

*Drafts,
later revised*

10 October 1967

Dear Mr. Arnoni,

Thank you for sending me a copy of Jim Garrison's letter of protest against your editorial, "Garrison and Warren: Anything in Common?" and for inviting my comments.

Garrison has broadcast or published inaccurate and misleading claims and "evidence," as follows:

(1) In an interview with Mort Sahl broadcast in Los Angeles on April 3, 1967, Garrison charged that page 47 of Oswald's address book had been suppressed. In fact, it is published in full (Exhibits, Volume XVI, page 54).

(2) In a legal instrument released to the press on May 13, 1967, and subsequently, Garrison claimed that the notation "P.O. 19106" appeared in the address books of both Oswald and Clay Shaw, and that it was a cryptogram for Jack Ruby's unpublished 1963 telephone number. The actual notation in Oswald's address book is DD 19106 (the Cyrillic "D"), as may be seen in the Exhibits (XVI, page 58). This, of course, invalidates the so-called code. Mr. Garrison's suggestion in his letter to you that an "unhappy critic" is envious because he was the one to discover the "code" (and not the allegedly unhappy critic) is not only petty and malicious but betrays his preoccupation with credit and kudos, whether or not they are merited. In fact, it was a now-unhappy critic who "discovered" the so-called "code"---a critic who told me personally that he had telephoned his "find" to Garrison's office from a desk at The New York Review of Books.

(3) In a broadcast on NBC television on July 15, 1967, Garrison claimed that Exhibit 948 revealed that a secret memorandum from the CIA had been destroyed while being thermofaxed, which is indeed quite true. But he forgot to mention that the this statement is preceded by the words "copies have been previously furnished to the Commission," and followed by the words "we are enclosing another copy of this message." (XVIII, page 188)

(4) In an interview on ABC television on September 24, 1967, Garrison alleged that a Fort Worth phone number with a "Pe" exchange is found in "Exhibit 38," which is Oswald's address book, and also that Jack Ruby made two calls to the same number on June 6, 1963. Oswald's address book, which is not Exhibit 38 but Exhibit 18, does include the phone number "Pe-8-1951" but Garrison forgot to say that it was labeled as the number of television station KUTV (XVI, page 43). As for Ruby, he made no calls to that number on June 6. He called the number for one minute on June 10, and for ten

minutes on June 11, 1963, but there is no indication that he ever called that number subsequently. (CE 2308, XXV, page 252). Although it is hardly unusual for any two strangers to call a television station or a newspaper or a similar institution, Garrison's clear implication was that the record of the "Pe" number for both Oswald and Ruby was incriminating evidence.

(5) In the same ABC interview, Garrison described a "picture taken when the police had just brought the rifle out of the book depository" and that "what makes it so interesting is that the rifle does not have a telescopic sight on it." I have seen the same photograph and discussed it with the expert who displayed it to Garrison and so far as I know there is no basis for saying that the rifle in the photograph "had just been brought out of the book depository." That may or may not be the case, but there is no evidence in the photograph or in other records from which one can establish the source of the rifle in question.

(6) Garrison asserts that Oswald conspired with Clay Shaw and David Ferrie, in Ferrie's apartment, to assassinate the President. The testimony of the witness who supposedly was present and listened to the conspiratorial conversation is inherently implausible and surrounded by circumstances which make it all the more dubious.

(7) Another of Garrison's witnesses testified that he saw Clay Shaw and Oswald together on one occasion in the summer of 1963 on the shores of Lake Ponchatrain. An "identification" of persons seen almost four years earlier, on a single occasion, from some distance and under circumstances scarcely conducive to precise appreciation of reality, should scarcely be dignified as incriminating the persons "identified."

(8) Garrison also charges that Clay Shaw met with Oswald and Ruby at Baton Rouge and gave them money. For this allegation, he has not yet produced one iota of evidence.

From these examples, it seems clear to me that Garrison is a careless student of the published documentation, that he has been less than candid about the contents of exhibits in some instances, and that his various claims and charges lack validity. He has also accused as implicated in the assassination, but without a shred of supporting evidence, certain Dallas policemen, "insanely patriotic" oil millionaires, members of the White Russian community in Dallas, members of the Minutemen, members of the John Birch Society, Cuban exiles, and ex-CIA employees. (CBS radio, September 26, 1967, interview on the Mike Wallace program) On his September 24 interview (ABC television) he said, "We have proof" (of the

participation in the conspiracy of Dallas policemen). In the light of the many examples of Garrison's misrepresentation of fact and untenable or insupportable claims, I view with utmost skepticism his assurance that he has proof that incriminates those he has accused.

Although Garrison has said publicly on several occasions that there is no evidence that Oswald shot anyone on November 22nd--which is exactly what critics of the Warren Report and I personally had been saying for some three years or more before it dawned on the New Orleans district attorney--it is an inescapable fact that Garrison has repeatedly tried to incriminate Oswald in the conspiracy to assassinate President Kennedy. He has alleged clandestine meetings, in which money changed hands on some occasions, between Oswald and such men as Shaw, Ferrie and Ruby. He has alleged the presence of incriminating notations in Oswald's notebook. His evidence in support of these allegations is contrived, invalid, taken out of context, or dubious in the extreme.

Consequently, I regard the Garrison "investigation" as a mere sequel to the Warren Report, in which misrepresentation and error are used repeatedly to incriminate Oswald as a member of the conspiracy, even if not the actual rifleman, compounding the massive injustice to which the accused Oswald has already been subjected. The Garrison investigation, by its lurid and incessant sensations, has already served to erode a positive trend in public opinion. His repeated but unsupported accusations against various categories of alleged conspirators tends to confer on them immunity from suspicion or responsible investigation by others. And the alliance Garrison has formed with the major critics of the Warren Report serves to jeopardize the credibility of legitimate and responsible criticism.

As I see it, the only possible position, morally and logically, for those who repudiate the Warren Report is also to repudiate the Garrison investigation, with which it has much in common.

Yours very sincerely,

D R A F T

6 October 1967

Mr. Jim Garrison would have suffered no uncertainty about the identity of the author of "Garrison and Warren: Anything in Common?" had he noted the statement in the masthead of each issue of TMO: "Unsigned contributions are written by the editor." No one acquainted with the editor of TMO would fall into the folly of thinking that he is susceptible to influence or persuasion, even from his most valued of his associates, and even ~~when it comes to~~ ^{on merely} changing a word or a phrase, in composing his editorials.

But Mr. Garrison did not note the attribution of unsigned contributions, apparently as a result of the same nonchalance and inexactitude which characterizes his reading of the Warren Commission's exhibits and even his subordinates' memoranda (cf., James Phelan, The Saturday Evening Post, date -----). His pronouncements about the contents of the exhibits published by the Commission, or allegedly suppressed in whole or in part, have been inaccurate, misleading, and in at least one instance just plain false. His infamous "code" ("P.O. 19106"), supposedly a cipher for Ruby's unpublished telephone number, in Oswald's address book is not "P.O." but the Cyrillic "D D." And it was not discovered by Garrison, as he claims, but

by a now-unhappy "critic" who told me personally that he had found what he read as "P.O. 19106" in Oswald's and Shaw's address books and ^{had} telephoned the "find" to New Orleans from ^{a desk in} the offices of The New York Review of Books.

Understandably, this critic--who has a penchant for "discoveries" which turn into dust--does not seek credit for this "find," which was elaborated by the New Orleans District Attorney as a "code" which he insisted in a legal brief which he made public was "rigid" and "invariable." His further decodings, however, are based on the most flagrant and capricious variables; and in one instance, Garrison's "code" postulates Oswald's memorization of a set of complicated equations (when Oswald had to arrive at the sum of 20 and 15 in writing!) in order to "decode" a telephone number published in the New Orleans directory.

No matter how many anonymous experts or institutions endorse Mr. Garrison's cryptographic claims, they are patently absurd and contrived, based as they are (and as he has admitted to at least one of the critics among his admirers) on a misreading of the original entry in Oswald's notebook. However often Mr. Garrison may ^{proclaim} ~~announce~~ publicly that there is no evidence that Oswald shot anyone on November 22nd or any other time (^{as some} ~~and the~~ critics of the Warren Report and I personally have ^{been insisting for} ~~taken this position~~ some three years before *it dawned on* Mr. Garrison), he nevertheless systematically tries to incriminate Oswald in

the conspiracy to assassinate President Kennedy, by "codes" and other entries in Oswald's papers which allegedly link him with Jack Ruby and ~~with~~ Clay Shaw and by allegations that Oswald held conspiratorial meetings in New Orleans with Shaw and David Ferrie, or in Baton Rouge with Shaw and Ruby, or on the shores of Lake Ponchartrain with Shaw. I categorically reject these unsupported allegations ~~(and those of the allegations~~ which are "supported" by the most dubious witnesses and by testimony which is inherently barren of any shred of plausibility), as I reject the false evidence against Oswald published by the Warren Commission.

As I did not take the pronouncements of Chief Justice Warren on faith, I do not accept Garrison's on faith--however much those pronouncements may appear to coincide with or support the position ~~and~~ the arguments adduced against the Warren Report by its critics in the published literature, much of which pre-dates Mr. Garrison's "investigation." And since he has taken to wearing two hats, one of which is that of the researcher and scholar of the Warren Commission's documentation, one can only hope that he will strive for greater accuracy in his presentation of the ~~established~~ ^{Garrison's} critical argumentation than he has thus far displayed.

Mr. Garrison has again protested that William Gurvich was never his chief investigator; but at least six critics or ^{reporters} ~~investigators~~ returning from pilgrimages to New Orleans between February and April 1967 told me personally that Gurvich was the chief investigator; and Rosemary ~~and~~ James and Jack Wardlaw, in their ^{recent} book on Garrison, Plot or Politics?, state that "William Gurvich joined Garrison's staff at the outset of the investigation as his chief investigative aide" and that "he has worked with Garrison on other sensitive investigations" (page 149).

Most of the critics, unhappily, are squarely in Mr. Garrison's corner (as I was myself, until I realized how much he had in common with Warren), apparently so mesmerized by his ^{rehearsed} ~~seeming enlistment in their cause~~ that they are willing to indulge or condone his "errors." They ^{overlook} ~~do not recognize~~ the danger he presents ^{by his irresponsible and inaccurate statements} ~~to legitimate research and criticism,~~ ^{and they fail to recognize} ~~of~~ the potentially fatal effect of his "cry wolf" exercises. He has now accused as incriminated in the conspiracy (1) Shaw (2) Ferrie (3) Oswald (4) operatives of the CIA (5) anti-Castro Cuban exiles (6) members of the Dallas police force (7) members of the White Russian community in Dallas (8) "insanely patriotic" oil millionaires (9) members of The Minutemen, and (10) members of the John Birch Society. Against none of these named individuals or unnamed members of

groups has he produced one iota of the "proof" which he boasts resides in his files (but which was somehow ^{not seen} ~~overlooked~~ by critics who were given complete access to all the "evidence" but returned discouraged or in despair). It is entirely possible that some of those accused by Garrison may in fact be implicated in the horrors of Dallas November 1963; but by accusing them grandiosely and without evidence or proof, Garrison is ^{conferring on} ~~creating for~~ them an immunity from suspicion ^{even} if and when serious investigators do produce ~~the~~ ~~needed~~ evidence ^{which incriminates them.}

James and Wardlaw say in their book that Garrison is the only public official with investigative power actively pursuing an inquiry into the assassination, and that "history deserves a better break than that." To this, I say, "Amen," ~~and to the question posed by the editor of TMO Garrison and Warren. Anything in Common? I say, ~~EVERYTHING~~ in the context of the Oswald case, everything.~~

One may repudiate the Warren Report without embracing Garrison and I reject the syllogism that to oppose him is to give aid and comfort to the ^{Committee} ~~Commission~~. No one has given the ^{Warren} ~~Commission~~ and its apologists more cause for glee than Garrison himself, ~~and~~ ^{his} "investigation" has already served to divert attention from Dallas and from the Warren Report and ^{has begun to reverse} ~~to make a negative impact on~~ public ~~discussion with~~ ^{disillusion with} ~~scepticism~~ of the lone-assassin hypothesis. As I have said elsewhere,

we are not limited to being allied with Garrison or with the Warren Report. We can repudiate both, since we are not obliged to take sides in a gang war in which both parties have only contempt for truth.