

Mr. Stephen S. Rosenfeld, editorial  
The Washington Post  
1150 15 St., NW  
Washington, DC 20071

3/29/95

Dear Mr. Rosenfeld,

In nine days I'll be 82. I've been fortunate to survive all I have and to have been able to do what I have done. For the past few years this has led to a rather convoluted life style that, surprisingly, resulted in increased productivity when from infirmities and weaknesses I should have been much less productive. When I was up and about at the usual time this morning, a little after one, my mind turned not to the work on which I am engaged but to what I face with my eighth published book on the JFK assassination which is due to appear soon. I have another completed in manuscript and still another in an almost complete, massive manuscript. There is still another much less complete, but it will be an important record for our history whether or not I complete it. My thinking was not about this unfinished work with which my days have begun for the past several years but about the realities I'll soon face when NEVER AGAIN! appears. I have every reason to believe that, regardless of what it says and proves and what that means to our country, it will be ignored by the media.

My only formal education in journalism was when I was a sophomore in high school. When I was a junior, with no supervision at all and without a single complaint I can recall, I edited the paper that won the Columbia School of Journalism All-America honor rating. Usually I made the paper up on the stone, I was that much without supervision. It was wonderful to have that very early experience in responsibility. And it was wonderful to be steeped in the tradition of American journalism at so young and impressionable an age.

It was not wonderful to learn the hard way that the tradition is not always the practise. It was and it remains painful to have to face the reality that my work of the past three decades is on a subject that, while it gets to the guts of our society, was and remains a shibboleth.

My first book was the first book on the JFK assassination and its investigations. By normal journalistic standards that is a newsworthy subject. It got not a single review and almost no mentions at all.

Thanks to Charles "Mac" Mathias, then a friend and neighbor and a member of the House judiciary committee, the Post had an exclusive on it in the summer of 1965. It was assigned to Larry Stern. When I asked for the return of the manuscript several months later his marker was at page 47 of the triply-spaced manuscript.

After more than a hundred international rejections, without a single adverse editorial comment, broke and in debt I was able to publish it myself. The Post's then book reviewer told me himself that he had prepared a favorable review but that it was

killed on the ground that he was not in a position to evaluate the book and its evidence.

Which in every instance was cited to its official source.

Of all those of whom I wrote in that and in the subsequent books not one had phoned or written to complain about being treated unfairly or inaccurately.

In all the many thousands of once-withheld government records I've obtained by all those FOIA lawsuits I filed, there is not a single FBI record that reflects a single factual inaccuracy in the work it went over with such care.

In fact, except where I created a man-bites-dog situation in one of those suits they were ignored by the media. Gardner then did a story.

When I was Andy Jackson's <sup>one</sup> ~~one~~ determined man who became a majority, when FOIA's investigatory files exemption was amended in 1974 over me, what the media would usually glorify in, the ~~media~~ ~~work~~ system working as it should work, that was entirely unreported. And with all the reporters in the Senate Press gallery when it happened, it was not news when the one remaining Kennedy brother saw to it that the <sup>legislative</sup> ~~legislative~~ history would be clear on this. Not a single mention of what in my youth would have been news.

So, I've lived and worked and produced with this shibboleth. I've done what several history professor friends tell me is without precedent.

Without a single review that I can recall of any of those entirely unfaulted books.

After my heart operation of more than five years ago I was for all practical purposes denied access to that third of a million pages I got by those FOIA lawsuits. They are in our basement. The use of the stairs was first difficult and dangerous and since has become impossible. But with the series of disgraceful articles by JAMA in 1992, all so uncritically lauded by the media no element of which consulted any independent source, I saw a means of continuing my work. I used those articles as the <sup>CA</sup> skeleton I fleshed out in NEVER AGAIN! The book could easily have appeared before the disgraceful outpouring of disgustingly bad books to commemorate the 30th assassination anniversary in 1993 but it was sat on, until now.

Posner's intendedly dishonest commercialization and exploitation of the assassination, his knowingly mistitled Case Closed, gave me another opportunity, what appeared in butchered form as Case Open. Between 75 and 80% of it was simply eliminated. That is the part in which I used his prosecution-type case as a defense lawyer would have in preparing a brief for the defense. In what was cut I used the official evidence and only the official evidence to prove that Oswald not only did not kill the President - but to prove that from the official evidence itself he could not have.

But as that was not fit to include in the book as published, so also was it not worthy of any mention that what was published proved beyond question that Posner's book was a very big and deliberate lie. It got not a single mention anywhere.

The Post did give Posner's commercialization a large review that in some ways was a little critical. I do not know if the publisher gave the Post or any other paper a

*of Case Open*

review copy, but I do know that on his own a Post reporter gave a copy to that section.

So it was not mentioned and all of those who depend on the Post do not know that it existed and exists. I'm still getting the best mail I've ever gotten about it.

What I've not gotten is a peep of complaint from Posner, his publisher or any lawyer speaking for either.

So I know what to expect and what not to expect when NEVER AGAIN! appears.

At least as news - and by traditional standards there is much that is news in it - or in the form of a review.

Whether as opinion there can be a difference I do not know, but I'm going to ask the publisher to send you one of the early copies in the hope that as opinion the Post may see fit to address not so much the book, which of course I'd welcome, but what the book says and raises about our society and what has happened to it. I'll let that ~~spe~~<sup>spe</sup>ak for itself.

I am not bitter about this, Disappointed, yes, enormously.

While all my work is about the JFK and King assassinations, it also documents the failures of our basic institutions. Because I believe that despite its many failings ours is the best system of government yet devised by man, I am terribly disappointed ~~that~~<sup>that</sup> all did and continue to fail and I am deeply troubled by what that has meant and will still mean. I believe it was and is a great danger to us, as I believe that any impartial examination of the changes since JFK was assassinated makes clear.

I suppose that one reason I am not bitter is because this has given me a rare opportunity to, in Frost's words, keep the promises we are born to keep. As I see it I have been given the chance to repay a little of what became mine by the accident of my birth here when I was the first member of my family ever born into freedom.

Rather than being upset by the limitations on what I am able to do after my heart operation, I found a way of perfecting the record for our history to the degree possible for me in what I think is now close to a million additional words that, aside from my first seven published ~~word~~<sup>words</sup> now do exist in several educational institutions.

In what has to be one of the more unusual defenses of proven perjury the Department of Justice, in my C.A.76-226, told the court that accepted it as a defense that I could make such allegations ad infinitum because I knew more about the JFK assassination and its investigations than anyone working for the FBI. Rather than hippodroming this I have accepted it as charging ~~me~~ me with the responsibility of making use of that knowledge.

Whether or not any of the media sees fit to mention it, sees fit to let the people know what under our system they should know for the system to work as intended by those I regard as the greatest political thinker of all time, our Founding Fathers. From whom, alas, we grow more distant all the time.

Sincerely,

*Harold Weisberg*  
Harold Weisberg