

XXXII The Formula Man

Gerald Posner was two different men with me,
and his wife
When he spent three days here in February, 1992 he was friendly, thoughtful and courteous and he seemed to appreciate the free and unsupervised access I gave him to all the information I ~~had~~ ^{have}. We liked them both so much my wife even invited them for Thanksgiving dinner. They accepted, seemingly with pleasure. They did not come and they did not tell my wife they were not coming. That made no problems for us but it was the first time I wondered whether they were the kind of people we believed they were when ~~they were~~ they were here.

The first certain knowledge I had that he had entirely misrepresented ~~to me~~ the book he described was when, some time after it appeared, I was sent a copy of Publishers Weekly dated May 3, 1993. Interviewed by Robert Dahlin, Random House's vice-president and executive editor ^{Bob Loomis} said that Posner and his book would do ^{what ~~it~~ ~~was~~ ~~that~~} impossible, "answer all lingering questions about the assassination" and do that by "computer and laser enhancements," in proving that Oswald was the lone assassin.

^{Posner}
When he phoned me after that story appeared he told me he believed I would like what he said about me in the book.

We have seen how much I should like that ^{whether he} ~~or he~~ should have expected me to like it. And that, I regret, represents the real Gerald Posner.

Who is also so cheap he never sent me the copy of the book he said would be one of the first sent out.

I think it is more than cheap, that it represents his certainty about how I would react when I read it. This also reflects that he knew exactly what he was doing when he did it.

He began with the belief that there were some people he would have to deceive. That was no problem for him. He ^{is} ~~was~~ pretty good at it, whether or not that ^{comes} ~~came~~ from experience. If not he has a natural talent for it.

What I learned about him since then is ^a consistent with his self-portrayal to me. He describes ~~himself~~ himself in Case Closed with more definitiveness than any enemy could. And as a man yearning for enemies.

He undertook to do this by commercializing and exploiting the crime with a massive lie about it that, with its widespread acceptance, serves to protect those responsible for the crime and for the unacceptable official "solution" to it, what to me is its own kind of crime. He became part of a deliberate deception of the people.

(Because this is what so many other ^{writers} and their publishers and promoters did, this is an appropriate point for reminding the reader that in this book Posner and his partners are also symbols. They do symbolize the failures of ^{exploiting (of / (commercializing} writers, their publishers and of all those who helped them from the time those first Dealey Plaza shots were fired.)

He shows no conscience at all. I recall no exception to his not once reflecting that he has a conscience. If he suffers at all, it will not be from a troubled conscience.

The kind of person he is can be understood by first thinking of it in simple, normal, every-day terms. *Whether or not*

That he could repay hospitality and considerable free help in his work, and days of time taken to help him, with false accusations and^c criticisms that have no basis in fact or in reason and undertake to ~~demean~~^{demean} at the same time is not the way decent people repay hospitality and assistance.

I am not personal in this. My personal feelings are as they would be were I assessing a crawling worm rather than one in human form.

Comparing what he undertook to do to my personal reputation and to that of my work when neither had anything at all to do with either his fictitious account of Oswald's life or his literary thievery that he claims as his "solution" to the assassination, which is to say had nothing at all to do with his book, with what he said in signing a copy of Mengele to my wife and to me, makes this apparent. Here is what he wrote on the title page of ~~that book~~ Mengele that he then handed me:

465C

Feb '92
~~MENGELE~~

~~The Complete Story~~

Dear Harold or Lil-
To a couple
that understands the importance
of the truth, despite any
obstacles or criticism.

Many of us try
to follow in your
footsteps - Best always -

James

550
12
55,000
1,000
56,000

20
120
140
200
200
5,600
\$ 560
240
A 500

GERALD L. POSNER
900 EAST 54TH STREET #28C
NEW YORK, NEW YORK 10022-5026
(212) 838-9374

January 20, 1992

James Lesar, Esq.
Assassination Archives and Research Center
Room 510
918 F St. N.W.
Washington D.C. 20004

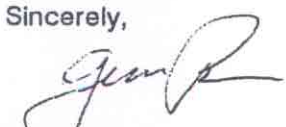
Dear Mr. Lesar:

It was nice to talk with you last week. When I finished our conversation, the familiarity of your name kept nagging at me. The following day I remembered reading of your pro-bono FOIA work on behalf of Harold Weisberg. I respect his work, and know he has fought some staggering battles. I did not know you were his ally in some of those fights. (Incidentally, I am interested in contacting Mr. Weisberg and getting some guidance from him regarding my project. If you can provide me a telephone number I would be appreciative).


Enclosed is a \$25 check for an annual membership in AARC. Have you had a chance to check the number of pages involved in copying the HSAC volumes? You may be my only choice for obtaining those materials outside of a restricted library setting. I am anxious to obtain a copy as soon as possible since my work is now at a stage when I need to make constant reference to the HSAC research.

I will telephone you later this week and hopefully discuss some further items. In the meantime, thank you for your assistance. I look forward to meeting you in the near future.

Sincerely,


Gerald Posner

A 500 plus postage

So also is what he wrote Jim Lesar Jan^y 20, 1992 about me: " I respect his work, and know he has fought some staggering battles. I did not know you were his ally in some of those fights. (Incidentally, I am interested in contacting Mr. Weisberg and getting some guidance from him regarding my project. If you can provide me with a telephone number ~~to~~ I would ~~appreciate~~ be appreciative)." 

What he sought from me is hardly described as "guidance" for his "proeject" as it appeared in his book. What he wrote about me in that book is not at all that I had "fought ^{those} "staggering battles" to ~~bring~~ bring information to light. Or, for that matter that in any one of them I spent more time in court and in what amounts to some practise of the law that he did in his entire lawyer's career, ^y "Wall Street lawyer" that he and his published boast he is. My firm friend, a New York City lawyer, Roger Feinman, could not find any record reflecting that ~~Posner~~ had filed a single case, "Wall Street lawyer" that he is. When I had no choice I was my own lawyer on a number of occasions, from traffic court ^{in Fort Collins} to the federal district courts several times and even before the United States court of appeals. ^t Any one of these is more experience in the actual and as a publisher to collect money that was due me practise of law in court than Feinman could find ^{entire} in Posner's record.

I am not boasting in this. I would ~~not~~ rather not have had those experiences being my own lawyer and I was not as a matter of choice. I am addressing Posner's ^{honesty} and his own representations of himself, his work and his life and ~~career~~ bragged-of career as a "Wall Street lawyer" on the cover of his book and in so many ~~books~~ reviews and interviews by those who were so impressed about his non-existing career as a practising lawyer. ^{"Wall Street"}

From the time Posner wrote Lesar in January, 1992, ^{and when} or he wrote that ~~in~~ inscription ^{the next month} nothing ~~was~~ intervened to change any of what he wrote ^{then} in 1992. If it had, he certainly would have included it, given what he did say in Case Closed. And, parenthetically, what does his letter to Lesar reflect about the extent of his research when he had ^{to reveal} not found how to reach me when that is indicated in all my books and in the ~~state~~ standard directories like Books in Print?

Does he say in Case Closed that I understand "the importance of the truth, despite any obstacles or criticism" or does he say the opposite?

Is there anything we have seen in his book that justifies even the slightest suspicion that in it he was "trying" to "follow in" my "footsteps" or recognizing ^{ed} the importance of and seeking "truth?"

of this *of his inscription* *throughout*
Quite the opposite. He lives ~~in~~ his book as though his life depended on it, as the success~~ful~~ of his book did without question because without lying he had no book at all.

Does his taking the work of others and presenting it as his own - and without that, too, he has no book at all - show that he "understands the importance of the truth?"

Or does this reflect a man who will say at any time what he ^{then} thinks will serve a purpose he has in mind and ~~then~~ say the exact opposite ^{thinks that} when he ~~says~~ this opposite he can ^{be of} ~~see~~ any benefit to himself [?] in saying the exact opposite?

What he wrote of me on his Mengele book in February, 1992 and what he published about me in August, 1993 are as opposite as they can be. 465 E HW

~~And nothing at all intervened to cause any change in what he wrote in 1992. Had there, given what he did say in Case Closed, he certainly would have included it.~~

Was his copying seven hundred and twenty-four pages of my records, of which he makes no mention in his Acknowledgements, and then using them as the fruit of his own great labor ^{- is this} (his personal practise of "the truth" he said he sought in following in my "footsteps?"

My friend and former FOIA lawsuit lawyer, Jim Lesar, president of the Assassination Archive and Research Center, tells me that Posner copied twice as many pages of their records and passes them off in his book as his own work, too.

In it he became, inextricably, forever part of our history, ^{part} part of it as I would not want to be, ~~as~~ as I believe most people would not want to be.

465X →

As we have seen, he has no innocence in what he did. He ~~had~~ had to know ^N what he ~~was~~ doing and that was, without reasonable question, exactly what he intended to do.

^P Perhaps he is ^{an Ayn Rand} an amoral type or ^{like} (one of those many too many who found homes with the Gestapo and the KGB; who were comfortable in those homes; who were content to lead ^{the way lived} the kind of life ^{for} those ~~of~~ whom there should be no decent homes in any decent society ^{found} to be the kinds of lives they wanted to live.

^{himself and} Maybe, in time, when all the unearned kudos is past, when he is no longer promoting ~~his~~ the book, he will give what he has done some thought and perhaps even have some regrets.

All indications are that if he develops any regrets it will not be from ethical or moral concerns but from suffering.

465A →

To suffer pangs of conscience requires a conscience and ^{that} it be an active conscience. ~~Whether or not~~ he stole copies of ^{my} these records that could be embarrassing to him on what he had already decided to do, and there is no proof at all that he did, only the suspicion that has some basis, he is ^a the man who abuses hospitality and trust and he did that with more than just me. That ^{most} most of us do not do easily and that most of us regard as bad, as reprehensible behavior.


465B →

That he is and that he could be so lacking in conscience or ^{a common decency} principle interested me in the kind of person he really is. My curiosity kept me looking for clues, for more and ⁿ different ~~cluse cluse clus~~ clues than those in his book.

As I was sent ^{reviews and} newspaper stories, ^{of him} particularly interviews, I found that as ^{he does} in his ^{then} book ~~he~~ says whatever seems at ^{that} any time to ^{serve} serve his interest ^{at that time} as he sees it, ^{then} then. As we shall see, he has no trouble lying about himself and he lies even when there is no apparent need for him to lie. He also does ^{that} when ^{his} his need is apparent.

There is no apparent need for him to lie about where he ^w went to law school yet ~~threazdzffazantz~~ that he graduated three different law schools is attributed to him. All for the same years of his life, too. ^{one listing is an error, another} may be a reporter's error. But he has made no corrections

My friend, Louisville, Kentucky ^w lawyer Bill Weichter, check ^{ed} with Gannon. It has no law school and Posner was not there as an undergraduate. Jim Lesar checked with Martin-dale-Hubbell. It confirmed that the error was it by it, coming from the apparent ~~error~~ educational staff mistake in posting the numbers by which the directory identifies the institutions. Posner did not file a false statement. He did go to Hastings for his law education ^{and} any others who may become interested in ~~his career~~ what he says about himself should not be misled by this incorrect listing of so many years' duration that he did not correct. He did not file a false statement with the directory.



t
.
f
s
s
l
w
e
n
n
r
d
a

This is what Jerry Carroll wrote in his interview of Posner published in the San Francisco Chronicle of September 30, 1993:

"Posner, a second-generation San Franciscan who went to the University of California at Berkeley and ^{the} ~~hasting~~ law school is ^a former Wall Street litigator who gave up the law when he got hooked on writing non-fiction."

That appeared on a Thursday. Four days later, on Sunday, October 3, this is how Paul Galloway reported what Posner told him in the Chicago Tribune:

"So Posner attended ~~the~~ law school at the University of California at Berkeley, where he was an honor student, then joined a prestigious Wall Street firm, leaving two years later to form his own firm."

beginning with at least its 1988
The 1993 edition of the standard lawyers directory, "Martindale-Hubbell," lists him as born in 1954, passing his bar examinations in 1979, ^{as} and having done his undergraduate studying at an unspecified branch of the University of California, and as having graduated from the law school of Gannon University, Erie, Pennsylvania.

And, although he told his home-town reporter, Carroll, that he had given "up the law when he got hooked on writing non-fiction," and his first book, Mengele, was published in 1986, ~~his~~ ^{he continues to} lists himself as a practising lawyer with his office at 515 Madison Avenue, New York City.

^{the} Where Martindale-Hubbell directory of lawyers lumps all the branches of the University of California together in a single listing it has a separate note on the law schools. It says "There are four separate and distinct law schools at Berkeley (Boalt Hall), Los Angeles, San Francisco (Hastings College of Law) and Davis." It then refers to their separate listings. They begin two listings after the Gannon listing. Each is given a different number of the numbers used to identify the law schools elsewhere in the directory, Hastings first, Boalt Hall School of Law following it, so there is no confusion in the directory between any of the law schools. Hastings, Boalt Hall and Gannon cannot be confused from this standard directory. 466A

~~It thus does appear that although he is reluctant to let it be known that Posner did go to the little-known Gannon law school and prefers to tell the press and others that he did not and went to a University of California law school instead.~~
that he ^U *- to two different ones!*

That he led the Chronicle's Jerry Carroll to believe that he "is a former Wall Street litigator" is consistent with his and Random House's consistent boast of his alleged Wall Street ~~my~~ career to the media and in his appearances. ~~On~~ the dust jacket, under his photograph, is his name, followed by, "a former Wall Street lawyer." This is, at the very least, a very very large exaggeration. That he was a Wall ^aStreet "litigator," and that with a major law firm, simply is not true. Moreover, a firm like Cravath, Swaine and Moore would hardly trust a youngster ~~of~~ just out of law school and with not the slightest vestigate of courtroom experience to ~~handle~~ ^{control} the fate of its clients ^{and, wealthiest} some of the very most important in the country.

What impels a man who has not practised the law in any form for about a decade ~~to~~ ^{- if at all -} and who has ^{long} abandoned the law for writing to keep himself listed as a practising lawyer and with a law office when he does not practise the law and has no need for an office from which to practise law?

So, what need, ~~if~~ if any, does or can he have for the pretense that he is in fact a practising lawyer with a lawyer's office? *What purpose does or can this serve?*

He has no need for an office in order to practise law, should he decide to take a case. ~~That~~ cannot explain his ~~ceased~~ continued listing in the lawyers' directory as a practising attorney.

This certainly does not represent the need of a writer, ~~to~~ to be listed in the directory of lawyers.

Can he have
Perhaps there is some special need that is not the usual need of ~~the usual~~ ^{the usual} writers?

~~But~~ ^{this} at the very least, ~~it~~ is unusual.

~~What legitimate purpose can there be in his telling reporters that he went to more famous law schools ~~and~~ than the little-known one he is listed as having gone to in Harbisdale-Hubbell?~~

This
Which prompts the wonder, is there other than a legitimate purpose? *467A*

Is it not also to wonder how he even knew of so little-known a law school in so distant ~~and city~~ ^{this} from the San Francisco Bay area ^{home} with its ~~larg~~ large and fine schools ^{a city}

4074
One possible reason is to do a con job on the bar, should ~~maxxxxxxx~~
his writing career end, as his spectacular dishonesties in Case Closed can lead to.

With the recognition of what this book reports about him and what he ^{Case Closed} did in ~~that~~
book, any attention to it should discourage publishers from ever ^{trusting} believing any supposed
non-fiction that he might seek to contract for another book.

The bar, I am told, requires those who have not remained in practise to take an
examination before being permitted to resume the practise of law. In Posner's case,
from the available evidence, he did not really practise law at all. In taking any
examination this lack of any real experience can be a serious liability, so serious he might
not pass any such examination.

Thus his annual listing as a practising New York City lawyer when he not only did
not practise law but had publicly announced his abandonment of the law could obviate
his need to risk taking any such examination to engaged in the practise of the law. ^{at}
some later time.

with the ~~reduction~~ ^{high} in costs for citizens of the State?

But why lie at all? He passed the bar examinations promptly so he certainly qualified for admission to the practise of law.

He says he was an honor student. That certainly indicates that he qualified for admission to the nearby and excellent law schools. There he did not have the added costs of living away from home. Or the disagreeableness of being in a strange town where he had no friends to begin with and did not even know his way around. ^{in it,}

Boalt Hall or Hastings were certainly more impressive on any job application than the much smaller and little-known Gannon law school. ^{Would not the added prestige} of the larger and better known law schools have been a distinct career advantage?

Is this not an additional reason for wondering first about his going to Gannon and then about his lying to the press about where he got his law education? ^{in the law?}

As we have seen, he did ^{if only in passing,} acknowledge doing that drudge discovery work for Cravath and saying it was no sweat for him because he is blessed with that ^{the "analytical" mind} "analytical" mind of his. So, why pretend that he ^{did not} started in the law ^{as} so many others just out of law school start, at the bottom? But when he did only that drudge work for ^d the Cravath firm, even if non-lawyers also do that kind of work for large and wealthy corporations, how in the world can he enlarge that to being a Cravath-firm "litigator"?

Why the need to lie about this at all and what is the purpose of it? Except, ^{ego-demand is} obviously, to puff himself up to slake that visible ^{in case closed and in his promotional} ego-demand. ^{of it?}

And then that truly disgraceful self- and publisher-puffery as ^{is} on the dust jacket, describing him as a "Wall Street lawyer" in the sense and only in the sense of an actual Wall-Street ^{litigating} career? Especially when ^{casual interest prompted by his own} ^{writing} ^{accounts} ^{listing} of his own ^{and law career} ^{limits} him to at most two years with the Cravath firm and the life of his own firm to not much longer if that long?

^{My} friend Roger Feinman checked the records and could not find that Posner filed ^{as} little as a single case! ^{That} make him a "Wall Street lawyer"?

Abnormalities provoke attention and curiosity. Is it not to wonder why Posner is not truthful about any single part of his very short "career" in the law, especially as a boast of ^{only} "Wall Street lawyer" ^{including his contradictory accounts of} beginning with his law education?

In all he has written and said, all that I've seen reported, Posner makes reference to ~~even~~ ^{had} having ^{at law,} only a single case, a single client, from the time he, as he put it, merely "left" the Cravath firm to "start his own firm." He ^{is} references to that single case and to what he did for that client ~~or how~~ are confusing, and where it would be expected ^(in his writing) that he would say something about it he does not ~~at all~~. He does not even mention that it existed in ~~some~~ ^{his own books that came from it: Ego? Ego only?} references to his work.

If this is not provocative enough ^{his} explanations of why that suit, ^{is} his words, "got ~~v~~ nowhere", simple ~~is~~ ^{is} not true.

But what he does say is provocative enough. Not that a full and truthful statement might ^{not} be even more provocative.

This, mind you, by the man who from his own imagined Olympian heights looks down upon and sits in judgement ^{all} on others he condemns as untruthful in what they write and say. There are few of these others he does not condemn in ~~Case~~ his writing and in his speaking. As he does not recall the biblical wisdom, let him who is without sin cast the first stone, and of judge not lest ye be judged, he invites the judging of himself as a person ^{as} well as ^{of himself as} ~~because he is~~ the author of Case Closed in which he does his own seriously flawed and not infrequently obviously dishonest judging of all others.

Since then, particularly with reference to Case Cloded and in his appearances
and interviews promoting it, Menegrele is referred to as his work only in all I've seen.

7

His first book was Mengele. With the modesty he reflects in Case Closed, beginning its with ~~the~~ arrogant and impossible ~~title~~ subtitle, "The Complete Story," an impossibility for any combination of writers, researchers, investigators and even countries, he portrays himself as alone ~~against them~~ ^{though he} in his mission and in his work even those he ~~has~~ ~~and~~ ~~acknowledged~~ ~~as~~ ~~author~~ ~~of~~ ~~the~~ ~~book~~ ~~and~~ ~~his~~ ~~then~~ ~~publisher~~, McGraw-Hill, acknowledge ^{and} a co-author, John Ware, the ^{n/} a producer for Britain's Grenada television. The dust jacket acknowledges ^{Britain's} that Ware produced "The Hunt for Dr. Mengele" for ~~the~~ independent TV network.

470A

In Mengele's ~~sole~~ "Acknowledgments" is, as it later was with me, what to the uninformed appears like a very generous and wholehearted thanks:

A very special acknowledgment, of course, is due to the survivors of Mengele's experiments, especially Eva Kor and Marc Berkowitz and their worldwide organization C.A.N.D.L.E.S. (Children of Auschwitz Nazi Deadly Lab Experiment Survivors). Many members of their group spent harrowing hours retelling their dreadful experiences when they would much rather have forgotten them. It should be said that the photographic memory of Marc Berkowitz, Mengele's camp messenger, was the actual inspiration for this book.

This seemingly fullsome thanks falls short of what Posner should have reported. It also says that all "those harrowing hours" spent "retelling their dreadful experiences" were for the book Posner then produced *and for him and for it only*

Posner is the sole author of Mengele, according to the listing of his books in the front of Case Closed. According to that listing, it was followed by Warlords of Crime: Chinese Secret Societies - the New Mafia, and by The Bio-Assassins. Then came Hitler's Children. It had a subtitle omitted from this Case Closed listing, Sons and Daughters of Leaders of the Third Reich Talk About Themselves and Their Fathers.

Hitler's Children was published by Random House, not by McGraw-Hill. In the Publishers Weekly announcement of the book the same Bob Loomis, saying that Posner had approached him with the idea for the book, was again radiant about Posner doing what was "amazing."

Publishers Weekly, then, in its issue dated March ~~21~~ 29, 1991, then reported how he got the idea for Hitler's Children:

(Posner spells the ~~name~~ name "Marc.")

Posner's journey to this subject was atypical. He's half-Jewish, half-Catholic, and attended Catholic schools as a child. There were no personal reasons for what he calls his "obsession." No one in his family was killed in the Holocaust, nor was anyone a survivor of the camps. But as a young lawyer, he was approached by a friend to take on the case of a survivor of Mengele's medical experiments who wanted to sue

the Mengele family and the German government.

"The lawsuit went nowhere," Posner recalls. "We couldn't prove that the Mengele family had links to the fugitive, and we couldn't sue a foreign government in a U.S. court. But Argentina let me into their Federal Police Archives, and I had access to Paraguay's Interpol file. I got hooked."

The result was *Mengele: The Complete Story* (Dell), published in 1986 and critically acclaimed as the definitive biography of the "Angel of Death." Posner gave 20% of the book's American proceeds to Mark Berkowitz, the survivor who had inspired his exploration.

ignore high lighting

✓ 471A

In Mengele Posner does not report that "he was approached" to sue the Mengele family and the German government for "a survivor of Mengele's" subhuman experiments with living people. He makes no mention of that, ~~the~~ only case at law he has mentioned in what I've seen.

That he gave a percentage of the book's American proceeds to "Mark Berkowitz," described only as "the survivor who had inspired his explorations," *appears to be generous.*

In another account in which Berkowitz's name is ^{currently} given as "Marc," he is identified as Posner's lone client. Or, the percentage of the American income from the book was given to the client Posner admits failing.

In the Chicago Tribune's previously-quoted interview published October 3, 1993, the ^{of} version differs a little:

In 1981 he represented Jewish victims of Dr. Josef Mengele, the notorious Nazi war criminal who escaped from Germany after World War II and died in hiding in South America.

"It was a pro bono case, and I sued the Mengele family and the German government," Posner said. "Nothing came of the suit, but I accumulated 25,000 documents about Mengele, so I thought I'd write a book."

41
The Wallenberg lawsuits was filed in Washington by a team of prestigious ~~lawyer~~ lawyers headed by a Philadelphia ~~lawyer~~ law professor, ~~the~~ Morris Wolff. He was ~~assisted~~ assisted, according to Mary Jane Fine in a lengthy story in the Philadelphia Inquirer for February 2, 1984, by other lawyers from two prestigious law firms and three universities.

A shorter and succinct account was ~~was~~ written by Valerie Strauss for the Jacksonville, Florida Florida Jewish Weekly of April 6, 1984. It states that the Wallenberg filed suit against the Government of the USSR for, among other things, thirty million dollars in damages under the 1977 Foreign Sovereign Immunities Act, "which makes foreign governments liable to lawsuits in U.S. courts for wrongful Acts." She quoted Wolff on this.

On October 16, 1985, the next year, the Associated Press reported the decision of federal district court judge Barrington Parker, that the Soviet Union "violated international law when it seized ~~Wallenberg~~ Wallenberg, who had diplomatic immunity. It quotes this from Parker's decision, "The seizure and detention of Raoul Wallenberg presents a clear violation of the law of nations as well as a clear violation of the laws and treaties of the United States and the Soviet Union."

This story gives Wallenberg's age as 32. The Soviets alleged that he had died of a heart attack and had been cremated. The Inquirer story reports that he was 32 when dispatched by Sweden to his Budapest, Hungary Post in which several stories credit him with saving a hundred thousand Jews after almost half that number had been sent from Budapest to the Nazi extermination camps.

The lawsuit was under an Act passed two years before Posner passed his bar examination. It should have shown up in any research on the law with which, normally, lawyers begin.

The record is clear: he was wrong in abandoning his client(s) on the ground that the lawsuit was ~~prohibited~~ precluded by law.

If he does not do this he risks wasting all his own time and costs. It also risks leading the client into frustration and futility and, with the Mengele ^ohorrors involved, into the painful reliving of those horrors.

What Posner is quoted above as saying reflects that he and the Mengele victims spent two years before he decided that they had no cause at law.

Then there is the seeming mystery, how ^{Posner} he could have done ^(and where he got the money for) all the work, all the ~~tr~~ travel, ^{and gotten} had all the help require^d to amass such a great volume of documents that it would seem, held information most people and governments would want to keep secret if they reg^lted to Menegle's subhuman experiments with living people.

When the cost of living in New York City for the two years or less of his scut work for Cravath, Swaine and Wood is deducted from what he ^{was} paid for it, even if he had been ^{paid well} ~~paid~~ for the kind of work he did, nothing like th^a great cost of getting all ~~that~~ those documents could have remained.

As the San Francisco Chronicle reported, Posner's father was a trade-union official, so it does not appear to be likely that his family could have financed his two years of work, travel and other living expenses while he worked on that Menegle case. Posner's wife, Trisha, told my wife that she still works as a model. But she has also always been his assistant, so even if she continued to work as a model while helping him on that case, there is no indication, absent her having inherited a fortune, that she could have financed those two intense, international years.

If all that was funded by the client(s) then consideration returns to what Posner said caused the effort to go "nowhere." ^Determining that there was a cause at law is the lawyer's first obligation, to his client and to himself. 473A

~~If Posner did not do that, ^{at} and what he is quoted as saying ^{above establishes.} certainly indicates that he did not, then he was negligent at the very least.~~

^{Posner} If ~~he~~ did know from his ~~law~~ education in the law or if he learned it from his first-step requirement in taking the case, that he determine that in fact there was a case at a law, then he led his client(s) ~~down~~ that primrose path. Especially if ~~he~~ they funded his work ostensibly for them.

~~It~~ It could not have been for them if he ^{began knowing} knew that he could not sue in United States courts. It also could not have been for them if he ^{told them} knew that such litigation ^{was} as possible and in the end ~~he~~ told them it was not possible.

Either way, it looks as though Menegle's victims were ~~twice~~ victimized all over

For his client(s) alone that suit went "nowhere." Not for ~~Posner~~ ^{Posner} Posner.

again, in "the lawsuit" that did not go "nowhere," Posner's words to the ~~Tribune~~
Publishers Weekly ~~because~~, as he ^{also} told the Chicago Tribune, to which he also said,
"nothing came of the suit," ~~but~~ ^{because} in that quotation ~~he had~~ added, "but I accumulated
25,000 documents about Mengele so I thought I'd write a book."

And as that ~~the~~ Tribune interview continues, that is what "prompted" him "to leave
the law and ^write full time."

4744 All those documents so difficult and costly to acquire and a new career is hardly
the "nothing" Posner says came of that abortion of a case for Mengele's surviving
victims.

Although it does not appear to be likley, ~~it~~ may not be impossible that ~~there~~
there may be innocent explanations for some of these really troubling questions about
Posner as a person, a writer and a lawyer. They exist only because he ~~created~~ ^{created} them.
He ~~created~~ ^{professional} them by his abnormal ^{his} conduct, by ~~his~~ ^{his} evasiveness, by his inconsistencies
as reported by reputable publications, by his misrepresentations and by his outright lies.

None of these ^{this (the normal requirement of writing, not)} is required by his writing, any of it, not in and about Mengele
and certainly not in or about Case Closed in which he practise of them and of other
abuses reeks from it.

The effrontery of the man, if not also his ^{or not caring} stupidity in abusing so many while
prostituting our history in not realizing ^{or not caring} that by his many abuses ~~was~~ not one of which
was required by his book he at the least provoked interest in himself and could ~~asily~~
easily have prompted an inquiry that because of my many limitations ^{it} is impossible for
me to make.

Who does he think he is that he can be so abusive to so many people and to our
scared history and have no interest at all ^{arise} in him and in his past ^{arise?}

He is not ^{of} god, or Caesar or in any sense immune. He asked for what he gets and he
should be getting more than is possible for me when I am not able to leave home to do
anything and am limited to what others send me.

His collaborators, who at the least are Random House and the CIA, can help him, can
and did make an international figure of him, the sought ^{after} guest on so much of TV and

in so many newspaper and magazine and radio talk shows. But they cannot immunize him from examination of that part of his own record that is possible. Much as they might add to it were they so inclined.

What I have cited to here comes from Posner and from him alone, as in each instance is indicated, along with the source.

There is in this what can reasonable lead to conjecture, and I separate this conjecture because it is no more than that. But it has a ^{paralleled} precedent I remember very well from my own past.

(Resume with Littauer and Wilkinson, include mail, Hunt, OS two files and perhaps refer to intercepted MS and other mail)

Posner's listing ~~himself~~ himself as a practising lawyer with offices on Madison Avenue in New York City when he was not and had no intention of being a practising lawyer is reminiscent of ^{one} of the more painful and costly experiences ^{to get the first book on the Warren Commission and the JFK} ~~in~~ in my inability ^{to get my first book published.} There was a time, in 1965, when that appeared to be probable ~~possible~~ and when on my own, without an agent, I arranged for its ancillary use by the old Saturday Evening Post, then a mass-circulation and popular weekly magazine.

The ^{editor} ~~editor~~ who handled those matters on the Post wanted to deal with me through an agent and I certainly wanted an agent. He sent me to ~~the~~ a top literary agent then and

Whether or not the past is again prologue only time can tell. now, Sterling Lord. After telling the receptionist through the ^{sliding} window that separated her from the reception room why I was there I sat and waited. And waited. And waited. Then some ^{one} also inside spoke to her and she spoke to me, asking the subject-matter of my book. I told her, she left and soon returned to tell me that Mr. Lord believe he could not do justice to the book and thus would not ~~represent~~ represent me

On a done deal that ^{required} only his signature! He had to work to get smaller fees. What the Post then paid for single issue use ^{was} ~~an~~ considerably more than it later cost me to print that book rather expensively, for durability, on sixty-pound ^{bond} ~~and~~ paper and ^{with} ~~with~~ a much more expensive sewed binding rather than a glue ^{one.} ~~one.~~ ^{still} ~~and only~~

And that, in the late spring or early summer of 1965 was the first book on the most

of the assassination
the first book on the official investigation of the President! And that well-established literary agent "could not do justice to it" beginning with a deal already made for its use in a mass-circulation magazine!

knowing that magazines bought them and paid well for them and believing, Naive as I
did. that there are few events ~~is~~
then was, ~~that nothing was~~ more important and thus more newsworthy than the assassi-
nation of a President and the official investigation of it.

sensational domestic
~~sensative~~ event in decades, 476A

Still preferring to deal with me through an agent the Post then told me to go to the literary agency of Littauer & Wilkinson, at 500 Fifth Avenue and to speak to ~~Max Wilmi Wilkinson~~ ^{Maxwell} Max, as he was called, spoke to me for at least an hour in his office instead of going to lunch and then asked me to walk with him to his bank. We talked long, including ~~on the street~~ standing on the street. He said ^{he} was very interested, he acted as though he were, and he told me what was ^{obvious}, he had to read the manuscript ^{us} first.

Several days later he phoned to tell me he liked the book, thought it would do well, and that he would be glad to represent it and me. I waited to get something to sign and word on accepting the Post's offer.

But nothing came for about six weeks. Then I got a short letter from him telling me that ^{as I knew} of course the book was not suitable for serial use and that ~~nothing~~ could be done with it in the United States but he would be glad to represent me and it in ^W Eu London.
Not here but in London? That made no sense at all.

I had a London agent and if I had not I would still have declined his offer.

A little over a year later, after I had published the book myself, the men's magazine Saga wrote me that it wanted to ^{buy} the right to use the chapter of that book ~~that~~ that dealt with Oswald in New Orleans. They paid me, offered me, the highest fee they had to that time paid and they printed it without changing a word. I had written the book with self-standing chapters, 476B

After the June, 1972 ^{Re-Election} ~~to~~ Nixon Campaign Committee's break-in at Democratic headquarters ⁱⁿ at The Watergate Apartments in Washington, the New York representative of a German publisher asked me to do a Watergate book ^{and} I started it immediately. Before long, without waiting to see anything, he changed his mind in the belief that an announced ^{several reporters for} book by The Times of London would cream the market, ~~he changed his mind~~. By then I had done some work, including the checking of ^{various} ~~various~~ directories. That is something that from the public record no other ^{writer} ~~writer~~ and no official or official investigator did. Obvious and basic as it is.

^E Howard Hunt, one of the master ~~mind~~ ^{mindless} of that ^N ~~incredible~~ stupidity and

411A
During those years Hunt no more practiced literary agency that Posner has been practising the law.

4/11

(In another remarkable coincidence, Wilkinson was they representing the book being ghosted for Posner's great ^{of} live, "enatus" "artogs. In it, too, he did not say what Posner's attributes to him, that in the boy Oswald he ~~again~~ recognized a prote-^o-assassin, Presidential ^{grad} assassin.)

(This is the same Richard Helms who when he was the first CIA Director even to speak in public when he addressed the annual convention of the American Newspapers Publishers Association told them, "Trust us: we do not target on Americans," ^{want} the CIA was at ~~that very time, this for and since then~~ at that very time doing, as it had done before then and would continue to do after his assurance, as the investigation by the Senate's Church committee established ^{creation of permanent} in a series of hearings that led to the establishing of ^{the} Congressional committees to assert "oversight" over the CIA and similar agencies.)

~~and~~ great subversion that came to be known as "The Watergate", when he was known to be working for the CIA and in Washington, listed his address in Who's Who as ~~with~~ Litterauer & Wilkinson, 500 Fifth Avenue, New York City. In 1969 that address disappeared from ~~his listing~~ Who's Who and in its place was Room 422 Washington Building, Washington D.C.

477X -

During the official Watergate investigation it came out that, as Hunt himself explained it, people could phone him thinking he ^{was} in New ~~York~~ ^{when} ~~York~~ City and he ^{was} actually in Washington when he answered the phone. *He had a tie line.*

Hunt wrote fast, small and popular spook fiction. imitation James Bondery, all portraying the CIA as the best of possible agencies. *spookeries and its spooks. The very best, out of and in beds.*

Hunt's and his literary agent was - Max Wilkinson!

477Y →

When I saw that Who's Who listing how that done deal with the Saturday Evening Post was undone was apparent.

Hunt gave for the 1969 edition *telephone*
I knew ~~the~~ ^{the} Washington address. ^{It} was that of an answering and mail-receiving service. *Hunt worked for the Mullen agency, public relations, checking it.* And checking the ~~Bennett Agency~~ ^{Bennett Agency} out the same way, lo! It had the same Washington "address", even though it had then had its own suite of offices at 17th and Pennsylvania Avenue, North West, just two blocks away. *It also used that same Washington Building address.*

Hunt worked ~~in~~ there when he was still in the CIA, even though ^{Richard Helms}, then CIA director, when he testified before ^{Senate} the Watergate committee stated under oath that it was not until Hunt retired that the CIA recommended him to the ^{Mullen} ~~Bennett~~ Agency.

477A

Three addresses other than his home and his CIA office
The Hunt who had at least these two addresses ~~that other than as working for the CIA had no need~~ ^{of} was, at the Mullen Agency, ~~past~~ ^{part} palsywalsie with, if not also the office mate of, one ~~the~~ ^{His} Douglas Caddy ~~whose~~ ^{whose} ostensible employer was, as I recall, the United Fruit Company.

(Those files are in storage and ^{are} not now accessible to me but some of my recollections are quite clear. *I believe that United Fruit then was a CIA "asset."*)

When these Watergates, not including Hunt, were nabbed in that Pink Panther exploit in which, for all their professional spooking experience, they assumed that the security guard would do so little checking he would not see the tape ^{they used to keep} that kept the door that was supposed to be locked, *4779 file. 478 skipped in numbering.*

Political contributions not in accord with campaign-financing laws ^{is} ~~st~~ "dirty" money.

"laundering" is washing out all ^{the} ~~dirty~~ ⁱⁿ ~~the form of tracing those contributions~~
of their actual source(s).

to prevent tracing ~~them~~ it to its actual source(s).

middle of the night

they had as their first, emergency lawyer - Douglas Caddy!

While he was working at Mullen Caddy wrote a book urging the impeachment of Supreme Court Justice *William* Douglas. Hunt wrote a foreword for it. The address printed in the book, of which I have a copy, is, as should not now surprise, Room 422 Washington Building. One of the ~~incorporators~~ of incorporators of the outfit set up to pretend to be that book's publisher had an address on P Street near Dupont Circle in Washington, *It* ~~that~~ coincides closely ~~with~~ with the address to which the Miami Cuban ~~Watergaters~~ went when they reached Washington.

~~There's~~ This small world *shrank* ~~shrinks~~ a little more with additional checking, none ~~was~~ reported by the media or by the Watergate committee or alleged in any of the prosecutions.

The Mullen Agency, which seemed to have no need of it, did have a Mexico City office and at least one employee who ~~was~~ made trips there, Earl Minderman. He ~~is~~ *was* listed in the phone book with a home in one of the ~~better~~ *its* sections of the northwest of the city. The Mexico City Mullen Agency address was on the very same street as the law offices of the Mexican attorney who ~~laundered~~ *laundered* ~~their~~ *secret* political contributes in checks of a hundred and fifty ~~thousand~~ *thousand* dollars. *479 A* And soon after the Watergate story broke, Minderman ~~left~~ *He* Washington, sold his house, ~~and~~ *but* the new ~~owner~~ owner had the same phone number.

This is to say that while he worked for the CIA Hunt was engaged in a *domestic* political campaign of the right political extreme whose beliefs are not all that different from those Posner indicates in Case Closed. *This was illegal for all federal employees. It was even more illegal for the CIA to intrude into domestic political matters.*

The last significant mention of Douglas Caddy I recall is when Gerald Ford was President he went out of his way to plug Caddy's next book. It was strongly anti-labor.

As indicated earlier, more came from ~~the~~ checking standard sources. Like that bright Los Angeles area boy when he was David *Lui's* age only a few years earlier, found that the Mullen Agency and the overt CIA outfits like The Free Cuba Committee and William George Gaudet's Latin American Reports shared the same addresses. *As,*

400
naturally for him, that demon sleuth Posner does not mention when he speaks of Gaudet
in Case Closed.

my copy of
With Gaddy's book in storage as a record for our history are the incorporation
names and
papers, the addresses of officers of that corporation and ~~other~~ records relating to what
I report above and to what I here do not include, all from public sources, including
various directories available in most libraries.

This does not have to mean that in his use of an address for which he had no need
that Posner was working for the ~~CIA-CIS~~ CIA. It is merely an account of what in the
~~the~~ thoroughly documented
past if not ~~still~~ the spookeries use^d phony addresses for.

Without ^{also since then} any of ^{the} appeared ^{ING/} in the public ^{accounts} inquiries by reporters or in the official
investigation or in the prosecutions.

This does, however, become a little more provocative, suggestive, when considered
with the rare, unprecedented help the CIA did give Posner that is known and the reflection
in his acknowledgements of added, undescribed help to him.

Of all the many people writing about the JFK assassination and of all those who
wrote supporting the official position, and there were quite a few before Posner who did
that, he is the only way to have received ^{such} ~~unsecret~~ help from it.

He is the only ^{the third writer} such ~~writer~~ who was given access to Nosenko. ~~Aside~~ from the uses
this enable^d Posner to make in his book, ^{so we have seen} ~~uses~~ he did not make, it was a truly exceptional
and attractive ^{help} ~~first~~ for advertising and promoting the book and to give it the special
status that comes from such extraordinary ~~assistance~~. It is impressive that Nosenko
agreed to be interviewed by Posner, a total stranger, when he was still considered a tar-
get for retaliation, including assassination. The Warren Commission did not ~~even~~ speak
to him.

It is even more impressive that although he had not made any kind of public appear-
ance in the preceding twenty-eight years and lived and continued to live in secret and
under a false identity, the CIA produced Nosenko to appear, although with his head
covered, in a TV studio with Posner for that kind of major boost to the book.

^{This is something}
These are ~~things~~ the CIA had ~~never~~, ever done. Not for anyone, ~~and~~ it had every

reason to have full confidence in the two writers ^{to whom it} who had been given access to
Nosenko before Posner. The first was KGB: The Secret Works of Soviet Secret Agents,
by John Barron, Washington ~~the~~ ^{the} editor of the Readers Digest, which published ~~that~~ ^{the}
book in 1974. Barron and the Digest were known quantities to the CIA.

The second was also well and favorably known to both the CIA and the ^Uepartment
of Justice, Edward Jay Epstein. His anti-Garrison book, Counterplot alone, was more
than ~~age~~ adequate credentials ~~for~~ ^{to} the ~~CIA~~ CIA. It was for his book that did not
begin as it appeared, as Legend: The Secret World of Lee Harvey Oswald, THAT Nosenko
was entrusted to ~~Epstein~~ Epstein or that he trusted Epstein himself ^{for} ~~could have been~~
~~only because the GIS had reasons to impart~~ ^{for} ~~that~~ confidence in him. ^{They had}

(~~On~~ ^{as two publishers} its cover Legend's 1978 publisher is given as it is on the title page, as)
both Reader's Digest Press and McGraw-Hill. Epstein's confirmation that he was permitted
to interview Nosenko is on page 275.)

Posner himself states that Epstein blew Nosenko's cover and a new false identity ~~was~~
had to be created for him. He also had to be moved from where he had been living under
that blown cover ^{and reestablished elsewhere}

With this its prior ~~experience~~ experience, and that with a trusted writer, it is
even more extraordinary that the CIA had no fears at all in delivering Nosenko for
Posner's interview, ^{and to appear on nationwide TV with him.}

~~Yet~~ There is no public indication of what gave the CIA all ^{this} that unprecedented trust
in Posner, or why it felt completely safe entrusting ~~us~~ even possibly Nosenko's life
to him.

~~If~~ ^{It} ~~had~~ dealt with him on his Mengele book, there is no indication of that.
It is True, however, that after Mengele appeared, except for government actions already
begun all ^{public} ~~interest~~ in those ^{" "} wanted Nazis ~~melted~~ ^{ended}. That could have been of intelligence in-
terest, ^{give} the many intelligence connections with and protection and uses of some of
the ~~the~~ Nazis with the worst records. The CIA was permitted to bring a hundred a year
here regardless of any laws and it used them extensively in Europe. ^{It} It even took over
the Nazi Gehlen intelligence apparatus that had been pointed at ~~the~~ ^{the} USSR. Their record

Posner does report, indeed, boasts of in Mengele that governments, particularly Argentina and Paraguay, opened secret ~~files~~ files to him, files to which no others had been given access. To an unknown American writer? Without any intercession of any kind for him? Perhaps, but then they, too, required some reason for trusting him with ^{what} they had trusted no other writer or even government. There is no publicly-known reason why they should have imparted this unique trust in a young and little-known writer.

Why these governments and the CIA were so confident in Posner for as long or longer than he had been alive.

and it ~~was~~ was a very bad record, was no impediment. Many other United States uses of Nazis with frightful records are public knowledge. There is no way of knowing ^{what} there was that did not become public.

In this sense, Posner's Mengele was a great boon to a number of government components.

In every sense, the CIA's overt help to Posner and his book, whether or not ~~e-ther~~ there was also that CIA specialty, covert help, is truly extraordinary, and ~~it~~ it is unprecedented.

482A

~~Why it was so confident in this~~ may be a mystery but it is without question a fact. Without that confidence ~~Posner~~ Posner would never have seen Nosenko.

This means also that the CIA was, as ^{certain} confident as it could be that what ^{Posner} Nosenko would write would be what it wanted written. ~~Could it have been this certain with out knowing him, without previous relations with him? This does not seem probable.~~

What adds to the degree of unquestionable trust the CIA imparted in Posner is not only the fact that Epstein blew his cover - the book Epstein ~~produced~~ produced is not the book with which he began. James Jesus Angleton, the long time head of Counter Intelligence, ~~took~~ who was fired in the wake of The Watergate scandals, took Epstein over and turn ^{ed} him and his book around so that it did not end of saying what the CIA and others had expected it to say. In that major internal tussle over Nosenko Angleton had had a major ^{responsibility} ~~share~~ if not all of it for ~~that~~ those three years of the most horrible ^{secret, illegal} abuses and confinement Nosenko suffered. Epstein became Angleton's partisan in his book, justifying all the CIA had come to ~~condemn~~ ^{publicly} even ~~publicly~~.

As we have seen, Posner used his exclusive Nosenko interview as a cover for suppressing all he could that was embarrassing to the CIA. After that exclusive ^access to Nosenko Posner wrote and published much less than ^{was} publicly known about what Nosenko had ^{already} said, with all that Posner did not repeat ^{and to it} to the CIA's interest and benefit only.

As the Epstein experience demonstrated, there are no real guarantees in that business. The bottom line is implicit trust in the ~~writer~~ writer who is trusted.

Whether or not it, has any connection with that ^{phony} practising-lawyer address for which Posner ^{and had legitimate} had ~~no need~~, for his giving as the law school he attended to the various interviewers ~~only those from which he did not graduate without ever once telling any of~~

9 With ~~the~~ the Posner of Case Closed, the ^{m/} most corrupt and dishonest of all the JFK assassina-
~~tion~~ nation books, the book that did most of all to defend the government's errors and
failures in its investigations and just when it was under more attack for them than
~~the strange record he made for~~ even before, his misrepresentations about himself cannot be ignored. There has to be a
reason ~~for them~~, even though the reason or reasons can only be conjectured.

It is all; every little bit of it, that abnormal, that ~~very abnormal~~

~~those interviewers that he had in fact graduated from little-known Gannon in Erie,~~
~~Pennsylvania, do far from his San Francisco home and those fine law schools where he~~
could have ^{got} ~~been~~ ^{been} a Californian's break-in costs, all of this is provocative and
suggestive, too. It may mean nothing at all or it may have hidden meaning. There is now
no way of knowing. That it is not normal is apparent. 483A

There is no question at all, the CIA did extend very ~~far~~, rare, the most exceptional
of favors and assistant to Posner before he wrote his book. This is even more exceptional
^{because} before the previous time it got burned, burned by someone in whom it placed and had
reason to place trust.

There likewise is no question at all, Posner and Random House were the beneficiaries
of this unprecedented help from the CIA and ^{at} ~~the~~ help meant more money, more fame, more
influence for Case Closed, which ^{is} ~~is~~ very obviously it isn't except in propaganda.

Whether the CIA violated its statutes in doing this, violated the prohibition
against its engaging in domestic propaganda, is a question neither the ~~ex~~ Department of
Justice nor the standing intelligence oversight committees are likely to look into.

Whether other Congressional committees that these be tolerant in their oversight
have jurisdiction ^{and assert it as} ~~an exercise that~~ with investigation is also a question but if there
is any official investigation, they are the only hope for it.

Regardless of the statutes and any interpretations of ~~it~~ ^{them}, the CIA did, openly,
engage in domestic propaganda in what it did for Posner and Random House.

~~Why?~~

~~For a scandalous, a dishonest, a misleading and corrupting rewriting of this great
tragedy in our history and of the official investigations of it, for a~~

~~hoax!~~

Even if that ^(u) was also for itself.

For any intelligence agency, in a society like ours, that is wrong, very wrong.

Why then did it do it?

For a scandalous, a dishonest, a misleading and ^a corrupting rewriting of this great tragedy in our history ~~of~~ and of the official investigations of it when it was the most subversive crime possible in a country like ours and knowing full well that in this it was protecting those responsible!

Does not this alone suggest a guilty involvement?

Why else would the CIA do do overtly what it is so wrong for it to do at all?

What justifies, if it does not demand suspicion of it?

Why, too, when even the CIA's own records that I have ~~published~~ ^{published} prove it is an awful, an unimaginable, a subverting ~~hoax?~~ ^{hoax?}

These questions will linger, and they should linger.

There is no question, however, ~~the~~ Posner's Case Closed is a hoax and the CIA ~~helped~~ ^{helped} him and Random House ~~per~~ ^{per}petrate this gruesome hoax, knowing what it was doing, as Posner and Random House also knew what they were doing.

This, not all that Random House promotion of the contrary, not the unquestioning acceptance and promoting of the hoax by the ~~media~~ ^{media} media, is the truth, the clearly established fact.

Once again when the interest of the nation required that it fill its traditional role and responsibility in a society like ours, the media failed itself and the nation.

I doubt very much that any ~~writer~~ ^{writer} could come to the end of a book that proves he was so right and be any less happy about it.

But this combination to do such terrible ^wrong, Posner, Random House, the CIA and the ~~major~~ ^{major} ~~media~~ ^{media} media have again ^{proved} that in time of ~~a~~ crisis they fail.

And that failure was, is and ~~will~~ ^{will} be a danger to the nation.