

## CHAPTER 26

### Edward Jay Epstein as an Assassination Scholar

The first of the assassination books to be touted as scholarly was the thin volume The Viking Press made of Edward Jay Epstein's Cornell masters thesis. (1966) The "scholarship" of Inquest: The Warren Commission and the Establishment of Truth, is in its advertising and promotions (for my assistance in which prior to reading the book I pray forgiveness), not in the text. It is the least scholarly of the earlier books, those published before book publishers declined all but those espousing conspiracy theories as solutions to the crime. It is the most journalistic of those books in the sense that it came from his interviews with some of the commission members and staff.

Of the staff he favored those whose conservative politics were congenial with his own. His documentation is with what those staff counsels who stole commission records told him about or let him have. Thereby earning his favor, reflected in what he wrote.

Anyone with any interest in "the establishment of truth" is well advised to avoid this slight book, slight as it is in all ways. It was extolled for its serious factual error and for the most basic misunderstanding of the Commission and its work and conclusions.

Epstein played it safe, academically and politically, by assuming Oswald's guilt. He has Oswald as the assassin, wondering only is if on the farcical basis there may have been another assassin helping Oswald.

Thus he raises the question of the fourth shot (page 80) with the regard to the missed shot that caused Jim Tague's slight face wound. Epstein conjectures that Tague's wound came from "the fragment that came from the fourth shot." Hastening to play it safe and not to raise substantial questions about the official mythology and thus not alienate his professor, or the media, or the FBI, he added, nothing omitted in quotations, "A fourth shot would not in itself indicate that a second assassin was at work - Oswald had sufficient time to fire a fourth shot after the fatal one."

This reflects the true character of Epstein's "scholarship" as it also provides a measure of his common sense. Why in the world would an assassin dally after seeing president's head quite literally explode?

Besides being stupid, it is just plain wrong. If Epstein had worked like a real scholar, had really examined

the Commission's available records rather than going for what the Commission staff fed him, covering themselves and their failures, abdications and just plain lies that way, he would have known that when the best shots the Commission could get tried to duplicate the firing attributed to Oswald, not a single one could do it. Not one!

(I go into this in some detail in NEVER AGAIN! The publication of which is uncertain as I write this, a year after it could easily have been published and at about the time review copies would be available if the later promise, to publish it in September 1994, had been kept. I brought this test firing fiasco to light in Whitewash. (Page 26) Whether or not Epstein had a copy, his friend and indexer, Sylvia Meagher, had one almost a year before his book was published.

These best shots, all with the very highest rating of "masters", were provided by the National Rifle Association. They did their best firing at the Army's Aberdeen Proving Grounds about a half-hour by car northeast of Baltimore. For their testing the rifle had been overhauled. Then shims were placed under the telescopic sight to make it more accurate. These masters had all the time they wanted to get ready to fire, then fire at fixed, rather than a moving target. From half the elevation, or at a much less steeply downhill target. They also fired without any tensions or any concern about getting caught and lynched on the spot. But not a single one was able to duplicate the fantastic shooting attributed to the duffer Oswald. He had been evaluated by the Marine's - officially for the Commission, as "a rather poor 'shot'". (reproduced in Whitewash in facsimile on page 30) I obtained that record also from the Commission files the scholar Epstein did not examine.

Although not one of these experts was able to fire three shots in the time the Commission said Oswald had, in its Report the Commission said, as does Epstein, that Oswald "had ample capacity" for that shooting.

How preposterous it is for Epstein to say, as he does, that "Oswald had sufficient time to fire a fourth shot after the fatal one" when the country's best shots could not fire even three shots in the time the Commission permits for all the shooting!

This is scholarship? Raved - about scholarship?

Then, too, the Commission's own "escape" time reconstructions established the impossibility of Oswald having fired from the sixth floor window and getting to the second floor lunch room before building manager Roy

Truly and policeman Marrion Baker got there. Baker did encounter him there after all the shots were fired. This was published before Epstein's book was published. It is in Whitewash, pages 36-8.

Scholarship? Worthy of a master's thesis?

Epstein's endorsement of the Commission and its work is highlighted in journalist Richard Rovere's laudatory Introduction:

“Mr. Epstein does not challenge or even question the fundamental integrity of the Commission or its staff. He discards as shabby ‘demonology’ the view that the Commissioners collusively suppressed evidence.”

This after “close scrutiny” of its Report.

“His concern when he undertook this study was not with the conclusions the Commission reached;...”

This is only as small part of what the media from coast to coast praised so highly — the book that did not really question the Report or the Commission or its staff or their investigation.

Epstein's “scholarship” began with blind, unquestioning acceptance of the Commission's conclusions.

True scholarship questions. Epstein whitewashed.

His was a pretty cozy formula: he'd scratch the backs of some of the Commission's staff, those in his part of the political right, and in return they made his thesis and then his book possible.

Instead of examining into the work of those Commission lawyers Epstein in effect became their flack. He did their public relations for them in return for their favors to him.

On even the simplest facts Epstein is not to be trusted. In writing about the FBI's five-volume report ordered by President Johnson he says, “These volumes,” of which stolen copies were leaked to him by Commission counsel who sought and got his favor thereby, he says “have not hitherto been made public.” (Page 48)

That, no doubt, is why before his book was published I reproduced key portions of it in facsimile in Whitewash. (Pages 192-5) These are portions Epstein overlooked. They are portions that make the FBI look bad — very bad.

How Epstein wiped out serious questions about the basis of the Report, Specter's single-bullet theory is, as readers will remember, just plain false:

“Specter resolved the problem of the throat wound. All the doctors who saw the wound agreed that it could be either an entry or an exit wound. Specter traced the rumor that it was an exit wound to an answer Dr. Malcolm Perry made to a hypothetical question.”

Specter did no “tracing” at all. He refused to do that. He in fact dared not do it.

There was no “rumor” involved. And what Specter engaged in all that gobbledegook that Epstein liked so much was not about an exit wound at all. It was to convert an entrance wound into an exit wound. Without that the Commission could not have issued any lone-assassin Report. Oswald could not have fired from both front and back simultaneously.

At the Dallas press conference at which President Kennedy's death was formally announced, Perry, supported in what he said by the hospital's chief of neurosurgery, Dr. Kemp Clark, said three times, in answer to questions, that the wound in the front of the President's neck was of entrance.

Each time it was confirmed by Clark.

That was the first press conference of the Johnson administration. It made transcripts available to all the media. All the media carried this doctor's report, not a rumor at all, that the President had received at least one shot from his front.

And Oswald was behind him. He could not have fired that shot.

Individually and collectively, these sentences are false, as readers have seen. Scholar that he is Epstein can't be trusted even to report on the results of scientific testing, witness:

“In August the FBI established through spectrographic analysis that a bullet fragment had definitely struck the curb about 260 feet from the President's car at the time of the third shot.”

Again, as readers will have seen, in all aspects this is 100 percent false. If there is one thing and only one thing the FBI's spectrographic analysis did “establish” it is that what caused the deposit on the curbstone was not of ballistics origin.

The FBI did not “establish” that the damage to the curbstone the patching of which is obvious was caused by a “fragment,” of a bullet that impacted in that car. Such a fragment would have had to loop considerably forward of the President’s head and to have lofted in arc to that curbstone and would, assuming the impossible, have lacked the energy to cause the photographed damage to that concrete.

Not only could spectrographic analysis not establish the time of whatever caused that damage, there was no way in which it could have established that it was “at the time of the third shot”,(page 82) because it was not!

Epstein’s book made him famous and wealthy. This is because it as was politically acceptable to the major media and professional reviewers, neither giving a damn for truth or fact or the nation’s interests.

The truth is that what the FBI said was impossible and what it did was farcical. As any legitimate scholar engaged in legitimate scholarship would have learned where I did, in the Commission’s own files. While I went into that in Whitewash, I went much farther later, first in Post Mortem (pages 608 - 609) with before and after pictures, and then in Case Open, where I proved, with scientific examination of the curbstone (pages 162 - 166) that it had been damaged at the time of the assassination, with a hole visible in it and published by the Dallas Morning News, and then patched!

The FBI and the Commission both ignored that “missed” shot until that was made impossible by that newspaper’s photographer, Tom Dillard, who had taken that picture. The FBI then got the City of Dallas to cut that section of curbing loose, dig it up for the FBI, and it was then flown to the FBI’s lab by SA Lyndal L. Shaneyfelt for the phoniest of phony examinations.

It not only knew that the curbstone had been patched - the Dallas Oswald case FBI agent, Robert P. Gemberling, recorded that in his synopsis of the consolidated reports he forwarded to FBI headquarters. (Dallas FBI File #105-82555, 8/5/64, synopsis page)

If pretended scholar that he is Epstein had looked in the Commission’s file at the FBI Lab report on that phony “test” he would have seen that it was careful to cover its ass by not saying what caused had caused what it described as only a “smear” on that curbstone. And among the possible sources, that the same Lab report says was an “automobile wheel weight.”

There is more, some of it worse, like Epstein's statement that is both irrational and ignorant, that the autopsy protocol handed in November 22, 1963, was actually rewritten, revised, and handed in a month later.

What the Commission said is the first autopsy report is the first, the later one the supplement to it.

Pre-eminent scholar that he is, Epstein also missed the fact that as soon as it was known that Oswald was dead the original autopsy report was burned and a new one that would not have to face cross-examination was substituted. I brought that to light in my first book, too, and amplified it considerable throughout Post Mortem.

There is no point in whipping this dead horse of the crappy, unscholarly Inquest.

As a thesis it can be excused perhaps as a work of an immature youngster for a tolerant (if not also like-minded) professor. But that is not an excuse for any publisher, for publishing so bad a book and that with such enthusiasm.

And with at considerable public-relations effort behind it.

Epstein and Inquest were the beneficiary of several weeks of effort I made with the Washington Post, to interest it in what I had developed about the assassination and its investigation and in my Whitewash.

Our other Republican Congressman and my friend, Charles McC. Mathias, later a respected Senator, read the Whitewash manuscript during the summer of 1965. He was impressed with it and he tried to be helpful.

"Mac" as he is known, was a Member of the House Judiciary Committee. He tried to interest its then chairman, New York Democrat Manny Cellar, in having that committee look into it. Nothing doing! With emphasis.

Mac then took it personally to The Washington Post. He discussed it with a managing editor, the liberal Al Friendly. Friendly the assigned the respected and also liberal reporter Larry Stern to read the manuscript. Months passed and I heard nothing from the Post. Meanwhile, I was accumulating what totaled more than 100 international rejections, without a single adverse editorial comment. Many comments here and abroad were enthusiastic. But all publishers refused the book.

Stern had the triple-spaced ribbon copy. When I needed it I drove to the Post and asked him for it. He

asked me to drive him to his home for it. When I had a chance to look inside the box in which I'd given it to him he had a marker at the point to which he had read. In all that time he'd gotten to page 47 only. He had taken his assignment to read the first book on the official investigation of the President's assassination that seriously.

That was but one of many indications I accumulated of Lyndon Johnson's cunning in his usual, really unprecedented selection of the Member of his Presidential commission to investigate that crime. Meaning, of course, the investigation of the legitimacy of becoming President.

Stern and the other liberals, and the entire eastern intellectual establishment were influenced by Johnson's blackjacking Chief Justice Earl Warren into becoming the Commission's chairman. Warren rejected Johnson, as he later said, all of his Court believed it would be wrong for any justice to serve on that commission. Johnson then brought Warren to tears by telling him if he did not do what he knew was wrong, take that chairman's job, it could lead to a war in which 40 million people could lose their lives. That could happen only if the assassination had been the end product of an international conspiracy.

Which it turned out in 1994, with the disclosure of some of Johnson's taped phone conversation, he did not ever believe.

Warren and four of the seven other Commissioners were Republicans. That meant that there would no Republican criticism of whatever that Commission did.

Of the two Democrats, both southern conservatives, neither was a follower of the assassinated liberal President.

Under our system, the majority on all elected and appointed bodies is always of the majority party. If the Democrats are the majority in either House of Congress, all of its committee's always have a majority of Democrats. If there is a republican president, he always appoints a majority of Republicans to all appointive bodies.

In all of our history, Lyndon Johnson's selection for his Presidential Commission is the one departure from this traditional practice of which I know.

And it worked for him. It assured that each major section of the electorate was represented on the

Commission and thus would not criticize whatever it decided.

With the exception of the followers of the assassinated President. And they were silent.

None of the Commissioners were his followers.

The closest thing to a liberal other than Warren on this Commission was Kentucky Republican John Sherman Cooper.

And so it was that no traditional liberal, no member of the eastern intellectual community, would even consider that maybe some criticism of the conclusion of the Commission might be justified. Witness Stern's and the Post's really doing nothing for all that time with the first and then the only book that took a look at the assassination and how that Commission worked or failed to work based exclusively on that Commission's own records.

Especially because of my background in investigation, in journalism and in working in Washington, particular for and reporting on the Congress, it as a baffling, an unusually discomfoting experience to find complete and determined disinterest in so serious a crime, one so fraught with major political significance, of no interest at all to any of the media, to book publishers and to those in important positions.

One would - and should- expect the exact opposite.

The situation that dis exist is a tribute to Lyndon Johnson's craftiness. He wanted above all for his Commission's conclusions to be universally accepted. In his selection of its members he assured that by assuring that all major segments of our political life would be represented on his Commission - except for followers of the assassinated President - and thus all those segments would be immobilized by their involvement on the Commission. This meant that no criticism would come from them. And none did.

Johnson's craftiness was so effective it has yet to wear off. It was still effective when I returned to the Post, after the spring of 1966, after I put Whitewash in general distribution and gave it copies. I recall one for the book reviewer and at least one for the news and editorial end, perhaps two there.

And then, as from the other papers, I hand-delivered copies to all the dailies then published in Washington and to most of the offices of the correspondents for the nations major newspapers, not a word from any single



one.

How to break that stone wall was a real problem. I had to find some way of doing that, but if I hoped for the book's success, having not a penny for any advertising and no help with or funds for promotion and having to do anything that got done myself made it even more perplexing and more difficult.

Finally, I thought of what seemed like it could lead to a breakthrough.

In working on the Commission's files at the National Archives, which then had all its assassination files in its main building on Pennsylvania Avenue, in Washington, I'd found only a few reporters there. None was then from the Post. On occasion I drove these reporters back to their offices because, coming from out of town, I had a car. I remember Johnny Apple from the New York Times and I think Bob Richter from CBS News. We spoke a little about what we had come across in those records but I saw no stories in the Times and heard or saw nothing on CBS.

What struck me most is that there was total indifference toward and no mention ever of the most incredible document that was perhaps the most important single record in those estimated 200 cubic feet of the Commission's files. That ghastly record was the supposedly definitive report Johnson had ordered of the FBI the night of the assassination, before the idea of a commission was proposed to him by the man then in operating charge of the Department of Justice in Robert Kennedy's absence, Nicholas Katzenbach. He was the deputy attorney general and they, as a general rule, do run that department while the attorneys general decide policy. (I got into what Katzenbach initiated in great detail and with documents I obtained in that FOIA litigation in my Never Again! Its draft was completed in January, 1993. That meant that its publication in July presented no problem at all and if the publisher had made any effort at all that normal time spread could have been reduced considerably and the book could have appeared much earlier. Why it did not, why it has not been published a year and a half later as I write this,<sup>1</sup> has not been explained to me in any truthful or comprehensible way. The only so-called explanation is that the book was not "timely." It could not have been more "timely" from the day I began writing it.)

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<sup>1</sup>Never Again! did appear in 1995.

When the FBI report was completed, and it was completed several days before it was turned over to the Commission on December 9, 1963, it consisted of five beautifully bound volumes. One volume was about Jack Ruby. One was the text of the main report supposedly on the assassination. And three were of appendices to that first main assassination volume. In the Commission's files they are all identified as Commission Document 1, abbreviated CD1. That one main assassination volume has about as much to do with the assassination as has a clove of garlic with a stew over which it was merely wafted.

It is no more than an uninhibited political tirade against Oswald!

This extends even to the FBI's index of it!

In all of it there are two references only to the assassination itself. Less than two full sentences in all to explain the President's shooting and death!

There is so extraordinarily little about the shooting that all of it is not even mentioned. Nor is the actual cause of death!

Somehow, this has escaped any attention, any mention at all.

So, having this in facsimile in Whitewash (page 195) I decided to take xeroxes of those two brief mentions to the Post.

Friendly was stunned and his face showed it. He took those pages to Ben Bradlee, then also a managing editor, in a nearby office. Bradlee asked me a few questions, as Friendly had, and they decided to assign Whitewash as a story to Dan Kurzman, a good and experienced reporter.

"Let's go get a cup of coffee and talk," Kurzman said when I returned a few days later. He led me to the paper's cafeteria, where we sat and talked for some time. I sum up what he told me as best I can recall it.

"It is a fine and an important book," he said, "and you did a good job with it. It is new; it is newsworthy." I think he added that it was also shocking and had shocked him. But he did not know what the Post would do.

After talking about it, after I answered the questions he had, we returned to the newsroom.

Larry Stern was then involved in their discussions. He and Kurzman emerged to tell me it had been

decided to question Howard Willens about it, and would I prepare questions they should ask him.

Willens was a well-liked young Department of Justice lawyer. All I knew about him is that he had been detailed to the Commission to work for it and that he was third in rank on its staff, after Rankin and Norman Redlich, Rankin's assistant, and that he was its liaison with his employer, the Department of Justice.

I had also learned at the Archives that Willens' first known official act on the Commission staff was to end the indexing of the Commission's records which by then had been begun.

As soon as he had the chance Willens went off on an economy binge. The explanation I got at the Archives is that he held that no index was needed, that the names on the file folders would serve that purpose. It did not and it would not.

The indexing was not being done by the Commission or at its cost. The Archivist had detailed indexers from his staff because in the end those records would all be deposited at the Archives because they are so important to our national history.

Not only were individual files not made of all names in the Commission's records, it was not practical for the Commission staff to go through all its file folders to check on any name, as they could have done with a card index, but in the future nobody in the world would have direct access to those file folders. With the card index typed, the typed copy could be accessible to all in generations to come who would research those records.

Willens thus, with Rankin in hearty accord, saw to it that at the very least any research would be obstructed and that researchers would have no way of knowing what names had been indexed or how they were.

I knew also that Willens had been part of the Commission's game to get Robert Kennedy to endorse the Commission's conclusions in its Report before they were even written. (See the chapter, "Hades Not Camelot" in Post Mortem.)

That Commission campaign was well under way in June, 1964. When the Commission began its work it had planned to file its Report in June. But in June the Commission had barely begun. It had not interviewed most of those it would interview. It had gone into its preconception, the conclusion with which it began (See the chapter, "Conclusions First" in Post Mortem), a well-kept secret. But by June it was apparent that the case had

not been made. The Commission still had to do what it had neglected to do, at least some of that.

It had not yet interviewed, to cite a few of several hundred illustrations, Abraham Zapruder, who had taken the famous amateur movies of the assassination. It had used his film without, as would have been required in a court of law, having him authenticate it and testify to the conditions under which he took it and what his observations and reactions had been.

James T. Tague was the third person wounded, albeit very slightly, during the assassination. The Commission began with the intention of ignoring Tague and his slight wound but, as indicated above, when Tom Dillard told Harold Barefoot Sanders, the United States Attorney for Dallas, that there had been a missed shot not accounted for in all the leaks, and Sanders laid that on the Commission, it knew it could no longer pretend that it had accounted for all of the wounds.

Incredibly, despite redundant proof of it in its files, the FBI never acknowledged that there had been this missed shot or that Tague had been wounded by it!

There is no mention of it or of Tague in its fabled definitive report, CD1.

There is no mention of it in any of the FBI's accountings of the shooting or in the elaborate graphics it prepared to demonstrate the shooting.

Even after the FBI transcribed for the Commission the recordings of the Dallas police broadcasts in which this missed shot and Tague's wounding are mentioned several times beginning at almost the instant of that shooting — and even after the Commission published the FBI's transcript made for it — the FBI persists in pretending that it never happened!

So, Tague, too, had to be deposed.

The Commission published its "List of Witnesses" in its Report (pages 482-500). This list is inflated by including as "witnesses" several newspaper stories and ex parte affidavits. Despite this crude puffing up of the Commission's work, the citations of the testimony in this list does to a large degree indicate by the number of the volume in which the testimony appears that most of the witnesses had not testified by the time the Commission had planned for its work to have ended, for its Report to have been issued.

Nonetheless, Willens, on the attorney general's payroll and detailed to the Commission, was part of the to me ugly, incident and really incredible effort to get the assassinated President's brother who was the attorney general to endorse the Commission Report not only without having seen it, but months before it was even written.

I met Willens only once, years after the Report was out and had become the subject of great controversy. An exaggerated and distorted account of J. Edgar Hoover's alleged concern about sending Oswald in the U.S.S.R. any identification papers of any kind. A story allegedly that the KGB could get them and use them in planting a spy here had been published. Washington's WTTG-TV had the Maury Povich talk show then. His producer asked me to appear on it with Willens. On that show I confronted Willens with part of his Commission record.

"Why an ad hominen!" he exclaimed, for all the world as though most of the audience had any understanding of that Latin and for all the world as though a man cannot be criticized to his face on his personal record.

And he never did justify what I had criticized him for. That one appearance seems to have satisfied his desire for radio or TV attention.

Years later I saw Willens' name in the paper. That was when the Special Prosecutor of the infamous Iran-Contra scandal was considering indicting the former Secretary of Defense Caspar Weinberger as a felon and for false testimony. Willens was one of Weinberger's attorneys.

(Weinberger was saved by George Bush's presidential pardon. Bush is the President who would have been severely damaged if he did not become the subject of an impeachment effort, if Weinberger had been compelled to testify and state under oath what his incriminating records said and meant.)

When Stern and Kurzman returned from having interviewed Willens, Stern went into Bradlee's office and Kurzman joined me in the newsroom, where I had sat awaiting them at his desk.

"Kid, you are in!" he exclaimed, in obvious satisfactions. "He did not have a satisfactory answer to any one of those questions."

Believing that many questions were neither wanted nor necessary, I had prepared only one single-spaced

typewritten sheet of them. Willens was not able to give a satisfactory answer to any one of them.

I returned home, leaving Kurzman to his story.

When it had not appeared after several days, I stopped off at the Post to see if he had run into any problems. He had, but not with that story.

He had been asked to leave the Post. Not exactly fired, which could have lead to a Newspaper Guild issue the Post clearly preferred not to have to face. He left with what I was told was a “generous” severance check. There was no indication that this story was involved in his abrupt leaving. He then began a new, a successful and a rewarding career writing books. Difficult, challenging books that required much research and inquiry and were not easy to write. From my experience with him, he was a fine, principled reporter who deserved the success of his new career.

He was replaced on the story by Richard Harwood, hired from the Chicago Tribune. That switch had delayed the story. Harwood had much reading to do to catch up.

Our conversation was brief and cool. He had little to say and what he said reflected an entirely different attitude. So, I left.

That was the time of the year that the American Booksellers Association held its annual convention, then always in Washington and always at the Shoreham Hotel. I had arranged to be there, being the country’s smallest publisher if not its newest publisher because I had published Whitewash myself.

The Sunday before that convention began, Memorial Day that year, Harwood’s story appeared. It was the issue’s most prominent story. It had a banner headline across the top of the first page, with a generous text under it and a large carryover inside that front section.

It did mention Whitewash, barely. And it did have a picture of Epstein’s Inquest on the inside page. But the story was largely on Epstein’s book.

That was much safer for the new hand Harwood, if the story line had not been given to him.

Epstein was gung ho! for the FBI and he was critical of the Commission’s liberals. That made a safer story, one less likely to be criticized, especially by the FBI. Epstein also endorsed the official mythology. That also

made it safer for Harwood and probably more in accord with what the paper wanted. This belief is confirmed by the Post's subsequent record on assassination stories, however in fairness to the Post, when George Lardner went to work for it and became its assassination expert, his stories and what little that was critical of the official mythology that the Post carried were far and away the best assassination coverage in the country.

It did, for example, carry adequate and more than the merely fair stories on those Commission session transcripts that had classified TOP Secret and that I obtained by FOIA litigation. I remember that John Hanrahan reported on one when I published it in facsimile and that William Claiborne and George Lardner each wrote a good story when I gave them copies of other those formerly TOP SECRET Commission executive sessions as I obtained them.

I'd also at about this time visited the Post's the book reviewer. He had a separate office, away from the newsroom. The first time I was there after giving him a copy of Whitewash he had started to read it. He told me he was well and favorably impressed by it. A week or so later when I returned he was away. But his secretary told me that while he had found the book to be very good and quite worthwhile he would not do a review of it.

I asked her "why?"

She told me that he told her that "Ben Bradlee told him he was not competent to write a review of it because he did not know the subject matter well enough."

With that standard widely applied, most nonfiction books would lack reviews by any professional reviewer.

Disappointed as I was over this double failure at the Post, and I did regard the story that appeared as a double -cross, it was still the cause of great excitement at the ABA convention.

I was disappointed because I had done all the work leading to the Post's doing a story, and it had taken time, and because I had put the Post in a position to satisfy itself about the accuracy of my writing.

It also made no mention of those shocking pages from the FBI Report I had given Friendly and Bradlee and had published in Whitewash.

And the credentials I had earned with the Post it had applied to Epstein, whose book was seriously

flawed as mine was not. Only a little of this appears above.

At the ABA, quite a few of those publishers who had rejected Whitewash congratulated me for publishing it myself.

“We wish we’d had your courage,” several told me.

All the publishers except me had rented space for the display of books they wanted to attract to booksellers. Viking’s display featured Inquest. Its publication date was about a month away.

Someone introduced me to Tom Gervasi, then Viking’s public-relations man. He was interested in my prior publication of a competitive book. We got to talking and became friendly. He gave me a copy of Inquest. He also told me that they had been unable to get Epstein to do a single thing to help promote the book.

While I had no interest in helping to sell a book that was in competition with mine, I did have an interest in attracting all attention possible to the subject matter. I had been led to believe that Epstein’s book was critical of the Commission’s Report.

So I told Gervasi that while I could not offhand, not having read the book, think of how I could suggest records he could use effectively to promote the book whether or not the book mentioned them.

I learned only later on reading of his book that Epstein supported the Commission and avoided all criticism of the FBI while praising it for its work. However, the records I identified to Gervasi and told him how to get them, helped Viking’s promotion so much they gave xeroxes of those records out wholesale. There were also incorporated in the coming Bantam paperback reprint. It seems that with the promotions for Whitewash that I was able to get in New York in was only a couple of months before Inquest was out in paperback.

(One of those records, the one I urged most strongly on Gervasi, is the report of the two FBI agents at the President’s autopsy at the Naval Hospital the night of the assassination.. That report, which I later published in facsimile in Post Mortem (pages 512-516) was for years claimed by David Lidton to be his great “discovery” He based his mistitled Best Evidence on a knowingly dishonest representation of that report, as I indicate elsewhere.)

The authors of most of the displayed books were at the ABA convention, there to be interviewed or to



speak to booksellers and to promote their books in any way they could. But not Epstein. Over the years he has preferred no public confrontations of any kind. Gervasi was surprised and pleased that he could introduce me to booksellers and have me talk to them about the Warren Report. He was so pleased that with my willingness to help a competitor book that at one point he took me to the suite of rooms of then owner of Viking, Tom Guinzberg (right). Guinzberg could have not cared less. It reminded me that Viking was one of the first publishers to reject Whitewash, even though it had been recommended by other Viking's own editors, one whose field was nit nonfiction.

Ever the Commission apologist - he knows the buttered side, even in academe, where he teaches government- Epstein did a lengthy critical article on Jim Garrison for The New Yorker magazine. It appeared in the early summer of 1968. It was well done . Most of the criticism was justified. It soon appeared as the book Counterplot: The Garrison Case. Like Legend, this also pleased the federal agencies, particularly the FBI.

Before long its appreciation was visible. Epstein did another of those lengthy articles, this one on the then active Black Panthers. From the content it seemed as though he had gotten much and one-sided information for which the FBI could have been his secret source. Whether or not that is true, it is remarkable that before that article appeared it was announced and praised by Nixon's attorney general, John Mitchell. Mitchell praised it on coast to coast TV.

That was some time before Mitchell distinguished himself as a felon in the Nixon Watergate scandals and went to jail.

His Legend: The Secret World of Lee Harvey Oswald appeared as a Reader's Digest book by McGraw-Hill Book Company in 1978. When it was announced and as illustrated in the prepublication McGraw-Hill catalogue it had a different title and was a somewhat different book. Its title was Lee Harvey Oswald. The illustrated dust jacket on page 23 of the catalogue has empty rifle-shell casings pointing slightly downward from the upper right and slightly upward from the lower portion, also pointing toward the left.

The indications are that after the book was contracted the late James Jesus Angleton, the paranoid former chief of the CIA's counterintelligence, took Epstein over hook, line and stinker (intended). Between the two of

like political perspectives, prejudices and preconceptions there emerged a work of cheap fiction, for all the great amount of work and extraordinary assistance from so many people that went into it, a work as crazy with Angletonian insanity as was Angleton's utterly insane career inside the CIA. The book has Oswald as a KGB spy and infers that the assassination was a communist plot, with the Cuban DGA collaborating with the KGB.

(Angleton enjoyed the public reputation of being fanatically successful as chief of the CIA's counterintelligence. From what is publicly known there is absolutely no basis for this at all. While the stock spook answer to such criticism is that only some of those inside it can know such things, the fact is that by its nature all of it cannot be kept secret. While I was not a spook in the OAS a considerable amount of secret information passed over my desk. From it I remember that where Angleton began to build his reputation as a superspook in counterintelligence, in the OSS in Italy in World War II, in fact the OSS counterintelligence there was close to a farce because most of the intelligence teams infiltrated into or dropped behind Nazi lines were captured almost immediately.)

(One of those fiasco led to sensational later litigation over the allegation that funds intended for Italian was stolen. Many of those OSS Italian operations were disastrous. That means that its counterintelligence failed. Angleton enjoyed a mystique as the CIA's chief of counterintelligence but there is no reason to believe he was such a genius except in self-promotion and in cold was propaganda. The CIA's major counterintelligence coup was getting and publishing Krushchev's secret denunciation of Stalin and his terror. In fact that speech was given to the CIA by its Israeli counterpart, the Mossad. The Mossad got it from a Polish Jew who was able to leave Poland with it. This was brought to light in 1994 by the Israeli weekly magazine The Jerusalem Report. It got no notice in American papers of which I know. This is the kind of thing that along with hints, secrecy and the cold was paranoia that gave Angleton his reputation.)

Angleton's obsession with his conviction that the KGB had penetrated the CIA in the end was much more destructive of the CIA than any KGB penetration could have been, Angleton was so intensely insane that about this he even had the CIA Director as a KGB spy inside his own agency. In the end the CIA had to fire him. He was embittered about that for the rest of his life and he never abandoned his insane obsession.

When Yuri Nosenko, a KGB official from its second Directorate, defected to the CIA in Switzerland in February, 1964, Angleton and his fellow paranoids, under his inspiration, decided immediately that he was a false defector, dispatched to “disinform” about the JFK assassination. They did all they could to prevent his defection, cooking up the most irrational justifications for it. From a large batch of records I got under FOIA, as rapidly as one was proven to be irrational or impossible they invented another of similar nature.

(The USSR had nothing to “disinform” the United States about the JFK assassination. The CIA’s inference is that the KGB was behind that assassination and that Nosenko’s role was to influence the Commission’s conclusions. This utter nonsense illustrates how the CIA is able to get away with almost any kind of lie because the media accepts them rather than expose them for what they are. This is considered to be in the interest of “national security.” The fact is that neither the USSR nor its KGB nor any assassins nor any country nor any alert element of the media did not know what the official assassination conclusions would be. The FBI began leaking them two weeks after the assassination. In my files the first publication of them was December 2, 1964. This forceful and effective leaking climaxed three days later and never ended. As the Commission’s executive session transcript of its TOP SECRET January 22, 1964 session reflects - and I had to be sue to get it and I disclose it to the press seven months before I published it in facsimile in Post Mortem (pages 475ff) - it recognized and was troubled by the fact that it did not dare conclude other than the FBI had concluded for it. It was the CIA’s former Director , Allen Dulles, who recommended to his fellow Commissioners that they destroy the stenographic record of that session. The destruction overlooked the steno typist’s tape. Under FOIA the government was compelled to have it transcribed for me. So, as was clear to all intelligence agencies of the world, there was nothing to “disinform” about. The conclusions were known. This kind of dirty tricks against the American people is typical of the CIA’s cold war irrationalities and in itself raises suspicions about the CIA and its possible assassination involvement.)

In the end Nosenko had to lie to keep from being prevented from defecting. Which is to say to keep from being killed.

But once in the United States his treatment, save that he was confined, was princely. That lasted until

the CIA got from the FBI copies of its reports on its interviews with Nosenko. As I published what Nosenko told the FBI and it told the CIA (Post Mortem, pages 627-629) the KGB suspected that Oswald was an American “agent in place” or a “sleeper” agent, and that even within the USSR he had been openly anti-Soviet.

Beginning with the CIA’s receipt of those FBI interview reports its treatment of Nosenko immediately changed to three years of the most subhuman abuse. He was mistreated so badly that the CIA itself ultimately concluded that the results of its endless polygraph examinations, all recorded and transcribed, could not be taken as legitimate. (Not that Epstein did not do precisely that) During this entirely unconstitutional and grossly illegal lengthy confinement Nosenko was for the most part secreted away at a CIA base in Virginia, inside a special small vault built to suit him. It had no windows. It had one overhead electric bulb, Nosenko was not permitted to read anything. As the CIA itself admitted officially to the House assassins committee on September 15, 1978 (Volume II, pages 487ff) some of those Angletonians, including some regarded as prime sources of unquestionable dependability by Epstein in his book, even recorded their musings about how they would kill Nosenko. What more probative source for a book than men who compare driving Nosenko crazy so he would neither value nor any credibility, or flying him over the ocean and dropping him into it, and other such means of destroying the man who after they were finally overruled turned out to be the best single source of information about the KGB the CIA ever had. It thereafter paid him for his suffering at its hands and used him as a paid consultant.

For all the great amount of money and assistance rendered by the Reader’s Digest and all the many people it got to help Epstein in many ways, for all the people who were as sick in the head as he was about the assassination that helped him, what Epstein evolved and was received with such high praise by the media was work of the most undependable trash about the assassination and about Oswald, an inflammatory, irresponsible and dishonest work.

To illustrate its designed and intended dishonesty, with this book ostensibly on Oswald and with about 10% of its index on Oswald, with about half that much on Nosenko, what I report above from the FBI reports of what Nosenko said about Oswald is not included in Epstein’s index. Not that Oswald was anti-Soviet within the U.S.S.R. and not that the KGB suspected he was an American agent. (Pages 376-7)

Oswald's secret writings published by the Commission and excerpted in Whitewash (pages 119-22) include:

“Oswald's hatred of the Communist Party and the Soviet Union exude from 150 consecutive pages of his notes...as well as from [Commission] exhibits (16H283-434). For example, in Exhibit 97 (pp. 422-3) he raged, ‘The Communist Party of the United States has betrayed itself!...in servile conformity to the wishes of the Soviet Union....The Soviets have committed crimes unsurpassed...deportations...the murder of history, the prostitution of art and culture...’ He also referred to the U.S.S.R. leaders as ‘fat, stinking politicians.’”

And as I noted on the next page (123), what Oswald wrote about the electronics factory in which he worked in Minsk is precisely the information intelligence agencies want and try to get. (For all the gobbledegook and mumbo jumbo about Oswald and his writing, for all the jabber about his dyslexia and his dropout's lack of formal education, he was intelligent and articulate and for a young man with his limitations and his background he left quite a bit of writing. AS I went over the disorganized FBI records I obtained through that FOIA litigation, I made duplicate copies of Oswald's writings for those who in the future might want to study them. They take up much of a file drawer. He certainly was anti-Soviet and anti-U.S. Communist, despite the official propaganda and the official mythology about him, as if Epstein were a scholar's scholar rather than an ideologue commercializing his academic credentials for political purposes he would have known. But, then again, had he, he could not have written this book and gotten the accruing fame and fortune.)

Then there is the matter of Oswald's Marines security clearance. Do not look for any notice of it in Epstein's index under “Oswald.” He could not have included the truth about Oswald's politics as disclosed in his private, secret writings not of this exceptionally high security clearance Oswald had in the Marines and then dared to write and sell this effective work of permeating corruption and dishonesty.

This is even more flagrant because Epstein extends special thanks to the Marines' officer who testified to the Commission that Oswald did have the high security clearance Epstein suppresses:

“I would also like to thank John Donovan, one of the officers under whom Oswald served in the Marines. He served as a technical advisor on Oswald's Marine Corps activities.” (Pages xiv-xv)

Not where it really mattered!

Donovan was not just another of the officers under whom Oswald served, as the supposed expert on

the Commission, Epstein, should know. Donovan was, as Epstein doesn't say — he is not listed in Epstein's index at all — the radar officer under whom Oswald was, as he testified to the Commission, and as many of Oswald's Marine mates also testified, one of only five men in that entire radar unit who had that high security clearance.

Oswald, the alleged “red,” with a high clearance?

In the Marines?

It is not easy to believe that Epstein undertook a book on Oswald without having read at least my Oswald in New Orleans. It was then the only book on Oswald. It is also not likely that those of the CIA who helped Epstein were not familiar with it. I know very well that one of his Reader's Digest helpers was familiar with it and had discussed it with me. So if Epstein was not aware of or familiar with Donovan's Commission testimony in its Volume VIII, pages 289-303, I do go into Donovan's testimony and specifically quote his testimony that Oswald “as a minimum” had to “have had a secret clearance.” (Oswald in New Orleans page 94)

Donovan was absolutely correct in saying that as a “minimum” Oswald had to have had at least secret clearance. It was higher than “secret.” Donovan testified to the secrets Oswald possessed about our radar and its capabilities and codes and to what he learned on the job.

As I also reported in Oswald in New Orleans, with one of Oswald's former Marine mates who asked for confidentiality as my source, Oswald had “crypto” clearance and that what he worked on was “‘black box’ stuff.” (Page 87. Pages 84-94 deal with Oswald's security clearance.)

It is not surprising that the check of Oswald's Marines personnel file as soon as he “defected” to the Soviet Union included no security clearance for him at all. My files hold the FBI's report on its examination of his personnel file and an admiral's cable to the Moscow embassy. Each then reported no security clearance listed for Oswald. The admiral offered the opinion that he may have had “confidential” clearance.

But Donovan, who was in charge of that classified work that Oswald did, knew it was classified and he so testified. That is in the Commission's testimony and Epstein has been trading for years on his supposed expertise on the Commission's records. AS he did with his very first, if quite faulty, book, Inquest.

It is beyond belief that Epstein had no knowledge of this security matter at all.

And he did have the expert of experts, Donovan, working for him as his expert on, in Epstein's own words, "Oswald's Marine Corps activities."

So, naturally he did not trouble Donovan with such petty details as his "red" assassin with such high clearances.

Not if he wanted the fame and fortune from his dishonest book supposedly on Oswald.

Only a few days after I learned from Oswald's former Marines friend of his having that "crypto" clearance I learned from someone who had had that clearance that a prerequisite for holding "crypto" is having "TOP SECRET."

When I filed a FOIA request of the Navy it claimed to have no Oswald records at all.

I waited a while before, on finding that front door securely closed and locked, trying a back door into those Navy files. I then asked, without mention of Oswald, for the records of the court-martial inquest into the death of PFC Martin Schrand. Schrand was one of the five who took that special, advanced radar training for their duties that required higher classification clearance at Keesler Field, Biloxi, Mississippi. That base reports having no record on Oswald other than that he did well in his training there. But the records into the inquest into Schrand's death, a death several of the nuttier Marines excited the Commission lawyers over by hinting that it was a murder by Oswald, leave it beyond any question at all. Schrand did kill himself while guarding the "Crypto van" in which he and Oswald worked. All who did that work had to have had "CRYPTO" clearance merely to enter that van, or even to guard it which Schrand was doing when he killed himself!

And so, we have this only partial view of the utter and intended dishonesty of one of the assassination authors most adored by the media, widely respected by it and professional scholars, editors and reviewers and by a wide assortment of official ass-kissers — and as professional scholar, too!

This is another insight into the JFK Assassination industry and into what publishers will spend fortunes to make possible while steadfastly boycotting or suppressing what is completely factual about the assassination and its official investigations.

Epstein certainly does have scholarly credentials. Those given on the dust jacket of Legend says he

“received his Ph.D. in Government from Harvard in 1972, and has taught Political science there as well as MIT and UCLA, where he had an appointment as Regents Professor of Government.”

With this incomplete view of his writing that is calculated to validate his right-wing politics, and with the fact no determinant to his saying what he set out to say to begin with, is it not to wonder what he teaches, how faithful it is to fact or how it conforms with the political views he holds and with which he began his professional life?

It would be unfair to Epstein to believe he is alone in finding that the road to popularity and to fame and fortune, is the road to of dishonesty and of corrupting the established official evidence.

In varying degrees it typifies their authors and all the assassination books approved and promoted by the media. Success in the JFK Assassination Industry requires dishonesty and corruption. Without there is no real success and almost no possibility of publication. Those who control this industry, the book publishers and the media, also control what is written because unless they like what is written it does not get published.

This is not the only industry in our modern life, particularly in our life after JFK was assassinated, in which the market control what is produced for it.

But the commercial standards for deodorants, depilatories, toilet tissue and worthless or dangerous medications ought not to be standards for our precious history or for the people to be able to know what proper functioning of representative society requires them to be able to know.

To be able to understand this one need only compare our country as it is with what it was when President Kennedy was assassinated.

There is an assassination obituary for which Epstein is entitled to perhaps half of the credit.

George De Mohrenschildt was a rather free-style living Russian emigre and a petroleum expert. He and his wife, as did others in the Dallas area Russian community, tried to befriend Marina Oswald when she and Oswald first settled in the area. De Mohrenschildt found Oswald a bit more interesting than the stodgier and older



people in that white Russian community. It is clear that their visits were either at social affairs in that community or when assistance was taken to Marina for her and her baby.

But with the major impetus to it begun in Jim Garrison's fertile imagination, a mythology, really a number of mythologies were made up about De Mohrenschildt. The most enduring is that he was the CIA's Oswald "baby sitter" or controller. It is entirely myth. But including particularly from a Dutch TV reporter, Willem Oilmans, the pressure on De Mohrenschildt grew and grew. It got to the point where he became a psychiatric patient at Parkland Hospital's psychiatric branch. He was not in good shape when he was discharged. That was in the time of the House assassin committee.

When he was discharged De Mohrenschildt was recuperating in the home of a wealthy woman friend in Palm Beach, Florida.

When Earl Golz learned that the committee was getting interested in De Mohrenschildt he grew concerned. He knew De Mohrenschildt, his history and of the mythologies. Golz was then an investigative reporter with the Dallas Morning News. He was also my friend. He told me that he had cautioned the committee and others who had expressed these zany and utterly baseless beliefs about De Mohrenschildt that he was not in good shape and to leave him alone because he was just out of the psychiatric ward.

When they did not, in desperation De Mohrenschildt killed himself, with a shotgun.

That launched still new conspiracy theories.

And they, like the others, were without basis or reason at all.

What had happened is that the morning of the day he killed himself Epstein and his research assistant had tried to sharpen their own axe with him. With Oswald cast in the role of a KGB spy, how else regard his reputed "baby sitter?"

Strained and drained by that ordeal, De Mohrenschildt returned to the home of his friend to rest before his afternoon grilling by the House assassins Florida investigator, Gaeton Fonzi.

Stressed and stretched as he was, it was too much for De Mohrenschildt.

He was dead when Fonzi got there.

In his 448 page The Last Investigation (Thunder Mouth Press, New York, 1993) Fonzi makes no mentions of De Mohrenschildt.

In addition to making his own contributions to assassination mythology before and then on that committee, Fonzi casts himself in the role of seer, seeing the future so clearly he used his vision as the book's title. As the first words on the dust jacket say, "There will never be another government investigation of JFK's assassination."

That was hardly what Fonzi's committee was.

If there were to be one like that of which Fonzi was part, how fortunate we are that there is none!

From Epstein's index (I'm not about to waste more time rereading this junk) the man he may have driven to his death has many mentions in Legend. In them even his "Africa trips" are somehow related to the assassination, to Oswald or both.

So, too, are his "marriages." In all he is on 35 of Epstein's pages. And that does not include his last wife. She appears on eight pages. De Mohrenschildt is important enough in Epstein's mythology for him to be indexed under 11 different headings.

Those who drove him to his death are such subject-matter experts they had not bothered to master the basic, established official fact of the assassination. It is enough for them to be persuaded of their own superior wisdom and insight and to that so armed they need not fritter away their precious time in learning whether their theories are even possible. And they ate both theorizers, no matter how they seek to hide that in their books.

How De Mohrenschildt was going to "baby sit" or control Oswald for eight months before the assassination that he then lived so many miles away, on the island of Haiti, has not yet been approached or addressed in any way by any theorizer of whom I know or by any theory of which I have heard.

This baseless theory did not die with De Mohrenschildt from what Epstein wrote and was published after his death.

If it is or can be exciting, who the hell cares if it is true or false?

After all, it is only the assassination of a President that is being exploited and commercialized.  
So anything — wrong, dishonest or corrupt — goes.