

May 6, 1971

Mr. Elmer Gertz
120 South La Salle Street
Chicago, Illinois 60603

Dear Elmer:

Having been away for six days and leaving again in the morning, from the accumulated mail I answer yours promptly if hurriedly.

Your letter of the 28th is a futility of attempted self-justification. My letter of April 15 is specific in its accusations and its challenges. You neither face nor respond to a single one. This depresses me more than what I regard as the shameful thing you did in the Sun-Times. If such things have come to be acceptable in court, they cannot be in either reviewing or writing and in any kind of free or honest society.

So, between you and me, there is this tacit understanding that you cannot and will not face what I laid to you. However, what there is to confront in your letter I do. Your protestations of purity of purpose are irrelevant, so I ignore them, for there is a record, and that you ignored.

You "have had so many reservations about (my) writings on the Kennedy assassination..." So great that you never asked me about them? And you, personally, with all the other things you have had to do, have made a sufficient personal inquiry to warrant an opinion, a legitimate one? But let me make this, too, specific: Show me a single serious error of mine in this rather large work I have done, then prove it an error. Your "reservations" are irrelevant and can come from your prejudice. My writing, my accuracy, is relevant. Confront it.

Having this partisanship, I think you should ask yourself if it was proper for you to accept the assignment to write a review of any of my work on this subject. Is what is wrong for a lawyer as a lawyer right for a lawyer as a "reviewer"? Double standards of ethics and propriety, Elmer?

"It is inconceivable that you really think you were responsible for what I did and said on certain aspects of the Ruby case." Perhaps the converse is true, for I am reasonably certain that you were not of counsel with Belli, with whom I first raised this, in writing. The question is not one of the enormity of your work, which I do not doubt, but of timing, the point you evade. I raised this before you had done any of your work, as the case files should reflect and mine certainly do.

If there is anything else of substance in your letter of April 28 I do not address, call it to my attention and I will. It is not unkindness to you to ignore certain of your opinions and gratuities, such as that it is I who am "self-centered".

With your failure to address any of the substance of my letter of the 15th, I can find more acceptable explanations of your delay in response than your laudable ambition not to "say anything that I might regret". The tragedy is that you did, in this "review". Were you not parti pris, you might also regret some of the things you did not say.

I must acknowledge that you did, with some restraint, find a few words that you can describe as "praise". I have long lived with liberals who believe God gave them two shoulders only so they could carry water on each.

When the history of this era, of these political assassinations, is finally written, there will be many needless victims. I regret you cast yourself in such a role, for I believe it to be foreign to the kind of man you want to be. It is always time for the casting of votes. Why do you not begin with your failure to make even pro forma denial that you libeled me as I specified, apologize, or prove you were correct?

I feel you are uncomfortable with me because you prefer soothing generalities to unpleasant hard facts. But the plain truth is that here you are, this eminent and experienced lawyer who, faced with specifics, addresses no single one and expects acceptance of vacuous, self-serving protestations of holiness. Is this reasonable or responsive?

Our paths will cross if I get to Chicago and am asked about this "review". If I am and the record is unaltered, the least you ought expect is the repetition in public of the challenges you refuse to face in private. As I told you in the WBBM cafeteria, I believe the integrity of society at stake in these political assassinations and their handling and consequences. I asked you not to compel me to go after you by expressing opinions and desires as facts. Because of my respect for your record, I then restrained myself. I will not again. If you want to know what this can mean, come here and listen to the four hours that ended Louis Nizer's career of debating on the Warren Commission.

Or ask yourself why Percy Foreman flew from Houston to New York to be on a TV show and fled the make-up room when he learned he was to face me - after he had read FRAME-UP. Can it be because he shares your published estimate of it or of me?

I find your letter of May 4 particularly interesting. It accepts an offer I made in a way you could misinterpret, and for this I do apologize. But I find myself fascinated by your anxiety to see "as soon as possible" my "unpublished data on Clay Shaw". "On this I will comment," you say. Need I note that your comment would have no value for me?

There is an ambiguity in my phrase, "be my guest." But there is not in the context, namely your libel, that I was part of a framing Clay Shaw.

Because the truth is precisely the opposite of what you alleged and are not man enough to retract - I think it fair to add, or honest enough, and in printing - I am constrained to ask your interest. And what, if any, use you would make. I do not pass such things around to satisfy idle curiosity. Nor, with what Shaw, his lawyers and his "defenders" have done to me, am I about now to offer him unsolicited help.

However, I will tell you something of what it is and what I meant. I meant that aside from your inability to justify your libel of me, I would give you access to this material so that you could more fully satisfy yourself that you had libeled me. You have to know that without anything from me. And I meant here, not by making copies available. This material is in two forms: FBI reports the Warren Commission did not publish and my own interviews with witnesses Garrison did not interview or use. As I told you, my work was independent. And I never investigated Shaw per se.

Elmer, there are none so blind as those who will not see. It is your integrity that is in question, not mine. What proper concern for it should dictate serves your interest more than mine.

Sincerely,

Harold Weisberg