-chickens, Rock-Cornish game hens, waterfowl and other poultry and the sale of poultry and eggs.

Harold Weisberg was an employee of the La Follette Civil Liberties Committee from September, 1936, to October, 1939, and was discharged for permitting certain information to leak to the press. Senator La Follette stated that Weisberg had been dismissed for a breach of trust involving the release of confidential information to a newspaper and the Senator was quite certain the newspaper involved was "The Daily Worker," a former east coast communist newspaper.

Weisberg was one of 10 employees fired summarily by the State Department in June, 1947, because of suspicion of being a communist or having communistic sympathies. He was later allowed to resign without prejudice, but was not restored to his position. His wife, Lillian Stone Weisberg, was investigated under the provisions of Executive Order 9835 in 1948 and the Civil Service Commission advised in October, 1948, that she had been retained. At that time, she was a clerk in the Reconstruction Finance Corporation. Her name had been carried on the active list of members of the Washington Book Shop Association and the Washington Committee for Democratic Action during December, 1947. The Washington Book Shop Association and the Washington Committee for Democratic Action have both been cited by the Department of Justice as subversive.

During an undisclosed period, but presumably in the 1950's, it was ascertained that [redacted] a foreign ministry employee of [redacted] in Washington, D. C., was in contact with Harold Weisberg at his farm. Weisberg had previously extended an invitation to [redacted] to visit his farm and it was also determined that [redacted] had received the invitation from Weisberg incidental to an invitation extended to Soviet Premier Nikita S. Khrushchev and party.

LB  
IC  
23

DGH:jmh/dec (8)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ENCLOSURE

MAIL ROOM  TELETYPE UNIT

62-107060-425C

It was ascertained in September, 1959, that Welsberg asked [redacted] in (S) 1B Washington, D. C., for information on [redacted] reaction to the proposal (S) 1C that his chickens be placed in competition with [redacted] poultry. (S)

SECRET

In 1956, it was alleged that Welsberg held an annual celebration of the Russian Revolution. This celebration involved a picnic at his residence and was attended by 25 to 30 unknown people. It was believed this affair was in commemoration of the Russian Revolution inasmuch as it was held on the day when the communists celebrate all over the world.

In 1961, Welsberg and his wife filed a claim against the Government under the Federal Tort Claims Act in the amount of \$9,950 for damages allegedly sustained by them in their poultry business as a result of low-flying helicopters. This case was tried and court directed judgment in favor of the Weisbergs for \$750.

Welsberg has no known arrest record.



# BROWARD COMMUNITY COLLEGE

Judson A. Samuels South Campus • (305) 963-8835

July 11, 1995

Mr. Harold Weisberg  
Route 12  
Old Receiver Road  
Frederick, MD 21701

Dear Mr. Weisberg:

Last March I ordered all your books and have since found them daunting in scope; brilliant in conception, investigation, and research; compellingly logical; and your conclusions, in virtually all respects, accurate. I have been continually recommending them to serious students of history and intend to make one or two of the Whitewash series required reading for my AMH 2020 survey course at Broward Community College, South Campus.

Like many other Americans, I have long since dismissed the Warren Commission's findings as inaccurate and unrevealing regarding what happened in Texas thirty-one years ago. Throughout my teaching career, I have vigorously contended that most of what has been fed to the American public, at its best, has been pabulum, designed to keep citizens content and active as consumers; a systemic role I believe American (corporate) culture continues to designate as the *sine qua non* of national existence.

Until I read the Whitewash series, I never realized how shredded the Warren Report was. In my opinion, the nature of your research, tireless dedication to telling the story, especially the Case Open rebuttal to G. Posner's (CIA's) Case Closed, and your unparalleled willingness to dare the pantheon of major names associated with the Dallas/Federal assassination "investigations," Warren Commission personnel, and all other postassassination report-making bodies to sue you, if they dare, leads me to believe that silence in this case was not golden; it was tawdry!

Mr. Weisberg, you deserve the Presidential Medal of Freedom for the service your work represents to the American body politic. What a shame continuing political forces and major American news reporting corporations still deem it necessary to stonewall the heart of the matter.

Take care, and once again, as a fellow citizen, thank you.

Sincerely,

Mr. Dennis Maugere  
Adjunct Professor, History/Government  
Broward Community College, South Campus

jaw  
cc: file

A. HUGH ADAMS  
CENTRAL CAMPUS  
3501 Southwest Davie Road  
Davie, FL 33314

DOWNTOWN CENTER  
225 East Las Olas Boulevard  
Fort Lauderdale, FL 33301

NORTH CAMPUS  
1000 Coconut Creek Boulevard  
Coconut Creek, FL 33066

JUDSON A. SAMUELS  
SOUTH CAMPUS  
7200 Hollywood/Pines Boulevard  
Pembroke Pines, FL 33024

(On the street around 1.20 pm, Nov 22, 1963)

PROUTY  
Nov 63

# CHRISTCHURCH STAR



SATURDAY, NOVEMBER 23, 1963

Thirty-six Pages

# BOB DYLAN SHOT DEAD

## Shot Down During Concert in Dallas

DALLAS (Texas), November 22.  
Shot down to-day. The President was  
in Dallas city in an open car. The  
President (Dylan) was seriously wounded.  
at 10.15 pm, New Zealand time. After  
the shooting, he was rushed to  
hospital. Resuscitations were given.



transported to his bed-side for the last rites





hereto the affidavit of Special F.B.I. Agent John W. Kilty, assigned to the F.B.I.'s laboratory in a supervisory capacity, who was present at that meeting. (Government Ex. 1) As established by Special Agent Kilty's affidavit, Mr. Weisberg requested certain specific categories of information which were subsequently given to him on March 31, 1975. Thereafter, when plaintiff's attorney advised the F.B.I.'s Freedom of Information Act unit that plaintiff had also intended his request to include certain other data, the F.B.I. also provided this information to plaintiff on April 15, 1975. Mr. Kilty's affidavit, sworn on May 13, 1975, concludes that F.B.I. files do not to the best of his knowledge contain other information responsive to plaintiff's request.

Defendants also attach hereto the affidavit of Bertram H. Schur, Associate General Counsel of the United States Energy Research and Development Administration (ERDA), formerly the AEC, which establishes that the AEC did provide technical assistance to the F.B.I. at AEC's Oak Ridge National Laboratory (now Holifield National Laboratory) in performing analyses of paraffin casts taken from Lee Harvey Oswald and neutron activation analyses of bullet fragments, that neither AEC nor its laboratory prepared any report on the results of these analyses, and that no other tests were performed by or for the AEC on behalf of the Warren Commission (Government Exhibit 2).

At calendar call held in this matter on May 21, 1975, counsel for defendants provided plaintiff with a copy of Special F.B.I. Agent Kilty's affidavit and indicated an expectation that an affidavit indicating ERDA's compliance with plaintiff's request would be forthcoming shortly, and that these affidavits would be used to support a brief motion to dismiss on grounds of mootness since all information requested of which defendants are aware would have been provided to plaintiff. At that time, plaintiff's

counsel indicated dissatisfaction with the Kilty affidavit and contested the fact that all information had been provided. The Court also suggested that a reasonable way to proceed would be for plaintiff to specify what documents he contended had not been given and to thereby resolve the matter amicably.

Subsequent to the calendar call, counsel for defendants was served with plaintiff's motion to strike the Kilty affidavit on grounds, inter alia, of bad faith, and other discovery-related motions calculated to probe behind defendants' assertions of good faith compliance with plaintiff's Freedom of Information Act request. Plaintiff alleges in his motion to strike and attached affidavit that the Kilty affidavit is deliberately deceptive, not based upon personal knowledge, and should have been made by Special Agent Robert A. Frazier who plaintiff believes is still an active agent with the F.B.I. Laboratory. Defendants respectfully inform counsel and the Court, however, that Special Agent Robert A. Frazier retired from the F.B.I. on April 11, 1975 after thirty-three years, ten months and three days service, and that supervisory Special Agent Kilty is the most knowledgeable active service Special Agent to give this testimony on behalf of the F.B.I.

In the motion to strike (pp. 2-3), plaintiff also alleges the existence of certain documents which he claims have not been provided by the F.B.I. In a sense, plaintiff could make such claims ad infinitum since he is perhaps more familiar with events surrounding the investigation of President Kennedy's assassination than anyone now employed by the F.B.I. However, in a final attempt to comply in good faith with plaintiff's request, a still

3  
further search is being made by the F.B.I.'s FOIA Unit and Laboratory as a result of plaintiff's latest claims to determine whether any such items exist, and to provide them or indicate their whereabouts. Accordingly, defendants have delayed filing their motion to dismiss on grounds of mootness until an official response can be made to plaintiff's latest claims of non-compliance. Defendants are endeavoring to complete this additional search and provide an official response by way of supplemental affidavit within a matter of a few days of the filing of this opposition, and expect to expeditiously make their motion to dismiss this action on mootness grounds.<sup>\*/</sup>

In view of the foregoing, defendants respectfully request the Court to deny plaintiff's motions to strike the affidavit of John W. Kilty, to compel answers to interrogatories, and for production of documents.

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EARL J. SILBERT  
United States Attorney

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ELLEN LEE PARK  
Assistant United States Attorney

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MICHAEL J. RYAN  
Assistant United States Attorney

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<sup>\*/</sup> By way of perspective, counsel for defendants has been informed that the F.B.I.'s FOIA Unit received 1789 requests for production of documents during the month of April, 1975, or an average of 113.4 per work day; 1198 FOIA requests during the month of May, 1975; 165 requests by 2:00 p.m. on the day of June 17, 1975.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing Defendants' Opposition to Plaintiff's Motions to Strike, etc., and attachments and proposed Order has been made upon plaintiff by hand-delivering a copy thereof to James Hiram Lesar, Esquire, 1321 Fourth Street, S.W., Washington, D. C. 20024, on this 18th day of June, 1975.

---

MICHAEL J. RYAN  
Assistant United States Attorney  
United States Courthouse  
Room 3421  
Washington, D. C. 20001  
Telephone: 426-7375

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF JUSTICE,  
et al.,

Defendants.

Civil Action No. 75-226

O R D E R

Upon consideration of plaintiff's motions to strike the affidavit of John W. Kilty, to compel answers to interrogatories, for production of documents, and defendants' opposition thereto, and the entire record herein, it is by the Court this \_\_\_\_ day of \_\_\_\_\_, 1975,

ORDERED that plaintiff's said motions be and the same hereby are denied.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE