

Oct. 13, 1966

Dear Sylvia,

I was pounding away at my typewriter a good part of yesterday working on that other material I sent you unaware that your letter of October 9 was downstairs in my mailbox.

Having just put in a ~~XXXX~~ hunk of time on correspondance and work in what is actually an~~E~~ avocation with me, I would like to let the matter rest. And if all there was to answering your letter was to discuss the substantiative points raised by you and, ~~which were~~, very well stated, I would.

But most of the letter, coupled with two experiences I had this past Monday, are so unsettling that I must answer immediately.

Therefore, let me divide my answer to you into two parts. Part II has to do with issues in the letter. Part I has to do with ~~see~~ personal reaction to being confronted with some undue gossip.

I hadn't seen L since last May when^I, along with David Welsh, flew down from San Francisco for an interview with him (L) for Ramparts.

I have had absolutely no idea what statements L has made this summer to newspapers or to anyone else, what panel discussions he was involved in, what he said, what he didn't say, who he may have insulted etc.

When Lane called me up regarding the "sign" letters, I tried to locate L and must have called his Vermont numer, available via the information operator, about 15 times during a three day period. About two days before school started, I learned he had a NY apartment.

I didn't even know he would speak with Lane at UCLA.

If your opinion of L has changed radically over the summer, that ~~was~~ news to me. If you have told others this, I didn't know. I assume most conversations on subjects like this are considered confidential. But there are two sides to the coin of restricted information policies. Other people who may need certain information to guide their actions don't get that information.

About 1 1/2 fours before I was on the Joe Dolan show this summer, I spoke to you on the phone. I had a case of mike fright. I would like to give you my recollection of what you told me then. It represented the latest information I had on L as of midsummer.

You specifically said to me that he was a person who, while he presented a public image of supporting the conclusions, he was willing to work behind the scenes in certain limited ways to get at the truth. One detail I specifically remember in this conversation (which is not important, but may help you to place the conversation in your own memory) was my trying to get you to be more specific about whom you were talking about. You said: "You know, your professor friend."

Since then, I have heard absolutely nothing else about L. I had been trying to contact him, and after receiving your letter that Lane had mentioned the "letters", I felt it was particularly important to do so soon. If I could speak to him for just a few minutes, I felt that I could greatly diminish the possibility of Lane's actions causing L to have an irrational, angry, and emotional reaction towards me.

My information was so limited, in fact, that I didn't even know L would have anything more to do with Lane's appearance at UCLA than to possibly be one of the thousands of faces in the audience.

I figured Lane would give the same speech I have heard him give many times, and frankly, I almost considered not going because I had so many things to do.

At the last minute, I decided to go. Rushing into the student

union, I picked up a copy of the UCLA student paper. My heart almost sank. There on the front page was a story that L would debate Lane after Lane's appearance. I immediately envisioned the worst; I really didn't know what might happen next.

As you probably have heard, what happened was that they had more of an altercation than a debate. The student who had set it up had gotten his signals crossed with L and the student newspaper. Lane thought he had the floor for a question and answer session. L thought he had been told he would get a microphone to debate with Lane, and this had been told to the newspaper. From what I have been able to find out, both men were acting in good faith on this point: it was the student and the school newspaper who goofed up.

The ~~XXX~~ main issue discussed was why did L go off the record with Marina when discussing the picture with a hole punched in the license plate. I felt rather saddened how both men came across. L blew his stack; I had never seen him that way before. He has an obvious personal dislike for Lane, because he thinks he is demagogic. Lane, of course, attacks the Commission's conclusions in the manner of one who is more than showing that they were incorrect; implicit in everything he says and the way he says it is that he is exposing a moral crime, a hoax, and a fraud. (I think it is all three, too, but this can't be proved or even heavily argued in public without exposing oneself to the charge of being a demonologist.) It is not at all easy to prove motive. Lane's language is loaded with this kind of thing, and it was in that context that they did battle over why there was an "off the record" with Marina. (Lane was quoting from his book, where the attorney is not mentioned by name. He uses "Q" and "A" notation. He didn't know the attorney involved was L).

L, who is very confident that he has conducted himself honorably, blurted out: "I questioned her!" (As if to say: of course there could be nothing wrong there, I conducted that questioning).

And now Lane had a field day. Why, he taunted, did you go off the record?

L stood there dumbfounded. "I don't remember, he answered, getting madder and madder as he saw how the audience was interpreting this under Lane's guidance.

So I was saddened because there IS an important substantiative issue here; but Lane's treatment of L precluded it being discussed in a rational manner. L, instead, took a position based on procedure: that there is nothing necessarily so sinister about going off the record. Lane implied otherwise.

After the incident, I went over to the Law Building to see whether or not I could see L. In the lobby, about 40 students were gathered around two very articulate law profs who were explaining that completely aside from whether or not the report's conclusions are wrong or right, only a demagogue would imply to those uneducated in law who were in that audience what Lane had been implying about the "off the record". L walked by, he recognized me, and I asked if I could see him for a few minutes. Still very agitated and excited from his appearance, he said "Sure, come on up to my office".

At this point, I was going to see the same L I knew last May, the same one you told me about in mid July, but one who had unwisely overreacted to Lane, and in public.

Please understand clearly this context. It was based on the information available to me at the time. Don't judge my actions, reaction, and subsequent statements as if they were in your more informed context.

In his office, he talked about the book he was thinking of writing and about his impressions of what had just happened, etc.

I, David Lifton, who tries to read between the lines and who has sensitive antennae when it comes to such matters, SURMISED that he was interested in valid criticism. (As you yourself had told me, behind the scenes he was willing to Xwork BEANS to get at the truth.) And, true to his usual form, he stated: "I have no intention of writing a servile defense of the Warren Commission Report. Except for a flash of temper he showed he had in public, there was nothing different between this L and the one I knew last spring, or the one you spoke of to me this summer. I have no powers to know what has not been told me, shown me, or written to me. Please do not expect me to react, in a given situation, in any other context than the one I am in."

That night, Friday night, I called Maggie. Assuming it would go noX further, I told her my impressions of what I thought L was implying in that conversation to me. Specifically, that he was going to deal with some of the criticism leveled at the Report. Not only might the book accept the possibility of a second shooter, but in dealing with the picture of Oswald, I had said to L:

"Suppose I convince you that this picture is a phonyX, what will you do with it?"

"Then I will treat it as a phony", he replied.

This was the same L I have always known, and the possibility that he would write a book forthrightly dealing with the existence of phony evidence which had been accepted by the Commission and that he would want this material demonstrated to him was very exciting.

Ask yourself this question, Sylvia: In MY context, would you have thought otherwise?

Such a book by a Commission attorney would be a tremendous quantum jump in causing a new investigation to take place.

(I am fully aware now that your context is quite different; your reaction to the above quote by L was to immediately and unequivocally brand it a lie).

And so I called Maggie and related to her what had happened. Unfortunately, I didn't know that L is someone whom you now loathe and, XXXXX to a certain extent, fear. I still do not have the slightest idea whether or not Maggie knew about your latest opinions. I presume she did. I also presume that things like that are passed on in confidence. I cannot be expected to be aware of them. Maybe she thought I was; but I wasn't, and first heard about them Saturday night on the phone directly from you. And so in this context, what happened next really irked me.

I called up a certain local third party on Monday about something else. This party's first reaction to hearing my "Hello" was:

"I hear you are working with Liebeler doing research on his new book".

Now that is a provocative but highly inaccurate and---at the moment anyway, I thought---malicious misinterpretation of what I had told one person I called Friday night.

Monday evening, Mark Lane was signing book's at Pickwick's book store in Hollywood. I was to meet him there in order to give him the latest version of the navy telegram, and the letters about Dealey Plaza.

When we were alone, he said to me: "I hear you are working with Liebeler". I spent about 5 minutes then, and a good 20 minutes the next morning discussing it, attempting to tidy up, and set the record straight with this important critic who is now due to debate

XX L on January 25, 1967.

There was no need for me to be running around tidying up where another had spoken.

"...You risk the appearance of having sold out to someone..." was a phrase which certainly hit home when I read your letter.

But implicit in a sentence like that is the fact that appearance and reality are not necessarily the same thing.

And when I speak in public, I know that I am responsible for the appearance as well as the reality. But I didn't speak in public Friday night, nor was what I said for inaccurate and provocative dissemination. And if this is to be the result, then I know to whom I cannot speak in private. For I spoke to no one else, but you, and I know that you said nothing.

about this

Am I to be at the mercy of misinterpretation and unrequested dissemination by third parties of conversation that was quite innocently inspired and in which advice was sought?

II

I am a critic of the Warren Report. I believe at least two men were shooting, and probably several more than three from about 3 different locations. I believe Oswald was innocent. I believe he was framed. In any event, I can prove some of the important evidence is phony. I also believe he was an agent. I also believe the Report was authored by people who, at least at some level ~~XXXXXXXXXXXX~~ ~~XXXXXX~~ knew that what they were authoring was a complete cock and bull story. I do not know any way of proving this, at present. The Report itself, as you put it, deliberately uses the English language in the service of obfuscation and guile.

altered evidence

Right now, I am engaged in finding more pictures of assassins, doing an experiment on a sign to prove that not only was more than ~~XXXXXXXX~~ one man firing and that he was firing from the knoll, but that crucial evidence was suppressed from the record and ---at least--- given to a Commission which accepted the doctored and splice version of the Z film. Also, I am working with this fellow in Dallas to further interrogate grassy knoll witnesses.

How can I possibly collaborate with L if he intends to write book whose mere purpose is to dishonestly deal with the issues? The answer is that I couldn't, and I can assure you that I wouldn't.

I only speak to L, in ~~the~~ context of an adversary. I have always done so, and, in any contacts that I might have with him in the future, I would only speak in this context. I am an adversary of the Warren Report.

When I speak to him, I almost taunt him with the conclusions of the Warren Report, and the PUBLISHED ARGUMENTS INDICATING THAT THEY ARE WRONG.

I may say, for example: "Mr. L, for the 60th time this year,, I went out on my lawn and stood under the sun. My nose shadow falls straight down, and I can't get my body shadow to do what Oswald's did; What do you think is the matter? "

I would like to see him swayed, naturally. If that possibility is illusory, then I am wasting time. But I am not damaging anyone, (and I have certainly not fallen in with any proposals) because I have ~~not~~ never spoken to him about anything that is not a published argument, except where my own material is involved. (I have in mind that interview, notes of which I mailed you, where I showed him and his girlfriend my pictures.)

I am hardly privvy to that much unpublished information. But this concern of yours is completely irrelevant because more to the point is the fact that I have only used published material. Our conversations are extremely short, blunt, straightforward, and unsubtle.

I have no intention in collaborating on a defense brief, nor will I end up doing so, being tricked into doing so, or do so without having inteded to do so, under any guise whatsoever.

At this time, my positon is this: I have and have ~~merely~~ presumed, from what was said, that he might get much more specific in the future and actually propose something specific. Should he propose something that is totally unsatisfactory (or that is in ANY way unsatisfactory), I have the right to say "no".

There is nothing which you can call "the arrangement", or "the collaboration" at this time without turning hypothetical statments based solely on my notions of what I sensed might be in the offing into actualities.

I would like to know why I do damage by talking to him about published arguments in a hallway or in an office when he has faced the same published arguemtns from others (including yourself) on a podium.

Will you please be assured that nothing further than that has or ever will take place with him?

The advice on some of the points raised in your letter is sound. But permit to say that many of the impressions you have of what has so far happened are highly distorted and have no relationship at all to any situation that now exists. If they come from my conversation with you, perhaps I am responsible. You use "the collaboration", and talk as if a decision on my part is impending, suggested that I am being "courted", tempted, talk of "further "collaboration"" as if I have already embarked on a path of action.

I cannot deal with many of the statements you made because ~~XXXXXX~~ they are a reflection of your worst worries, not the facts as they are now.

I only wish I owned a tape recorder and that we had mutually agreed to record that conversation. I would like to play it back and listen to it. Did I really cause you all this worry? Did I not qualify the statements I made to you properly?

Now here are some specific points I do want to make, in connection with matters raised in your letter.

1) Specifically in the context of any cnverstaion I have ever had with L (and they are so few) and any that I may ever have, I will never under any y circumstances nor have I ever talked with him about any unpublished material you ever told me about; nor have I ever talked to him concerning any unpublished material you have ever sent me.

2) Specifically NOT in the context of L: the whole spirit of my relationship to your manuscript at Ramparts can be precisely summed up by what I did with it: I mailed it back to you. Should you harbor even the slightest doubt, be assured not a page was copied by me. As I once indicated, I found it, quite by accident, in a little carton. It had obviously been "lost" by them. I didn't even know there was anything thouchy about it, and proudly announced my find. The pressure up there was so great, and the constant diet of WC stuff so unappetizing after a while, that I never had the time or the interest to read it through carefully. I read about 50 pages of it: your Tippit chapter, auto demonstration, something called "Hoovers men", and your material on wounds. (I also distinctly remember a quote of Louis Nichols quoting Lee Oswald which I thought was rather poignant.)

Almost all my time at Ramparts was spent writing up material on bullet 399 and putting together shots trajectory and wound arguments having to do with multiple assassins, cite checking, etc. At Ramparts, I had the opportunity to read Sauvage, Lane, and Meagher. I hardly touched Sauvage, barely read a chapter of Lane, and mailed Meagher back to her.

Also, I seem to remember one time when Warren Hinkle wanted a copy of your manuscript to read while on a plane to somewhere else. This went completely awry. Why? Because the copy mailed back to you is so light that it was impossible for the girl in the office to copy from it. I tell you this not so you will get more angry at them (which anger is understandable) but because I want you to be utterly convinced that I couldn't have made a copy from that even had I had the most sinister motives and wanted to (which I didn't and didn't---- once for the motives, and again for the desire).

3. The question of "risks" which you raise is another area with which I would like to grab the bull by the horns, but do not even know where to ~~XXXXXXXXXXXX~~ begin because neither exists. I can only state my intentions (and I know that the road to that other place is paved with such) and the values upon which they are based. I cannot mitigate what I consider to be highly exaggerated worries. You talk, Sylvia, as if I am standing upon the Brink of Disaster.

If L is willing to tell me about the book he is writing, and what he intends to say, I'm willing to listen. And I'm not going to give him any advice about how to further support a Commission argument, or about how to knock down a critical argument.

The one major difference between arguments that take place between myself and L in private is not on my side of the conversation but on his side. There is very little I talk about in private with L that I wouldn't mind having another critic know about and hear about, nor any normal interested citizen for that matter. But that is not at all so for him. As for this coming year and the days ahead, I don't know what he will say to me. But my brain isn't putty in his hands, nor do I fall under any spell when I am in his presence. In fact, I frequently exasperate him. In front of a girl law student who he invited to the Ramparts interview, I ^{answered} some charge he made with a little speech about bullet 399-attacking the integrity of the Report's wording, the investigative procedures, and the integrity of the whole case against Oswald as reflected in the pedigree and testimony about 399.

"Lifton" he said with considerable annoyance, I'd like to get you in one of my law classes".

4. Let us assume L is merely acting out of self protection type motives. He may still have interest in seeing Zapruder prints, and other material that I cannot obtain. I do not intend, in the name of taking preventive action in order not to be "used", to do things which would make it impossible for me to have a conversation with the man. Specifically, I think your advice to unlist my phone number falls in the category of a measure which is completely unnecessary.

5. You use words and phrases indicating that you think L is doing things which will tempt and flatter me. May I suggest that you misconstrue the situation. "However tempting the opportunity may be..." you write. "Might be", Sylvia. There is NO proposal before me. Borrowing a phrase from Kempton, don't elevate the possible to the probable to the actual. And if it boils down to what you think it is, then it won't be tempting. Will you please believe that?

XXX

settle

I have tried to delineate my views. I cannot ~~XXXXXXXX~~ every one of your worries.

But I very much appreciate and thankful for the points you do make in your letter. I[^] the thought that has preceded ~~the~~ the writing of this letter, I have had to probe in depth this whole issue. I have become aware of subtleties I was not aware of before, and I am sure I am much better off for it. If something new comes up, and should I want to speak to you or others about it, of course I will get in touch with them. And feel free to bring it up with me at any future time; I would much rather answer any specific question you have than have you unnecessarily worried and wondering. I do not, however, think it is at all necessary at this time to start speaking to the six people you named as if a situation existed which does not now exist and as if it wouldn't be a simple matter to do the right thing should it ever exist.

(I happened to speak to Lane about it at length, a conversation which was in no small part inspired as a result of the position I found myself in---or should I say "was put in").

I called one person at length on this: you. Please-----I don't want or need to make this a family affair. I want to treat it just like the heading says on your letter to me.

And I very much hope and expect that you will treat all the commentary contained in this letter in the exact same manner.

Sincerely yours,

Dave
Dave