

Harold Weisberg Rt. 8, Frederick, Md. 21701
12/10/73

Dear Mr. Shattuck,

When we met briefly in May we discussed the Hiss case for a few moments.

I then told you my belief, that with a different approach, the outcome might have been different, and that I was confident I knew the truth but there are special circumstances that preclude my doing anything about it.

Because I was and remain certain of his innocence, this has been distressing. It has also remained in my mind.

I am engaged in writing a different kind of Watergate book. It might be more precise to describe this project as a Watergate Library, for it will be a very large work that in most cases breaks naturally into separate books. I have no contract and no prospect of one but I do this work because it is apparent that if I do not it will not be done. When it is completed, this will be a different kind of bill of indictment than the fine work of the ACLU has produced and it will be more than a repetition of what is already known.

Because of this work I now think I see a way in which something of use to Mr. Hiss can be accomplished. If I am not certain that he can achieve what he seeks, I believe the prospects are good and I am confident there would be a valuable by-product in any event. Right now the timing for this is excellent, so if the effort is to be made, it should be done promptly.

When we met in May you asked that I write you a long explanation. As soon as I got home I did, without taking the time that would delay, to organize it in advance. You then complained about the length, apparently forgetting you had asked for length. Of course, writing takes more time than reading and I work a longer day than anyone I know.

In part remembering this, in part because I do not know if there will be any interest I have in mind, and in part because I don't want to encapsulate it, I leave it this way. If you or Mr. Hiss are in Washington, if I know in advance I'll arrange to meet with you there. Either, that is.

Or, you can send this to Mr. Hiss and if he is interested, I'll write him in the detail I think may be required.

On my FOI suit, if Jim Lesar has not sent you copies of our petition for a rehearing of the en banc rehearing, it might be of interest to you to read them. (And I have the Aprin decision and have read it.)

I have what I regard as a very simple philosophy, that the weak never survive when they merely defend themselves against the powerful. Had I been as well-known a man as Mr. Hiss the outcome would possibly have been different, but long before his trouble the same forces came after me. When I was before the grand jury I fought my case my way and my ~~lawyer~~ lawyer never had to go to court. I got the Dies agent convicted and he alone was charged. In part from this belief and entirely because I believe it is right, I have suggested to Jim that I file another civil action, against those who joined in deliberately deceiving the courts in that FOI suit. They did precisely that in two earlier cases, I think crossing the line into perjury and subornation. I think it is past time for this kind of effort. I have been wanting to take that road for several years. It is indicated by the report of the Administrative Conference, which I presume you have read. And I think that damage can be shown and measured.

Sincerely,

Harold Weisberg