

## Chapter 45

# What Happened To “A Book of Extraordinary Historical Importance?”

In recent years, more, it seems to me, since John Kennedy was assassinated, our governments and those in positions of authority in them, have forgotten both the words and the spirit of our past. Even in such basic and simple things as being honest with themselves and with the people. In recent years this did not begin with that wide assortment of crimes known as The Watergate, all anti-American in their great and intended subversion of traditional American belief so nobly and succinctly enshrined in our founding documents that were so revolutionary in man’s history and life.

Before they grew to be revolutionary they were calmly stated without revolution in mind or in prospect. As they relate to the Warren Commission, to the assassination of the President and to what our government did and did not do faced with that assassination, it was put well by Thomas Jefferson in his first major political writing. Jefferson, then a young man, said in his Summary View of the Rights of British Americans two years before that revolution was declared,

“The whole art of government consists in the art of being honest.”

Jefferson was then 30 years old.

He followed these simple words with,

“Only aim to do your duty, and mankind will give you credit where you fail.” (Quoted from Thomas Jefferson: An Ultimate History by Fawn M. Brodie, New York, Pocket Books, 1991 printing, page 119.)

The converse is also true, do not do your duty and mankind will discredit you.

The Warren Commission, which was the voice of and represented the decision of the government, did not practice “the art of being honest.”

It saw its duty as making a political statement of perceived political need, without regard to simple honesty, and it was not honest.

The judgement of nine out of 10 Americans is that it lied, as overwhelmingly its own claimed evidence proves redundantly.

Mankind does not give it credit not only because it failed but because it was not honest in its failing.

And no government since then, beginning with the government that created that Commission with the intent that it not practice the youthful Jefferson's simple statement of the "whole art of government" by "being honest," has enjoyed the confidence of the people. No government since then has been truthful about that assassination, been honest with itself or with the people.

If we compare our country of today with our country of the time of the assassination the great and continuing cost of that assassination and of continuing government dishonesty in its wake is terribly clear.

It also is the duty of writers to be truthful. That is also "the whole art of" the writer if mankind is to credit his work.

Gerald Posner did not begin with the intent of meeting the writer's duty.

He began with the opposite purpose, the purpose that in our society is a subversive purpose, of not being honest and of profiting personally from not being honest.

Those who had also failed to do their duty as writers, the major media, helped Posner in his intended dishonesty and to the profit he made from it.

Because neither he nor they intended to "aim to do" their "duty" mankind does not honor them, as it should not.

The people lost more faith in the media, as they did in the government as the result.

That the major media pretended that Case Open does not exist is not new for the major media. It ignored the first book on the “crime of the century” and its official Warren Commission investigation almost entirely, as indicated earlier. Those books supposedly on these subjects that it did not entirely ignore are the phony books. They do no damage to the major-media reputation. It supported and it continued to support the official mythology. That not being true of my work, in general it was ignored, as Case Open also has been ignored as I write this months after it was in the stores.

With my first books the exceptions were when there was what individual reports I knew could be recognized as newsworthy. Those few stories were news stories. There has never been a single significant review of any of my nine JFK assassination books.

While I was disappointed that Case Open was also ignored, it was not unexpected.

So if my failure lies in not getting major attention that would inform the people about Case Open's existence the several hundred letters I received almost immediately do convey thanks and respect for trying to do one's duty. There was but a single exception, a politely snotty letter from that self-important phony and subject-matter ignoramus Jim Moore, author of the impossible book to which he gave the impossible title Conspiracy of One. He has been silent since he received my reply, and that is not surprising at all.

From the very first, the people perceive that their government was not then and has not been since the assassination “being honest” with them. Most of the more than 20,000 letters I've received over the years from so many strangers are explicit on this. So are those I got about Case Open.

Without any advertising or promotions it was, in Herman Graf's words to me about 10 weeks after it first went on sale, “doing rather well. Not sensationally or spectacularly but rather well.”

Someone who knows him quoted him as saying that it was “doing nicely.”

For it to be doing that well, in the copublisher’s opinion, when there was not a single advertisement and no promotions is rather good. Particularly when it had not a single review. That it is doing this well makes me and not me alone wonder what would have happened if the entire book had been published and some effort had been made to sell it by attracting attention to it. It is selling only because scarce as is book-store display space and fierce as the competition is for that limited space some bookstores - not by any means all - have it on their shelves so people can see it. People do care. Some of these sales I believe can be attributed to the title and to the intense dislike Posner generated for himself and for his book the reading of which convinced those who know anything at all about the subject of his and its dishonesty. Some is attributable to the reputation of my earlier works and, as a number of letters and phone calls told me, to the impression I made when I was seen on TV shows of the past.

The people can be and are deceived and misled by glitzy ads and exaggerated claims for a wide assortment of consumer products but it is my experience over these many years and from so many letters and calls and other reactions that on this subject the people have a good gut understanding and by and large they are not deceived. Their common sense, their experiences in their lives tell them that as the government lied to them, and that Posner did, too. He was much too pat, much too self-assured in his appearances and in his words in those appearances. He knew it all, that is what he projected, and nobody else did. To many he came across as a shyster, as a con man, and the people perceiving that did not trust him or what he said. So my mail and calls to me say.

This, I am confident, is reflected in sales much poorer than Random House anticipated from the enormous and costly effort it made to sell him and his fraud of a book.

That he defended and supported the government the people do not trust also turned most people off. He said the government solved the case and most people by far - nine out of ten - do not believe that. They did not believe him despite the unprecedented attention internationally, not just inside this country, that Random House and the major media gave him and his book.

It was not until after his book appeared, after most of the major-media glorification of it that the polls reflected this highest-ever refusal to believe the official mythology or his version of it. He turned off so many he magnified the number of those refusing to believe what their government and he told them to nine out of ten.

Aligning himself with the government, his declared formula for his formula book, was the belief there is a vast market for a counter to the successful Oliver Stone movie JFK. There is no such market because the overwhelming majority of the people do not and will not believe the government. Advertising and promotions could not overcome that and they did not.

His reasoning and that of Random House, despite the almost total and wholehearted support of the major media, was corrupt and dishonest; it was exploitive and commercializing, it demeaned the people, their intelligence and in that gave offense, and they failed.

As they should have.

What is different about the reaction to Case Open, my first book to appear in almost two decades? It is that so many of those who wrote and phoned me made it a point to tell me that they were either only young children when JFK was assassinated or they had not been born. From what they told me, most by far of those who got in touch with me after reading Case Open are younger Americans.

The book, they made clear to me, was emotionally satisfying to them because it exposed Posner and because of how it exposed him, with the established official fact he lied about. These earlier letters

included in a single day's mail one from a retired FBI special agent who thanked me for doing the book, as almost all do. He told me it convinced him that Oswald did not fire a shot. He concluded by encouraging me to continue the "good work." There was also one of the more emotional and to me gratifying reactions from a woman who, after telling me she was in the third grade when JFK was assassinated, told me of her pleasure when a friend made and gave her a painting of the Case Open cover, two feet by three feet. She prized it. She asked permission to make Case Open t-shirts. I was pleased to agree.

In the same mail with these two letters was one from an Australian airlines pilot living and based in Singapore - how he got the book he did not say - who wants my other books and, after reading them, will give them to his father, who is 86 years old and lives in Australia.

Another of the older people who wrote referred to a conversation with his great-great grandson who is eight years old and who asked him a question about the Commission.

I heard from the regional sales manager of a major corporation who also visited us, from several in defense and other industries, from a number of teachers and college professors and from quite a number of people in Canada. I heard from several other countries in which I have no reason to believe the book is on sale. They had it mailed to them.

The appeal appears to be broad and to include most elements of our society. That save for the dum dum Moore there was not a single adverse comment in hundreds is of course, pleasing. That so many referred to me as their "hero" is embarrassing. It is embarrassing because, again as Jefferson said we should be expected to do our duty. The duty of the writer is to write, to inform the people truthfully. I did no more than my duty and that is not heroic in any sense. Duty is duty.

What is conspicuous is that I did not hear from a single reporter or reviewer or from any

commentator for any of the media. Including those to whom I sent copies, not knowing whether the publisher had.

Not one.

What this reflects is their recognition that it is not news that controls what the media publishes, it is media policies. From the very first all the major media had a firm policy of supporting, even enthusiastically endorsing, the official assassination mythology.

With all of it going ape over Posner, mere mention of what proved his book to be an incompetent intended fraud would expose them for their uncritical praises of it.

It would expose them, too, for not checking his book or him out at all before rhapsodizing about it and about him.

In shilling for Posner and his malevolently cunning approach in which he and his publisher expected it to promote him and the book as the media did, the media saw perhaps endorsement of its steadfast assassination position when public opinion was so steadfastly against that position, as all the polls have for years reflected.

So that as usual for it the major media ignored Case Open was a disappointment, but it was not a surprise.

My belief is that while this would probably have happened no matter what, gutting the manuscript and eliminating so much of what in so many parts of it that could have made legitimate news made it easier for all the reporters to entirely ignore Case Open.

It is also my belief that if NEVER AGAIN! had appeared earlier, as it could have easily, there also would have been enormously more that is new and could not as easily have been as completely ignored.

As I said earlier, with that book available before or at the time Posner's and the other torrent of poor to terribly bad books sought to commercialize the 30th anniversary it would have provided a solid and entirely factual basis for them to be compared with. Had Posner's been compared with its content he and Random House could have faced the unprecedented disaster of a major-effort book exposed on appearance as the formulaic fraud it was, as the crassest commercialization of the nation's suffering the "crime of the century."

The major media that fought to air and praise him and his book would not have dared, and had any of those reviews of the most exalted praises of his book and him appeared, those reviewers and those who published them would have been a national spectacle.

NEVER AGAIN! confronts not a single small man who portrays himself as a giant, a man without ethics or morality or scruple, a man who has trouble telling the truth even by accident, a man who touts himself as a "Wall Street lawyer" when his Wall Street legal experience was in scut work that does not even require a law degree. (Checks of the indices do not disclose a single case he took to court - which perhaps to some might make him a "Wall Street" lawyer.)

NEVER AGAIN! counters the Journal of the American Medical Association, the most prestigious medical body in the country, and in that makes and documents the case for an immediate government conspiracy not to investigate the assassination. In the course of bringing entirely unknown and little-known official evidence to bear, along with new evidence, it makes a solid case for perjury in the Bethesda Navy hospital without which the fraudulent "solution" to the assassination of a President would not have been possible. It also makes enough of a case of it to raise the question, a chapter title, "Was there a military conspiracy?"

There is, of course, ever so much more than this in it, what is entirely new and thoroughly



documented, including much that was officially suppressed - even suppressed sworn testimony and affidavits that could not be more relevant and more destructive of the official mythology – destroying with that any vestige of official credibility and integrity. I use these few matters merely to illustrate the unusual nature of that book’s contents and its considerable importance and significance.

This with no conjectures, no theories of any kind, only with the little-known as well as the previously entirely unknown official evidence.

The immediate and the substantial reader interest in Case Open when there was not a single advertisement for it and when there was no promotional effort at all or a single review of it does, I think, indicate the existence of considerable public interest in fact about the assassination and its investigations which, with that books content, would have made it less easy for the major media to pretend it did not exist. With any attention to it competitive interests could have been expected to attract more interest in it and what it uniquely reports and brings to light.

This was the “crime of the century.” It did have the effect of a coup d’etat, and that is quite a different matter than what Case Open was largely reduced to, showing “The Omissions, Distortions and Falsifications of Case Closed.”

Concern about the delay in publishing NEVER AGAIN! was not mine alone. It was shared by four friends two of whom had and read every word of it, the other two having read most of it.

Once I began getting all those government records that had been withheld through all those many FOIA lawsuits I made copies for Wrono and McKnight, for their files and for their teaching, of those I believed they would want. I also gave them copies of all that I wrote. That was not only for their files and information. It was for them to comment on. Thus I had automatic peer reviews by the very best authorities in academe. Both are assassination experts in addition to being the most men eminently

qualified historians.

(In recent decades there has not been a legitimate review that recommended publication of any of the flood of assassination books and almost never is any peer review sought by publishers. Those books cannot survive authentic peer reviews.)

McKnight and Wrone both expressed the highest opinion of NEVER AGAIN! and each made valuable suggestions.

Dr. Gerald Ginocchio, who teaches sociology and criminalistics at Wofford College, Spartanburg, South Carolina, and who also teaches an assassination course, and William Neichter, a Louisville, Kentucky, lawyer, both also friends, read most of the manuscript. Both agreed with Wrone and McKnight. (Aside from having acquired much information about the assassination and its investigations, Neichter has examined the archive left by his former Kentucky Republican Senator, John Sherman, who was a Member of the Warren Commission. Neichter is helping expand that archive, which is at his alma mater.)

As I said earlier, I'd been trying without success to learn why the book was being delayed. After the initial delay, which also was without any explanation and of which I was not informed, when I had what had become rare, a phone call from Gallen, I asked him when the book would be published. He told me September, 1994. When there was no indication of any preparations for that, like assembling and deciding on what photographs would be used and obtaining those of which I had no copies suitable for use in a book, I began asking if this publication date would be met. He finally replied in an undated letter postmarked June 17, 1994. This is it:

Dear Lil and Harold,

Never Again is now fully edited, but not yet copyedited.

If you prefer someone else to publish it please make the arrangements. We

cannot publish it before March of 1995, but will do so then if you wish.

I do not wish to debate the justification of your anger. I do not have the energy to involve myself in mere acrimony.

I am sorry the book is not more timely published. I am sorry you are vexed. I am sorry you are not feeling stronger.

My best wishes as always,

Richard

You gave me carte blanche to edit Case Open.

It was not publishable as delivered.

Under his signature he wrote, "Please keep any reply to one page or less!"

He had found some of what I had written him earlier unpleasant and had not been able to respond to it. So he was really asking that he not be told more of what he did not want to have to respond to.

For example, the first words of his letter in which I emphasize the word "now!":

"Never Again (my title was italicized capital letters with an exclamation point) is now fully edited but not yet copy read."

It was not only "now," as of June, 1994. It was handed in a year and a half earlier!

Having shifted the man he had on the book to three other projects they had hired an outside editor, Kevin Adler, of Takoma Park, Maryland, a Washington suburb. When it was apparent that Adler made extensive excisions merely to shorten the book, not for editorial reasons, I raised that question with Gallen's assistant, Peter Skutches (right). Peter agreed with me that those cuts should not be made. He said they would be restored and that the book would then go to the copy editor, who prepares the book for publication.

So it was not only "now" in June of 1994 that the book was "fully edited." It was much earlier, and it was then that it was to have been prepared for printing. It could then have appeared in time for, really before the 30th JFK assassination anniversary.

Richard simply was not truthful and that surprised me very much.

It also is not truthful to say that I gave him “carte blanche to edit” the book as he did.

Eliminating most by far, without any explanation or communication of any kind or permission sought, changing the character of the book, is not by any concept normal editing, and that is all I agreed to, the normal editing every book should have.

The one matter he mentioned was his desire for the book to appear as a lawyer’s brief. I had no question about that because that is what I wrote. As his own letter quoted earlier told me, “I think you did a great job. You would have been a notable lawyer in the Clarence Darrow mold” (his emphasis).

And for a “great job” and that “in the Clarence Darrow mold,” butchering out three-quarters of the “lawyer’s brief” was not normal editing.

Neither of us used the words “carte blanche” and neither of us suggested it.

What he got, at his own request, was the rough draft. That needed editing and I wanted it edited, not meat-axed.

The most casual glance at what was published makes it apparent that there was not even the most rudimentary editing. There was only the most brutal evisceration of the most important parts of the book, at least three-quarters of it.

The only sense in which it is true that “It was not publishable as delivered” is that it was the rough draft. They were to have retyped the rough draft as rapidly as possible and I was then to go over it and make corrections and changes.

That agreement was in September, 1993, and the book was under the agreement to have been published in February, 1994. That meant copies were to have been available earlier. And that meant

the retyping was to be rushed. The retyping was never completed.

That letter distressed my wife and me very much. It also disturbed Dave Wrone who happened to be visiting us when it came.

He and I discussed it and I discussed it with other friends. None of us could explain Gallen's letter or understand why he was not truthful, why he had delayed the book to begin with and why he had not kept his promise to publish it in September, 1994, as he had. We explored many possibilities but could decide on none.

After Wrone was home he wrote Gallen, on June 30:

Last week I was visiting Harold Weisberg when your letter came relating to his manuscript *Never Again* and he showed it to me without comment. I then read it and was shocked and dismayed. You perhaps recall that I retyped *Never Again* on my computer. I also have a subject matter knowledge of the assassination and its various complexities that provided me with an informed opinion of the book as well as its place in history.

At any time this is a book of extraordinary historical importance. In terms of normal publishing standards its publication would provide an exceptional historical contribution to an understanding of our history that would be reflected in sales. Harold Weisberg's massive correspondence with men and women of all walks of life and types of relation to this subject and his sterling, indeed incredible reputation among citizenry that through the years I have had certain knowledge of and ample opportunity to witness, alone would sell the book in the many thousand copies.

It could easily have had a stunning appeal before the torrent of disgusting bad books generated by the 30th anniversary of the murder. With that book, which all others of that group would have been compared by reviewers and others, its impact would certainly have been of book selling and historical importance. One must see this book in its historical context and its scholarly contribution. Delaying it even further is strongly suggestive of intent to diminish at the very least the value *Never Again* has to the United States and to history.

In connection with Harold Weisberg's work and importance to this critical subject and our history as a people in this nation of Abraham Lincoln's "Great Experiment", and directly related to the question of *Never Again* I would call your attention to *Case Open*. As he usually did Harold Weisberg sent me Xerox copies of rough drafts of the book as he wrote it; just a small fraction appeared in the published book. My reaction to the manuscript upon reading it was, that aside from its marvelous and critical historical importance -- I am a historian and speak as one -- that with

normal editing and formatting nothing unusual was required for that book to be published. It was worthy being submitted for a Pulitzer prize in history. [I am not alone in this assessment.]

And, I call to your attention Mr. Gallen to the fact that no Pulitzer in history was awarded this year and that Posner's hoax was a candidate! Comparing the two, *Case Closed* and *Case Open*, would have been simply astonishing to the Pulitzer Committee. An event unparalleled in the history of the award and a publisher's dream for publicity for a book as exemplary as *Case Open*.

Reminding you again that I am a co-author of a standard bibliography in the field and an acknowledged expert in this complex and difficult area that I have spent twenty-five years of research on, that I serve as a referee for professional journals on the subject, and that I have an abiding and deep knowledge of the field, that aside from the unfairness to Harold Weisberg, *Never Again* is a book that ought not suffer any unusual delay in appearing. It is in the nation's interest and the public's imperative interest.

As a last comment I would observe that I believe that the Afterword in the book is the finest writing on the subject anywhere. It is of exceptional quality and profound perspective. Professor McKnight at Hood College shares my opinion and uses it as required reading in his courses. I will use it in my course on the assassination this autumn.

I added that Afterword based on suppressed official records that had been disclosed early in 1994. They had been sent to me by Dr. Gary Aguillar, of San Francisco, California. He had gotten them from Anna Marie Kuhns Walko, who was exploring those records belatedly disclosed under the 1992 law that required their immediate disclosure.

I did reply to Richard, pointedly and briefly, on June 19, in a little more than a page. He did not respond to me. Then, exactly to the day a month later Herman Graf surprised me by calling me. He had never done that before and we had not exchanged any letters. We had spoken to each other only once, that day that Richard had him connected on the conference call on which we had agreed that they would publish what appeared as Case Open.

He did not tell me why he called and I did not ask him.

He said that the major bookselling chain stores will not stock two books by the same author at

the same time and that Case Open was doing well and would still be on sale in September. I was not in a position to dispute him and I did not. I did ask for his assurance that the book would be exactly as agreed to in the summer of 1993 by Peter Skutches speaking for them, with no added cutting of any text, and he gave me that assurance. It is the assurance I had sought without success of Richard. He also assured me that the pictures would be used. He seemed not to understand the importance of the unpublished Black Star pictures of which I have contact prints. They show that Oswald's room was a veritable fishbowl and that curtains are being put up. That was the day of or the day after the assassination. But he agreed they'd be used.

Is it not to wonder how much Graf knows about the assassination after publishing all those many assassination books most of which are simply awful when he does not appreciate the significance of photographic confirmation of the alibi Oswald gave the police, that he had not carried a rifle in that package the morning of the assassination but had carried curtain rods?

And that he knows nothing about the totality of the confirmation of Oswald's statement he did not carry the rifle in so much of the Commission's evidence already in the book?

In its testimony by the only eye-witness?

In the testing of the "bag" that showed no oil from the well-oiled rifle, and no fingerprints where Oswald had handled it in carrying it on two different occasions by two different means or in placing it on the back seat of the car of Buell Wesley Frazier, who had given him the ride from and to the Depository building?

In a letter from my Ohio history-teacher friend, Dave Keck, 12 days later, I learned that his local B. Dalton store, part of a major chain, "had NEVER AGAIN! listed as due in September" on its computer.

So the mysteries multiply and become more complex.

One of the other considerations Graf did not mention is what they might or would publish. I knew that Livingstone's newest High Trash should be due soon. He had boasted of having a contact for it in his letters I refer to earlier.

But then he also did not tell me what I did not have to be told, what would have happened to their publication of Livingstone's Killing the Truth that is at once so odious and so irrational when it appeared to exploit the assassination anniversary when NEVER AGAIN! was already on sale and they could be compared.

It would have hurt enormously, worse than it was hurt by its own shabby character.

Not only because it would by comparison be seen to be irrational and irresponsible but also because his malicious lies about me would have been clearly seen as the lies they are and as malicious.

Graf also did not mention what I learned later, that they have announced John Newman's book based on the CIA's Oswald 201 file also for March of 1995.

Then there is the Publishers Weekly quotation of Kent Carroll and saying that Lifton's book on Oswald would appear in 1994. (It did not.)

Plus also Walt Brown's book of a statistical examination of the Commission's testimony going into which related to the assassination and which did not, which had members present and which did not, etc.

It does seem that what Jefferson said, "The whole art of government consists of the art of being honest," does not apply to book publishing.