

Mr. Ben Bradlee  
Executive Editor  
Washington Post  
1150 15 St., NW  
Washington, D.C. 20005

4/15/85

Dear Mr. Bradlee,

As you <sup>o</sup>nder the appeals panel's atrocity and an en banc petition before the full court that from my unreported experiences with it might have considered the gallows for Zenger, I remind you of Santayana's wisdom, that those who forget history are doomed to relive it; of Pastor Nieomuller's, that because he was silent when Hitler took the Communists, Jews, trades unionists and Catholics, none of which he was, there was no one to speak for him; and going back farthur, Alexander Hamilton's in Federalist No. 25, that "it is a truth, which the experience of all ages has attested, that the people are commonly most in danger ~~when~~ when the means of injury to their rights are in the possession of those of whom they entertain the least suspicion."

If the Post had not been silent about even more horrendous decisions by this "eaganized, activist court it might not now be in the position in which it is, not itself be the victim of manifest injustice that has become the everyday practise of the political activists sitting as judges. It is and has been, long before you, engaged in what I regard as deep subversion, in radicalizing our most basic concepts of law and justice.

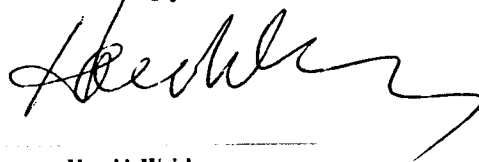
Of course it is not possible for any paper to report everything and of course no paper can be fully informed about anything. However, with regard to the authentic outrages of this "eaganized court the Post was more than adequately informed, by me, with copies of court records and the offer of more - to three of your people, not merely one or one department. And, like the lamenting Pastor, the Post was silent.

I do not enclose additional copies of what I've provided because I don't think you'll be any more interested than those of your staff who by their silence represented the Post's policy, which overrode traditional news and editorial concepts. But I will if you want them, and I can provide much more relating to this court and what it has done that ought, at the least, disturb you.

My purpose is not to chide you, for that would mean nothing. Rather do I hope to get you to think about belated reporting of the record of this once great but now political activist court and what it means to law, to justice and to the country's present and future. The record - of what the Post has not printed - really ought horrify and frighten you.

I do wish you better luck than the Post, by censoring a Jack anderson column, ~~and~~ its part to see that I could not have.

Sincerely,



Harold Weisberg  
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