

Rt. 12, Frederick, Md. 21701
6/5/76

Dear Alvah Bessie,

Your Pacific Sun review of Hellman's book, good writing, good reading, interested me first because you deal with people I respected and then, when I got into it, because of your own unintended and unrecognized "pic's shit."

So I'm going to tell you a story, with purposes, without criticism.

It is the spirit rather than the fact of your words I address to begin with:

"...for she knew very well that nobody who took the fifth amendment, as hundreds had before her, ever went to prison. Those who did, had taken the First and their landmark case is never mentioned in her book."

What made the case of the well-off Hollywood Ten a landmark case compared with the countless cases of the thousands of others scores of whom also went to jail?

There is a bit of elitism here.

How about those who took neither the First nor the Fifth and did not go to jail and were not stoolpigeons?

How about those who had no means, no important friends, no national attention they could use in their defense?

You people went to jail because you did not know how to fight, alas.

I had fought a tougher fight earlier and won, as best one can win under those kinds of conditions. They passed a law to get me, held up the appointment of the DA to be a federal judge to get him to indict me, forced grand-jury consideration and with all the power they had I took the grand jury away from the prosecutors, who handled it in turn and forced the indictment and conviction of an UnAmerican agent.

So, in the time of your trouble, one of you looked me up with one who had been a fellow Senate investigator in the 30s, a man who knew I had been investigating the UnAmericans and planned a book.

Dmytryk left with cartons of bound, irreplaceable volumes of clippings and a record of every penny the UnAmericans had spent for years, to the point I had carried the work. He left with a know-how and the means of performing a feat of intellectual and legal judo that would have been historic. With all the attention you people had you could have ended that committee forever and perhaps had a serious impact on what we now know as the McCarthy era. There is no such thing. It is a name. It began much earlier, before it grabbed me up, too.

Dmytryk turned out to be a fink. I presume you know none of this except that he was what he was. But the fact remains that you people, all of whom should have, did not know how to fight. Tragic as this was for you, it hurt us all.

Those UnAmericans were common crooks. I had the proof. If you, with all your means, had merely used what I gave you and continued that investigation up to the time of the hearing you'd have turned it all around. You could, in fact, have forced indictments, including of some of the Congressmen.

You'd also have learned who many of their stoolies were. They used a simple device for paying them. They called them "witnesses" and paid them witness fees. This was one of my handles.

I was a kid, in my 20s, without means, without even a job then. But I was able to scrounge enough to get three women to move into the office of the Clerk of the House with me and three typewriters and there was nothing anyone could do to stop me. I copied every one of their records.

(More, too - what I gave Jack Spivack that ended Fr. Coughlin - Jack's book, The Shrine of the Silver Dollar.)

You could have done what I could not with other records. Like the use of overt native fascists by that committee and the Republican Party.

You were not alone. I was.

The success you all earned and deserved was your liability - your real enemy. It kept you from fighting as you should have fought.

Then you seem to have given up and fought no more. I hope I'm wrong, that you did keep up the good work you had done. I recall your writing, Trumbo's and Maltz' and some of the movies. You, collectively, could not have made movies but those of you who write could have and could have broken through any publisher suppression.

Later I did, again when broken and without a job, as another review, White's first, in the same quarterly, indicates. I invented the "underground" book and made a success of it and those that followed.

Those of you who wrote were truly great writers. Society - the world - suffered a great loss when you allowed yourselves to be silenced.

Continuing to fight, as I have and from this experience can testify, is not easy. My point is that it can be done and that men must do it.

Several years ago, when I feared he was going to besmirch himself, I wrote Trumbo. Twice. He has never answered. Then I wrote Maltz, who replied that he was both ill and busy. Recently a friend spoke to Maltz. He was polite and negative.

Trumbo got suckered in on "Executive Action," a direct steal from a black book by the Branch CIA, SDECE. My investigation of it and the people involved leaves no doubt about this. What is not proven is that the CIA also was in on it. I believe it. The spooks father these kinds of works because their excesses help the spooks. I've broken up two in the field in which I work and had to do with others.

My continuing fighting is against the same forces, the FBI and the CIA and their less well known related agencies. I now use the courts against them. Don't laugh. I succeed. The courts and the laws. The only help I have is from two friends, a lawyer who could be my youngest son and a law student who could be my grandson. The lawyer is also without personal means. He is just starting practice. He and I regularly charge and prove felonies by officials, putting my head on the block to do it. Our opponent in court is always the prosecutor. Among our minor accomplishments is forcing the early retirement of at least four FBI agents and now, I think and hope, negating the intent of those retirements, keeping us from deposing them. Day before yesterday the federal court of appeals in Washington clearly indicated we can compel them to testify. If we can - and I don't know how we'll pay a court reporter if the district court on remand orders the depositions - we'll expose some sensational cover-ups.

I did not panhandle Trumbo or Maltz. Aside from warning Trumbo and offering him free help in the field in which even the FBI says I know more than anyone else, including the FBI, what I did was ask if anyone they knew could use some of my literary materials of promise. There is such I have come across in all these years of investigating the investigators that I cannot use myself because I am determined to keep doing what nobody else is doing.

Since writing those letters several years ago I have thought of this more. There are ways in which, perhaps, some of the Ten can help.

One that is important to me may be impossible but if you would undertake to make some inquiries among your colleagues it could help.

Please do not misunderstand me. I am not saying you owe me something, or that any of the others do. You do not. What I tried to do for you cost me much - the results of years of very hard and entirely unpaid work. It is a unique set of files.

I'd like to get them back. These are among the reasons:

I have an unusual archive and I want it to be complete. I keep hoping for some foundation support so I can work better and more efficiently and so that this can become a better organized, more accessible archive for the future. There is no question about a home for it when I can work no longer, although maybe a better home can be found. A major midwestern university wants it. I have records on native fascism going back to before World War II and so many thousands of pages of FBI reports there must be 3,000 I have not read. I have fewer of the CIA's but more than 1,500 pages I've not yet had time to read. I keep adding all the time. This is why I'm always in court, with three current cases and more to come.

If I knew only that Dmytryk gave those files I gave you through him to the FBI that can be important in one of the cases to come. If I can get them back that has more than archival value. The literary and social potential are great.

I'm preparing to sue all the official spooks for all their files on me. This will be quite an undertaking because I want to continue my other work at the same time, still have no resources, and these files are of great bulk. In my own and never illegal ways I have some. I have an idea of the bulk of the mail and phone interceptions alone. I have only a minor part of the surveillances on my public appearances and writing but it is about a thousand pages. Knowing they also have my own files can be helpful in court as well as quite dramatic.

I am exposing these authoritarians all the time. I want to do it as well and as thoroughly as possible, if it means no more than making a record for the future.

It is beyond my capacity to ask all your colleagues if they have any knowledge.

I've had a heavy phlebitis, with permanent damage. I type with my legs horizontal and have to stop typing every 2-30 minutes to walk around a bit. This slows me down some but I still work a long day. I started writing this a little after 5 a.m.

So, if you can see fit to ask those you can reach if they know anything that can be of use to me I'd appreciate it and perhaps put it to good use.

If you know people of means or have any way of approaching a foundation it could be of great help to my lawyer. We now have the possibility of taking testimony under oath from FBI and CIA agents and officials. This doesn't happen very often. We have been restricted to interrogatories and what my lawyer calls battles of the affidavits. We can do much more in direct questionings.

This may all seem strange and impossible to you. I want to encourage you to believe that very much can be done so I cite my records.

I've sued the federal government nine times. My one loss was a great victory. I can send you copies of the Congressional Record showing it is the first of four reasons cited as requiring the amending of the Freedom of Information law. This has led to so much use of the law that in one of my cases the government waived the FBI alone has a backlog of something like 15,000 requests. You may be aware of the thousands of Hiss and Rosenberg records that have become available because of this. I'll enclose flyers on my last two books to indicate the kind of material I've obtained and what it means. Right now I'm getting suppressed evidence in the King assassination. (I'm two-thirds of the way through a new book on it.) I have enough already to prove a deliberate FBI cover-up, not an investigation.

This young lawyer, Jim Lesar and I, have carried the defense of James Earl Ray to where it now is. This is one way of establishing what really did happen. In the court of this we have established a new and important principle of law, affirmed without publicity to the Supreme Court. There is great value in political as well as criminal cases for the habeas corpus petitioner to be able to exercise discovery. We did this. There was no public attention because our victory before the Supreme Court took the form of the denial of certiorari to the State of Tennessee.

There is more. I cite these illustrations in the hope you can see that this is not quixotic.

My lawyer is so new to practice he has yet to appear before a jury. But he has cross-examined Percy Foreman, been to the Supreme Court about four times and regularly defeats the Department of Justice. What he couldn't do with help!

I don't know Hollywood's current standards. I knew a little more in your day, when I broke up the Nye investigation of the movie industry through Warner, who didn't even say thanks when I succeeded him through his Washington flack. If this story interests you, I'll tell you. I remember it clearly enough. Without knowledge of current market choices and preferences I believe my files contain many ~~part~~ potential movies, more worthwhile books. Non-fiction perhaps treated as fiction.

I guess that what I am saying here is that with a little help this work could become self-supporting while greatly increasing its social usefulness.

You have your own life and its needs. I assume that the period of the Ten has made your life less easy since. And I am making no demands. Rather do I hope that while you can one or more of you principled people will see that there is this possibility of constructively pursuing the same principles today.

With the talents I remember real accomplishment is the minimum I can visualize. We were ^{and are} not of the past. We were and are the future if we but will be.

If you ever get east, I'm only a little more than an hour from Washington and Baltimore if you'd like to discuss any of this. I can travel only when I'm asked to make a speech. I've been hoping to arrange one in Los Angeles so I can beard one of those who corrupts formative legal minds, Slawson who teaches law at USC. He is one of the two who covered up for the CIA on the Warren Commission. The other is Ford's black oreo, Coleman, his Secretary of Transportation.

Coleman, if you do not follow such things, has just inflicted the SST on us. It is hard to imagine ^{what} this can mean to people. Here also I've had experience from the one period of my adult life when my primary consideration was mere survival. It would make a combination of "The Egg and I" and "Mr. Balding's Builds His Dream House." It did lead to my first suit against the government and a continuing precedent of noise ecology law. You'll find it in the law books. It ruined my farming when I was officially the best chicken farmer in the country but it also established the property owner's rights to the air space above his property to the point required to enjoy his property rights.

Is it Paul Newman who is fighting this? If you know him I think I can help him. That, too, is a worthwhile struggle. That kind of noise is a frightful tyranny the worst harm from which is masked by scientific gobbledegook restricted to mechanical injury. If the mechanical injury is a real possibility it is nothing compared to the emotional and psychological ruin that can't be measured on decible scales.

But I wander.

Thanks for anything you may do and my respect for what you have done.

Sincerely,

Harold Weisberg