Clip under "Bugging"

2/18/71

Mr. Alan Barth
The Washington Post
1515 L St., NW
Washington, D.C.

Dear Mr. Barth,

We are all in your debt for that excellent statement of both opinion and fact in this morning's paper, titled "Should Mitchell Eavesdrop without Court Approval?" It is important writing, in a proper context, and it addresses the rapid disappearance of our most basic rights. Especially do I like what most today eschew, the accurate use of the description "authoritarian" and the reference to Orwell.

All of this has been very much on myx mind and, to a degree, has dominated my life, because of my recent writing and official disapproval of and interference with it. Pre-eminently, this has been by the Department of Justice.

Our rights, the sanctity of the law, the integrity of government and even that sanctioned use of eavesdropping, in the last analysis, depend upon the federal word. You did not have space for this, so it is this that I address. Somebody, in the sanctioned eavesdropping, has to give his word to a judge or an official who then accepts that word. The dependability of the given word is therefore relevant.

I now speak only from personal experience, 100% of which is supported by written statements of the Department of Justic and other agencies to me and in my possession.

First, I asked for the public official records used to extradite James Earl Ray. When, after six months without any response, I obtained a lawyer, there then ensued a long series of letters not a single one of which is truthful! First the Deputy Attorney General denied the possession of those records his Department originated. Then he repeated this lie. But these records had not only originated with Justice, as it turned out, they had also confiscated the records of the British court - with the assent of that court and that government (here,too, it is all in writing and in my possession, from the clerk of that court, by direction of the chief magistrate, and the Home Office). So, I filed suit.

Just before the long-delayed hearing, the Department capitulated and promised to deliver that which I sought, under the law "public information". But they held back, and eventually I got what I believe is rather exceptional, a summary judgement against Justice. Despite that, to this day I haven't gotten 100% of what was ordered given me. My book will be out in two weeks, but I'm still waiting for a small part of this. Worse, and stupidly and needlessly, a Department lawyer perjured himself, swearing falsely that he had delivered what he had, in fact not. This is proven by both the later covering letter and the presence of a Washington Post reporter, Paul Valentine. Need I accent the materiality when his false swearing was about what the court had ordered delivered, what I sued for.

I then asked Mitchell who watches the watchman, who jails his lawyer for what he'd jail me for. He has not replied. Nor has he or the lawyer involved denied what I tell you.

I have since filed other actions in which, knowingly, the Department has grossly

misrepresented and misquoted the law. Again, it is all in records in my possession. In one instance the lawyer cited as the law what Congress specifically rewrote the law to eliminate. That case is on appeal. In another, now sub judice (I just filed some of my papers two days ago), there is not a single accurate or complete quotation of anything - letters, appeals, rejections. regulations or laws. Misquotation is so obvious that I, a non-lawyer representing myself, have documented the infidelity of every one! The relevant portions of the law were eliminated. The relevant regulations were entirely withheld from the court. The net effect was to make up down, white black.

--- And still again, perjury, I think amply proven in the papers I have just filed. But, with all these lies to catch up with, and having them withheld from me until I'd completed response to one set before getting the next, it was impossible for me to meet the time deadline and rewrite. So, I cannot but wonder if a busy judge can or will find time to read such lengthy papers. However, I had to prepare them, in itself an intrusion into my writing and my freedom to write, as is the denial, again of public information, copies of official evidence in a published proceeding.

Now, if this same Department of Justice would lie under oath to a federal judge in two separate proceedings in which I am plaintiff, once the perjury by it and the other time, in effect if not in fact, suborned by it, what does it mean when it certifies the need to tap wires, eavesdrop or in any way inhibit the rights of any American, good or bad (and may I remind you that the rights of the "good" have been established, if that remain the correct word, in defense of those of the "bad")?

As the enclosed revjew from Publisher's Weekly (based on proofs) of my about-to-be printed book reflects, it is really an analysis and study of the Department of Justice and what it dominated.

These boys have "improved" upon Orwell's Big Brother, who re-wrote history after it happened. This gang is rewriting it as it happens. All piety, patriotism and zealousness, all hojier than the pope, all in the "national interest".

If you doubt one word of this, you are welcome to read more than I think you will undertake. The letters might take you less than an hour. But my last papers documenting this total dishonesty ran 110 pages.

This is but one aspect. I have spared you the other intrusions, which I will not permit to limit my use of either the (intercepted) mail or the phone. I have what I am not yet ready to disclose publicly but can show you, as I believe I have shown Paul, carbon copies of some of the intelligence against me, complete with cancelled checks to the subcontractor, conversations between his Washington and filed office, the letterhead and envelope of the "front" used - in short, the works, because it was too much for the stomach for one employee, who gave me these things and quit.

It is not only later than you think. It is worse than you say.

But congratulations are hardly enough for so fine a piece, so genuine a public service, so very good a sample of what the press should be doing more than it is.

Sincerely,

Harold Weisberg