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Editorial

Epstein And The New Yorker Magazine

The Assassination Inquiry Committee of San Diego, California published an answer to the Edward Jay Epstein article which appeared in the July 13, 1968 issue of The NEW YORKER. We reprint the answer by Harold Weisberg and one paragraph of a letter to the magazine by Professor Richard Popkin.

The answer is lengthy, but it is important and timely. Weisberg is known to all critics of The Warren Report as the author of four published books on the subject. He was first to publish his WHITEWASH which was followed by WHITEWASH II, PHOTOGRAPHIC WHITEWASH, and OSWALD IN NEW ORLEANS. Popkin wrote THE SECOND OSWALD.

EPSTEIN ASSASSIN

By Harold Weisberg

Edward J. Epstein became a "critic" of the Warren Commission by his unquestioning acceptance of its basic false conclusion: Oswald - Assassin.

He became a "scholar" with the least scholarly work,

quiet language, and the touting of a sycophant press. So deficient is his own "scholarship" that Sylvia Meagher did his notes, by far the best thing in INQUEST.

Ignoring most of the Commission's "evidence," which requires time and effort to study and understand, Epstein used the journalistic approach, interviewing staff lawyers, each of whom had his own errors to hide. Most active of these lawyers was Wesley J. Liebeler, who was in charge of "conspiracy," which the commission never investigated. In feeding Epstein the pabulum of his book, Liebeler converted the "scholar" into the vehicle for his own self-justification. Liebeler was in charge of the New Orleans apology for an investigation (strange Epstein failed to mention this in his 7-13-68 NEW YORKER piece, isn't it?) As Liebeler put it, his colleague, Albert Jenner, was too busy running for the presidency of the American Bar Association.

Without Liebeler, no "Inquest."

Epstein's writing on the autopsy was so wrong and so weak his publisher welcomed backstopping help—from me. Despite his pretense of having ransacked the Commission's files in the National Archives, Epstein had so little knowledge or interest that, on June 6, 1966, his publisher asked my assistance in getting into them.

When the book was reprinted, after an amazingly short period in hardback, there was an appendix of Commission documents on the autopsy which Epstein neither understood nor dug up for himself. They were from my work. They reached him thirdhand. Thus, the success of his reprint.

So brave and dependable is Epstein as a man and a scholar that, when he lied about my first book, WHITEWASH, on WTOP radio in Washington and I phoned in to challenge him, he hysterically refused to confront me. He had begun by saying he had written a review of it for ESQUIRE. Forgetting this in his on-the-air torment, he asked how he could misrepresent WHITEWASH when he had never read it? That "review" in ESQUIRE, nonetheless, was more honest than his NEW YORKER scribbling, which is an obvious, contrived character assassination of Jim Garrison, the only public official to dare test the findings of the Commission in open court.

Garrison cannot win. The Epstein's defame him for not having produced evidence that satisfies them. Were he to do so outside the courtroom, they'd assail him because it is improper. If his case is as shallow as the Epstein's pretend, why cannot they and the Shaw defense (led by the Federal Government, which has openly intruded in a purely state matter) let Garrison fall on his fact in court, in public? If Shaw is so innocent, why must his lawyers extend the "Philadelphia" practice, inventing devices so transparent that Shaw's friends now decry them to me? The basic right of a defendant is to a speedy trial. That has been denied Shaw by his counsel alone, for Garrison has opposed all the delays, each of which, since September 15, 1967, the date he set for the trial, was an invention of the defense.

It is not possible to review Epstein's 25,000 word article in this limited space. Therefore, I take as a touchstone his reason for saying he considered "that Garrison might just have stumbled on something," the opening of his article and a hackneyed literary device he cannot mean, for it would prove him wrong. What he there presents, described by him as "it seemed to me," suggesting that it is from his book, is entirely of different origin—my uncredited OSWALD IN NEW ORLEANS. NONE of it is

in his book: here his literary lightening is weak and understated, inaccurate and so inadequate and incomplete that it can fairly be described as a misrepresentation of the evidence.

He concludes this distillation of unrefrigerated, overnight milk-toast with the statement, "All this information was in the hands of the Commission, yet none of these three men was questioned by the Commission or its staff." Need I recall that this was the function of his unblamed and uncredited benefactor, the man who made Epstein's book, wealth and career possible, Wesley J. Liebeler—and

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no one else—not the "staff" or the members of the Commission?

That ALL assassination evidence relating to New Orleans escaped Epstein in his own book is not worth his acknowledgement in the NEW YORKER. Instead, he cribs it, pretends it is his, and is merrily after Garrison, who cannot defend himself.

Those who know the material can go through Epstein's clean-language diatribe and easily spot his unique and unending blend of ignorance and venom. His omissions are even worse. Examples: The accused David Ferrie was known—to the government and to Epstein's benefactor, Liebeler—to have threatened the President's life. The government, the WARREN REPORT, Liebeler, and Epstein all suppress this.

The Cuban Revolutionary Council, whose address Oswald used and with which Ferrie was intimately associated, was organized, directed, and financed by the CIA — to Liebeler's knowledge. Suppressed. Ferrie worked for the CIA. Suppressed.

Instead the REPORT says, straightfacedly, as though it had meaning, "The Commission has not been able to find any other indication that Oswald had RENTED an office in New Orleans." (emphasis added) What has "renting" to do with it? He DID USE that address, and it was a very special CIA-revanchist-Cuban address, as I exposed for the first time in OSWALD IN NEW ORLEANS, which Epstein has read. He, without attribution, quotes from it my having learned that Ferrie's hair loss was not romantic but from alopecia, a prosaic disease. Oswald's CIA connections and his connections with those of the FBI were unworthy of Epstein's lifting. Only the trivial warranted that.

Then there are the lies. Samples:

That Garrison tried to bribe Ferrie's former companion and heir, Alvin Beauboeuf, and that a tape-recording exists and was played by NBC. Immediate investigation by the anti-Garrison police had proved this false and that the tape was deceptively edited. This cannot be accidental. Further, Beauboeuf voluntarily told reporter Bob Scott no effort was made to bribe him.

The truth is opposite; NBC DID try to subvert a witness and seemingly succeeded. I have statements from four people involved, including a long, voluntary tape-recorded description of it by the man approached. He sat in my New Orleans' motel room nine months ago until

5 a.m., turning the tape off when he wanted, and spilled his guts. More recently, he described in advance the frame-up prepared in the event Garrison succeeds in his to-date frustrated efforts to get this into court.

Jack Martin, former associate of Ferrie and the ex-FBI racist, intelligence helper and detective-agency operator, Guy Banister, did not, as Epstein clamors, "admit" making a false report. The Secret Service simply lied to avoid the early evidence of conspiracy. In fact, the Dallas Secret Service, within an hour of the assassination, asked the New Orleans Secret Service to make an immediate investigation of one Jack Martin and his knowledge of the assassination—also suppressed by the WARREN REPORT, Liebeler, and Epstein. I have these reports.

Also not meriting Epstein's or the government's or Liebeler's or the WARREN REPORT'S interest is the fact that Jack Martin arranged for the CRC's office space in the building Banister was in. He confirms this to me. This was carefully hidden by the FBI and everyone else, including Liebeler and Epstein. But the Secret Service knew and reported it. Liebeler knew it, and so did Epstein. The language of the December 9, 1963, report is more vague than it need be. It says that "Jack S. Martin . . . had brought Sergio Arcacha Smith and Carlos Quiroga" to the owner "and recommended them to him as prospective tenants." Aracacha was then New Orleans' CRC chief. He participated in a munitions heist for the Cubans. Texas Governor John Connally refuses to send him to testify before the New Orleans Grand Jury. (With 25,000 words, Epstein, naturally, had no space for such trivialities.)

Lawyer Dean Andrews did not, as Epstein says, give the FBI "several different descriptions" of Clay Bertrand. The truth is that, when they hounded him (like cancer, he said), he told them to say whatever pleased them, being unable to get rid of them any other way. He gave them only a SINGLE description.

And is it at all conceivable that the FBI could launch a large-scale investigation of New Orleans' homosexuals named "Clay" which avoiding the reputed queen bee, Clay Shaw? Even Leon D. Hubert, later district attorney and still later a Warren Commission lawyer, in writing his Warren Easton High School 1928 class predictions, crystal-balled Shaw into arrest as a female impersonator. That same yearbook reported the class's two most popular actresses: Clara Bow—and Shaw! Yet the Warren Commission ignores him, and the Attorney General says he was not investigated at all.

Were Garrison to discuss any of his evidence in public, the case would be thrown out of court. This is proper. What is not proper is the ceaseless flagellating by the begowned finks, the unended slanders and partisanship of the government-apologizing press, the refusal of the major media to present what they can of the New Orleans' evidence. A month before publication of Epstein's scatology, I asked the NEW YORKER for the same opportunity provided him and promised to restrict myself to the evidence, so its readers might have some glimmer of what it is. The request is unanswered. I have hundreds of pages of the suppressed, once-secret documents they can use. The NEW YORKER doesn't want them, and its readers may not see them.

It is not past time for the first judicial determination of fact relating to the murder of an American President?

Is the PUBLIC also entitled to a free and fair trial, uncontaminated by defense propaganda and official and unofficial intrusions?

Should not the inhibitions imposed on the prosecution be imposed on the defense? If it is wrong for the prose-

cution to engage in pre-trial propaganda, how can it be right for the other side? If the trial cannot be free or fair if the prosecution or those associated with it speak out, how can it be if the other side is permitted to, without restraint?

Epstein sells bile, ignorance, and error for tainted personal profit. He is a coward who will not face me in any forum of his choosing for a debate on the EVIDENCE of the New Orleans' aspect of the assassination, as I here-with challenge him to do. He is a literary night-sneak who hits and runs, but will not face. He dare not.

There is no public official with whom it is not possible to disagree. Garrison is no exception. He, like the others, is human; and, like all of us, fallible. But he is dedicated, sincere, and hardworking to the jeopardy of his health. He is risking his life with no possibility of personal profit. And he is, I believe, quite right. He is the victim of an enormous campaign, of a magnitude never before leveled against a local official. From the President down, the might, majesty and awesome power of the Federal Government is arrayed against him—and that of the lickspittle press and its pen prostitutes.

This, and such dishonest writing as Epstein's, will ultimately convince thinking people there has to be some reason for the ceaseless campaign against Garrison and the steadfast refusal of any major newspaper or magazine

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to print a story with any of the available evidence showing the official account of the President's murder is false.

The reason is clear: the government cannot tolerate any judicial determination of fact. There can be none that does not destroy the WARREN REPORT.

To destroy the WARREN REPORT is to re-write Macbeth, for there was federal involvement in John Kennedy's murder. Its whitewash also is federal.

Epstein is only one of the well-paid and easily-bought sycophants.

Harold Weisberg
July 14, 1968

Professor Popkin's summation to the Epstein article is reprinted below:

TRANSCRIPT OF TAPED INTERVIEW WITH PROF. RICHARD POPKIN, 7-20-68

Q. Finally, Dr. Popkin, would you give us your opinions generally regarding Epstein' attack?

A. I found it's a queer mix of facts, half facts, rumors and very dubious information from people hostile to Garrison. Epstein has compressed all this to make it look like everything's on the same level. I think it would take an awful lot of work to disentangle what he's saying on almost any page as to how much of it has a factual base, how much of it is rumor that he has heard from people, how much of it are charges that have been made by people like Gurvich against Garrison, which haven't been substantiated anywhere except by Gurvich's statement of them. And also that he tends to take facts and information and rumors and so on, that occurred over a year and a half's period, and compresses them all into simultaneous events, so that a statement made by Garrison at one time is pounded upon on the basis of information or statements he made a year and a half later in a totally different context. So I think it's a quite unfair presentation, which has some factual base, but which also has a lot of very dubious elements in it.