

Dear Jim,

1/2/73

If there is one thing better than a good friend, it is a wise good friend. Typically, in your cautions of 12/28 you address what never entered my mind. Perhaps there will be other wisdom I should consider if I make further explanation. Because this is a broken-up day on which the phone has been and will be busy and because the sooner I get and consider advice the better, this before the other and heavy mail. Orders, by the way, still come in daily, and that is good for us and for the interest it reflects, new interest.

The assumption on which I work are old and I don't bother to think now because I did the thinking much earlier and then made the basic decisions. New ones deal with timing and consequent p.r. effects and reactions, etc. There is no excuse for my belief from the beginning of the current exposures that some kind of coup was possible if not probable and not correlating.

But I suppose my instant reaction may last. It is that if I can deter evil I should. This, if it is the course, means which is the most hazardous decision? Would I be in greater danger if I cause further exposures, those that can hurt, or as I have believed over the years, that taking the initiative is the one defense of the weak. Because of possibilities I have scattered sensitive things and there is nothing important of which I have the only copy.

I may be quite wrong in the belief that there is nothing I can likely do that will make any real difference because those with power hold feelings about me that are strong enough. One example was the recent display of this by the US Attorney in Baltimore to my lawyer in the old helicopter suit. He made it clear that Justice would rather go to court and lose and risk my setting still another precedent to a modest settlement because that modest settlement could be of slight help to us in our present circumstances. Thus my lawyer pressured me to accept the offer of the maximum the local attorney can make without Washington's o.k. because they had leaned on him for making it. My response was to reject it and propose a further compromise by me that is greater than this offer and does require Washington's approval but because it is reduced can be a face-saver for all of them. An I insisted on a net figure rather than a gross settlement offer and let them work out the details. I won't pay taxes on what they'd give because that would reduce what I get, so they can work out a formula that does not require paying taxes. If they will. In this there is also a gamble because there is no limit to the crookedness I can face. I am now better prepared for it, however. In the first case an FBI agent fixed my chief witness and I didn't learn about it until too late.

What we are really talking about is survival, in its many forms. In the normal sense our problems are only too real. One of the things I must accomplish is eliminating my debt to the bank so we won't be foreclosed. My offer of settlement originally, meaning originally recently, prior to pre-trial conferences, was in these terms: an amount net and equal to what we owed the bank as of that day. (I anticipated the O&D deal.) So, I am not hiding from them the way I am thinking, which should tell them something about me as of today, not as of the past. It forces the decision to them.

Because I have not stopped to think this through recently, I must find the time.

Preparatory to it I did two things: I finally got Bud to agree to make the court record that again confronts Justice with charges of criminality from me, in the spectro suit. These are now in the record that goes to the Supreme Court. It was so tough a thing to do at this stage (it would not have been had Bud done it at the outset, as was obviously the need and as he'd agreed) that Cesar has met no lawyer who wasn't a bit uncertain at best. But without it there is no way of surviving in this Supreme Court. And I filed the suit that spelled it all out against Ford and the spooks on Oswald as an agent. Now it got no attention and I did nothing to attract attention to it. But it is a matter of court record and it is something that at some point will be in open court. These are initiatives and others are possible when their time has come.

Perhaps wrongly I feel that doing anything overt to one who has taken these initiatives and on these subjects involves a kind of hazard particularly because of the people who know about them and what they entail and mean. And as I have always felt, it would mean attracting enormous attention to my work, especially that which has had no attention.

Of course the potential we both see alters all of this and the thinking required, as you have seen and I did not.

a new and desperate adversary, one with greater power and more of a disposition to use it unwisely and often on improvisation.

Here what I'll have to evaluate is whether enough is known about what I have and have done for nothing to make any real difference. I think this is possible. I assume I have little privacy and I have no alternative to using the normal means of communication. I am inclined to two beliefs: that my prospects of doing anything with this work are not good and that they will see it this way. However, should anything happen to me, the question would be whether any interest would be attracted to this unpublished work.

There are so many areas in which I have hurt so many that I do wonder if anything would make any real difference now. Recently I aborted their attempts with Ray, something I doubt he realizes. I had no choice about means. I used the phone. So, there may be no secrecy about it. And in doing this I one-upped them. I used something they had probably forgotten about because it is more than three years old. They offered Ray a deal he could not accept. To a guilty man? Impossible, as they realized. They were asked the question, so if they did not pick it up on my phone, they did on their own. They backed off and I did nothing further. Of course, this is not the end.

From noise ecology and law through the full range of which you know, to many I am already a problem. Is not the question am I enough of a problem?

Perhaps the changes I see are minor, like this backing off fast on Ray. The press treatment of a really cocky writ and obvious and irreconcilable contradictions between this writ and Jerry's handout are encouraging. Almost everyone played the write straight and ignored the contradictions. And the story got more attention than anything since the minitrial. Where the media used to go out of its way to make the rational appear irrational, the now do the reverse. Here I think the difference is WG, and the Post is talking about sending Valentine down, the real reason I wrote JER early this a.m.

There have been some of the interruptions. You are right about the potential defendant and about his adversaries and their cowardice. I believe a minority are not cowardly and that imminent national ruin may change things, as can be done by other than a coup. What is different is that there has been unpublicized but apparently wide discussion of a coup and there is major division among those who would ordinarily be expected to pull it. This raises the question can anything make any difference and I don't know the answer. You are right about the better the case the greater the hazard, something else I had not considered.

Your instinct about keeping the number of people who know as small as possible is a good one and is the basis of all spookery, the need-to-know bit. To date it has been restricted to those who might be part, as best I can recall. This meant, for example, raising the issues with the ACLU and with two others who were approached in the quest for counsel. Jim has discussed it with a lawyer unknown to me.

On the agencies, more than one, depending on what seems substantial enough. Maybe 4-5. And actually what I have in mind is a private approach to the main one first, before filing. Informing that there has been this damage and offering to settle without going to court. With an agreement to never more. I know this seems naive. But a civil suit permits depositions and interrogatories and before anything transpires in court these can be very embarrassing. In the FOI (Ford) suit time for response has passed without response and Jim is considering asking the court to order response. I've left decision to him. And on a number of occasions I have been given what I wanted rather than forcing me to go to court. I think it is not impossible because of the alternatives for them. You pose those for me well!

I lean increasingly to the belief that the greater possibility of a coup is against him rather than for or by him, if only because the country really is going to hell as the papers do not show. The statistics are phoney on unemployment. Remember a note long ago about the expectation of 8%, maybe 10%? The unemployment offices are on overtime and are unable to keep up with the loads. But the significant factor here is not the little ones who are hurt but the big ones this really represents. Offhand, without thought, there seem to be no beneficiaries except the oil cartel. Isn't everyone else hurting? Including military?

So, it is as you say, "what sort of environment." Here I think it is still cloudy.

And I wonder if I could be helpful to those who don't want a coup by him - or him - and if they are really serious and numerous enough, with the power.

Your survey the battlefield figure is apt. At the moment we can do no more and we can now do it with wider vision.

There is no possibility of initiating anything until the Baltimore matter is over. I have been told to hold this month clear for it. Of course that is priority and will be.

Meanwhile, the time you took, which I much appreciate, has directed me to think where I have not and I'll lay your letter aside to take up with Jim, do he can be aware of it. If you have any more thoughts, I hope you can find time to send them.

Thanks and best,

JW: Mattos.

You have done all you can and you told it as it is. Like so many who lack the experience on which to draw, they seek easy solutions and disregard the future and what temporary security can mean. This probably hooks more people than anything else.

However, there is another side, and that is the need for authentic, fairly honest and non-political scholarship and plain competent translations. The larger part of the intelligence establishment is really engaged in the equivalent of straight research in which, if honest, the individual researcher faces no real conscience problems.

This may well be the case with Kil. And his presence on the scene plus this experience may lead to something academic. I think Chinese studies are about to be expanded enormously. With increasing relations and the urgent need this country has for ordinary trade, the forces are now beyond restraining and the normal growth will require what it requires. This means people who are prepared, so there is a probable future.

Because it is so scarce a skill he has, he may have a very bright future and he may easily be tempted into academic, commercial or industrial employment. Hope so.

Also share your other hopes! The possibilities you see are very real.

Weather is now a respectable topic again. It is near the freezing temperature at midday and I gloat at getting along ok in Hil's absence with the heating system off entirely! I won't turn it on until I got for her and then I'll heat to no more than 63-4. Last night it was between 0-10°, I slept until almost 6 today, and had it not uncomfortable for her when I awakened her at 7. (I also feel good about another 20-hour day yesterday and no great fatigue today. I think it is important to cope or to try when it is impossible, so there is an emotional good in all of this for me.) I am accumulating a large stack of down wood from our several wild acres and yesterday enjoyed very much carrying it down the steep hill and then carrying it to near the house for sawing, the uncut being easier to carry than the cut. If Waldron doesn't come this week I may start using the fireplace full-time this week. If I can get enough sawed. I've got some green trees marked for all-night wood. Getting them will depend on the weather. But with the cost of oil, such measures are vital for those with as little cash as we have. And there isn't much we can do to weatherproof this fortunately tight house. Takes a strong wind for us to feel it. We hope for the sun with all the Thermopane. Out two coldest months are now and we're kind of adjusted now.

Sy Hersh 12/9 and 10 pieces: I do have 10-only, thanks. Surprised HR didn't send, but I guess school is keeping him too busy and he had editing of his book to go over. He didn't come for holidays I believe first time.

Thanks,