

1/31/75

Mr. Elmer Gertz  
120 S LaSalle St.,  
Chicago, Ill. 60603

Dear Elmer,

In part my angry reaction to your "review" of my book Frame-Up was because I could not understand how a man who I regarded as a decent man with the right concerns could accept such an assignment given his prejudices and our history on the Madigan show. Such things are not done, and honest lawyers, generally, are more sensitive to such proprieties and ethical considerations.

Recently I was given a copy of your Moment of Madness. In reading it, as I have been in odd moments, I think I now understand. It should be obvious to you that no personal need is served by this letter.

I do not credit the obvious conspiratorial inference that can be drawn between your "review", when Waltz writes a preface, and the New York Times reaching all across the country for its "reviewer", Waltz's partner Kaplan - who just happened to be engaged in what can fairly be described as anti-black and pro-government propaganda for the USIA at the same time. It is quite disreputable that Kaplan accepted the assignment, for we also had an earlier history, beginning with an open offer on my part to call factual error in his book to his attention and the subsequent ax-job he did in The American Scholar.

Obviously, Dean was a perjurer. I wrote Belli about this immediately, for you should remember I go into this in my first book, which you read. The basis for reversal justifies my non-lawyer's judgement on this, it not Belli's failure to respond. You have 10 pages on Dean and his false testimony at one point, beginning at page 71. You go into Griffin and his questioning. BUT, you do not report that Griffin called Dean a perjurer and that when this later came before the full Commission, they found a convenient evasion with a man like you and with this expressed concern, this is not an accident. And in a book of almost 600 pages, space considerations was no factor. You were consciously, deliberately, protecting the Commission from its own misconduct, its own egregious error. Really its dishonesty.

Then I came to your handling of the mercenary disgrace to your profession, Foreman, and his contract, of which I'd had no earlier knowledge. You know this and read the facsimiles in my book and are silent in that ax-job that you did on me personally? (Your p. 123.)

While waiting in an office a few minutes ago, I came to your self-disclosure on p. 150, that you came close to quarrelling with Kunstler because he said Lane's Rush to Judgement was a good book. Here I agree with you, but not for the same reasons. I believe that the doctrine of Lane's and Epstein's work is evil, and I do not think you can explain this. I do not think that was your reason or you'd have spelled it out, as it can be done so simply by one who understands it, and it would have made your point so effectively. So, I conclude your objection to Lane's book is because he accurately exposes flaws in the work of the Commission to which you were and I suppose are still dedicated. I am not Lane's friend, and he began by making himself my enemy, so I grind no ax for him. I regard him as a singularly dishonest man, regardless of whether he sometimes stands for the right things.

You are hung up on Warren, I suspect. This is no act of friendship to him, for right is right and wrong is wrong regardless of who does either. One of the needless tragedies of the JFK assassination is the damage to so many afterward. Warren is one of the victims, and those who, like you, take a three-monkeys attitude merely assure his defamation in history. One counsels doctors to heal themselves. I urge the equivalent among lawyers upon you. Besides, as must be obvious to you, you cannot have done enough work on the Commission to really know what happened, including what happened to Warren. If you had learned what happened in that Dallas polygraph room, you'd have had a clue.

Sincerely, Harold Weisberg