

Mel Baily

Received

Mon. Oct. 3rd

11:30 AM

Kathy Walsh
(Mr. Baily's Sec.)

1/20/67

Dear Mel and Paul,

I ¹ou are two very busy people and I regret very much we could not get together when I was in New York beginning Tuesday. As Mel knows, I tried until 10 p.m. to find him with a free minute. It is, as he said, important that we speak before the taping. In addition to whatever reasons he had in mind, having spent four hours with Louis Nizer, I assure you there are the very best of additional reasons.

I will try and be moderate about one of them. Louis Nizer is by far the most nonstop, the most polished, persistent, professional, unabashed, determined, least ashamed liar on the subject of the assassination and its official investigation of the many engaged in this professional lickspittle business that I have ever met, and I've met a few. He brings to it the skill of a slippery lawyer who has spent a profitable lifetime developing the facility of leading a record with dishonest and prejudicial falsehood and he does it with the pretended innocence of a self-appointed apostle. From my single experience, I'd say he does it with careful design and without scruple or embarrassment, for when I to his face told him he was manufacturing and inventing, he was without protest or anger, even sign of resentment. While engaging in all this corruption he verbally shifts his opposition with all sorts of slanders and attributes to them the most evil of motives, including all of his own.

This, assuming he now does not find necessity for being elsewhere at the scheduled time of the taping, makes problems for you, for David Schoenbrun and for me. By now you know my attitude toward this subject and my belief in what is involved in it and the consequences thereof. And you have an idea of what happens to me under these circumstances. Schoenbrun is an extremely competent man, experienced, wise, and I believe a fair man. But what he does not have, and what none of you has, is the intimate knowledge of a very technical, complicated and truly vast subject. Therefore, you will not know, as to a very large degree I will, every time Nizer lies, invents, twists and distorts. I forgot to mention his utterly professional and long-winded evasions and the tangents on which he goes to both filibuster, slander and evade response. He is, without doubt, a master of vilification and obfuscation and more proficient and innocent-seeming at it than anyone to my knowledge and experience.

He is also entirely without scruple, for at the WOR taping, after the format had presumably been decided upon, he attempted to have them award him the opening hour of a projected two-hour show for the presentation of what he called, without trace of embarrassment, the side that has never been heard, and without shame protested the half hour he actually did get inadequate. This he accomplished behind our backs. I never did get the promised equal time for rebuttal.

I do not think you want a show with just conflict, with nothing but the exchange of insult and rancor, and I assure you I do not want to always be cast in the role of an angry man whose justifications for anger may wind up on the cutting-room floor. So, there is a very real additional problem of Mr. Nizer. I want you to know in advance that unless he controls himself or you and David Schoenbrun control him I will do that which I can on camera, and if this means a road every time he lies, expect it. I invite you to have a tape recorder in operating condition and working all the time and I will play back exactly what he says that is false, prove it is false, or apologize on the spot. At the same time, I tell you that if there is not some mechanism for controlling falsehood and misinformation, while you may have drama, you will not have a factual and as responsible as show as possible and as I know you personally and the management of your station, to my personal experience, do want.

One of the things I will regard as a minimum necessity, having had this persuasive introduction to Mr. Nizer's character and skills, will be a set of the 26 volumes, in the studio and instantly available. I prefer not to bring my own because the weight and problems are too great. If you cannot have a set of your own or cannot borrow any in New York, please let me know so I can make arrangements for a loan to you.

So, with the strong and varied emotions and with the conflicting interests of the various participants, we do have problems. I hope we can figure out in advance what to do about it.

I am quite willing to come to New York a day in advance now that I understand the show is set. Instead of getting there 1/30 I'll be there 1/29 and will attempt to get in touch with you.

Wednesday night, entirely by accident, I met Jacob Fuchsberg, an official and former chairman of the American Trial Lawyers' Association. I have had a great curiosity since the Burke show in July. Unless he is in error or has a faulty recollection he satisfied it, for he told me he recalls the call from you and telling his secretary that he and the association should not become involved and to ignore it. From what he told me that delegation of lawyers did not represent the association and from what I had earlier been told and told you at least one other interest was represented, and that I believe unethically and improperly.

It would be wonderful if, as reasonable men, a number of us could sit down before cameras and discuss this to me vital issue on the basis of fact. This, naturally, involves interpretation of what is fact and opinion. While I am inclined to be intolerant of contrary opinion coming from intelligent men who know better, as long as it remains within reasonable ^{control} with reality I not only can control myself but I have, as recently as Wednesday night on a radio show with Mr. Fuchsberg. I was tolerant when he misquoted me and I at no time assaulted his ignorance, at no time jeopardized his reputation or impugned his honor. I am confident that if nowhere else here and in New York you will learn that I can and do control myself. With what I have done because of what you have subjected me to I feel you are entitled to this assurance.

But what inspires this letter is an entirely different set of facts and entirely different people. I do not for one moment doubt your integrity, personally or corporately, nor that of David Schoenbrun, nor the competence of any of you. On the other hand, I doubt if any of you has ever confronted a factory of instant evidence, who manufactures it with the twist of a forked tongue, or so slanderous and insidious a word factory.

I hope we can anticipate and prevent the problems I do not think we can.

Sincerely,

Harold Weisberg