

THE WAR OF THE CRITICS

We are frankly disturbed when the critics of the Warren Report attack each other. We would think that the important thing is to find out the truth-- like who killed President Kennedy. But we have been confronted lately with a spate of attacks on New Orleans' District Attorney Jim Garrison. Well, attacks on Jim Garrison are nothing new, at least when they come from defenders of the Warren Report. But when they come from the critics themselves, it's rather unnerving. If these critics are right, Garrison's whole investigation is put in doubt; if they are wrong, one wonders why they do what they do. Either way we lose.

Here is an example. Sylvia Meagher, author of Subject Index to the Warren Report and Accessories After the Fact, recently described Jim Garrison, in print, as "an unscrupulous and vindictive prosecutor who is pressing an uninformed, irresponsible, and often lunatic 'investigation' into the Kennedy assassination which threatens to cast into utter disrepute all challenges to the Warren Report, including those which are legitimate, impartial, and scholarly." (From a letter to Minority of One, July-August, 1968.)

Even more damaging is the recent article by Edward Jay Epstein, writing in the July 13, 1968, issue of The New Yorker. Epstein, who is well known for his book Inquest, a critical study of the inner workings of the Warren Commission, attacks Garrison and his whole method of investigation. The article is long and detailed and very skillfully written. It is difficult for the layman who reads it all to resist Epstein's conclusion that Garrison is so dangerous it is perfectly right and proper for the Federal Court to step in with a restraining order preventing the district attorney's trial of Clay Shaw in New Orleans.

We are not going to attempt a review of Epstein's article here. We urge you to read it and judge it for yourself. But we also invite you to read what follows in these pages. For in this newsletter, we in the AIC feel very fortunate in being able to present to you the reactions of two important critics. The first is a rebuttal to Epstein by Harold Weisberg, author of Whitewash I & II, Photographic Whitewash, and Oswald in New Orleans. A pioneer critic, his work has helped form a basis for Garrison's probe. The second piece is an exclusive AIC interview with Professor Richard Popkin, author of The Second Oswald, editor of the journal History of Philosophy, and Chairman of the Department of Philosophy at the University of California in San Diego.

P. S. Nichols

EPSTEIN: ASSASSIN

Edward J. Epstein became a "critic" of the Warren Commission by his unquestioning acceptance of its basic false conclusion: Oswald- Assassin.

He became a "scholar" with the least scholarly work, quiet language, and the touting of a sycophant press. So deficient is his own "scholarship" that Sylvia Meagher did his notes, by far the best thing in Inquest.

Ignoring most of the Commission's "evidence", which requires time and effort to study and understand, Epstein used the journalistic approach, interviewing staff lawyers, each of whom had his own errors to hide. Most active of these lawyers was Wesley J. Liebeler, who was in charge of "conspiracy", which the commission never investigated. In feeding Epstein the pablum of his book, Liebeler converted the "scholar" into the vehicle for his own self-justification. Liebeler was in charge of the New Orleans apology for an investigation (strange Epstein failed to mention this in his 7/13/68 New Yorker piece, isn't it?). As Liebeler put it, his colleague, Albert Jenner, was too busy running for the presidency of the American Bar Association.

Without Liebeler, no "Inquest".

Epstein's writing on the autopsy was so wrong and so weak his publisher welcomed backstopping help- from me. Despite his pretense ~~that~~ of having ransacked the Commission's files in the National Archives, Epstein had so little knowledge or interest that, on June 6, 1966, his publisher asked my assistance in getting into them.

When the book was reprinted, after an amazingly short period in hardback, there was an appendix of Commission documents on the autopsy which Epstein neither understood nor dug up for himself. They were from my work. They reached him thirddhand. Thus, the success of his reprint.

So brave and dependable is Epstein as a man and a scholar that, when he lied about my first book, Whitewash, on WTOP radio in Washington and I phoned in to challenge him, he hysterically refused to confront me. He had begun by saying he had written a review of it for Esquire. Forgetting this in his on-the-air torment, he asked how he could misrepresent Whitewash when he had never read it? That "review" in Esquire, nonetheless, was more honest than his New Yorker scribbling, which is an obvious, contrived character assassination of Jim Garrison, the only public official to dare test the findings of the Commission in open court.

Garrison cannot win. The Epstein's defame him for not having produced evidence that satisfies them. Were he to do so outside the courtroom, They'd assail him because it is improper. If his case is as shallow as the Epsteins pretend, why cannot they and the Shaw defense (led by the Federal Government, which has openly intruded in a purely state matter) let Garrison fall on his face in court, in public? If Shaw is so innocent, why must his lawyers extend the "Philadelphia" practice, inventing devices so transparent that Shaw's friends now decry them to me? The basic right of a defendant is to a speedy trial. That has been denied Shaw

by his counsel alone, for Garrison has opposed all the delays, each of which, since September 15, 1967, the date he set for the trial, was an invention of the defense.

It is not possible to review Epstein's 25,000 word article in this limited space. Therefore, I take as a touchstone his reason for saying he considered "that Garrison might just have stumbled on something", the opening of his article and a hackneyed literary device he cannot mean, for it would prove him wrong. What he there presents, described by him as "it seemed to me", suggesting that it is from his book, is entirely of different origin- my uncredited Oswald in New Orleans. NONE of it is in his book! Here his literary lightfingering is weak and understated, inaccurate and so inadequate and incomplete that it can fairly be described as a misrepresentation of the evidence.

He concludes this distillation of unrefrigerated, overnight milk-toast with the statement, "All this information was in the hands of the Commission, yet none of these three men was questioned by the Commission or its staff." Need I recall that this was the function of his unblamed and uncredited benefactor, the man who made Epstein's book, wealth and career possible, Wesley J. Liebeler- and no one else- not the "staff" or the members of the Commission?

That all assassination evidence relating to New Orleans escaped Epstein in his own book is not worth his acknowledgment in the New Yorker. Instead, he bribes it, pretends it is his, and is merrily after Garrison, who cannot defend himself.

Those who know the material can go through Epstein's clean-language diatribe and easily spot his unique and unending blend of ignorance and venom. His omissions are even worse. Examples: The accused David Ferrie was known- to the government and to Epstein's benefactor, Liebeler- to have threatened the President's life. The government, the Warren Report, Liebeler, and Epstein all suppress this.

The Cuban Revolutionary Council, whose address Oswald used and with which Ferrie was intimately associated, was organized, directed, and financed by the CIA- to Liebeler's knowledge. Suppressed. Ferrie worked for the CIA. Suppressed.

Instead the Report says, straightfacedly, as though it had meaning, "The Commission has not been able to find any other indication that Oswald had rented an office in New Orleans." (emphasis added) What has "renting" to do with it? He did use that address, and it was a very special CIA-revanchist-Cuban address, as I exposed for the first time in Oswald in New Orleans, which Epstein has read. He, without attribution, quotes from it my having learned that Ferrie's hair loss was not romantic but from alopecia, a prosaic disease. Oswald's CIA connections and his connections with those of the FBI were unworthy of Epstein's lifting. Only the trivial warranted that.

Then there are the lies. Samples:

That Garrison tried to bribe Ferrie's former companion and heir, Alvin Beauboeuf, and that a tape-recording exists and was played by NBC. Immediate investigation by the anti-Garrison police had proved this false and that the tape was deceptively edited. This cannot be accidental. Further, Beauboeuf voluntarily told reporter Bob Scott no effort was made to bribe him.

The Truth is opposite; NBC did try to subvert a witness and seemingly succeeded. I have statements from four people involved, including a long, voluntary tape-recorded description of it by the man approached. He sat in my New Orleans' motel room nine months ago until 5 AM, turning the tape off when he wanted, and spilled his guts. More recently, he described in advance the frame-up prepared in ~~the~~ the event Garrison succeeds in his to-date frustrated efforts to get this into court.

Jack Martin, former associate of Ferrie and the ex-FBI racist, intelligence helper and detective-agency operator, Guy Banister, did not, as Epstein clamors, "admit" making a false report. The Secret Service simply lied to avoid the early evidence of conspiracy. In fact, the Dallas' Secret Service, within an hour of the assassination, asked the New Orleans Secret Service to make an immediate investigation of one Jack Martin and his knowledge of the assassination- also suppressed by the Warren Report, Liebeler, and Epstein. I have these reports.

Also not meriting Epstein's or the government's or Liebeler's or the Warren Report's interest is the fact that Jack Martin arranged for the CRC's office space in the building Banister was in. He confirms this to me. This was carefully hidden by the FBI and everyone else, including Liebeler and Epstein. But the Secret Service knew and reported it. Liebeler knew it, and so did Epstein. The language of the December 9, 1963, report is more vague than it need be. It says that "Jack S. Martin...had brought Sergio Arcacha Smith and Carlos Quiroga" to the owner "and recommended them to him as prospective tenants". Arcacha was then New Orleans' CRC chief. He participated in a munitions heist for the Cubans. Texas Governor John Connally refuses to send him to testify before the New Orleans Grand Jury. (With 25,000 words, Epstein, naturally, had no space for such trivialities.)

Lawyer Dean Andrews did not, as Epstein says, give the FBI "several different descriptions" of Clay Bertrand. The truth is that, when they hounded him (like cancer, he said), he told ~~xxxx~~ them to say whatever pleased them, being unable to get rid of them any other way. He gave them only a single description.

And is it at all conceivable that the FBI could launch a large-scale investigation of New Orleans' homosexuals named "Clay" while avoiding the reputed queen bee, Clay Shaw? Even Leon D. Hubert, later district attorney and still later a Warren Commission lawyer, in writing his Warren Easton High School 1928 class predictions, crystal-balled Shaw into arrest as a female impersonator. That same yearbook reported the class's two most popular actresses: Clara Bow- and Shaw! Yet the Warren Commission ignores him, and the Attorney General says he was not investigated at all.

Were Garrison to discuss any of his evidence in public, the case would be thrown out of court. This is proper. What is not proper is the ceaseless flagellating by the begowned finks, the unended slanders and partisanship of the government-apologizing press, the refusal of the major media to present what they can of the New Orleans' evidence. A month before publication of Epstein's scatology, I asked the New Yorker for the same opportunity provided him and promised to restrict myself to the evidence, so its readers might have some glimmer of what it is. The request is unanswered. I have ~~xxxxxxx~~

hundreds of pages of the suppressed, once-secret documents they can use. The New Yorker doesn't want them, and its readers may not see them.

Is it not past time for the first judicial determination of fact relating to the murder of an American President?

Is the public also not entitled to a free and fair trial, uncontaminated by defense propaganda and official and unofficial intrusions?

Should not the inhibitions imposed on the prosecution be imposed on the defense? If it is wrong for the prosecution to engage in pre-trial propaganda, how can it be right for the other side? If the trial cannot be free or fair if the prosecution or those associated with it speak out, how can it be if the other side is permitted to, without restraint?

Epstein sells bile, ignorance, and error for tainted personal profit. He is a coward who will not face me in any forum of his choosing for a debate on the evidence of the New Orleans' aspect of the assassination, as I herewith challenge him to do. He is a literary night-sneak who hits and runs, but will not face. He dare not.

There is no public official with whom it is not possible to disagree. Garrison is no exception. He, like the others, is human; and, like all of us, fallible. But he is dedicated, sincere, and hardworking to the jeopardy of his health. He is risking his life with no possibility of personal profit. And he is, I believe, quite right. He is the victim of an enormous campaign, of a magnitude never before leveled against a local official. From the President down, the might, majesty and awesome power of the Federal Government is arrayed against him--and that of the lickspittle press and its pen prostitutes.

This, and such dishonest writing as Epstein's, will ultimately convince thinking people there has to be some reason for the ceaseless campaign against Garrison and the steadfast refusal of any major newspaper or magazine to print a story with any of the available evidence showing the official account of the President's murder is false.

The reason is clear: the government cannot tolerate any judicial determination of fact. There can be none that does not destroy the Warren Report.

To destroy the Warren Report is to re-write Macbeth, for there was federal involvement in John Kennedy's murder. Its whitewash also is federal.

Epstein is only one of the well-paid and easily-bought sycophants.

Harold Weisberg

July 14, 1968

For books on the assassination of President Kennedy, we suggest you try Blue Door Books at 3823 5th Ave. in Hillcrest, San Diego, next to the Guild Theater. They now have in stock such important works as Six Seconds in Dallas by Josiah Thompeon, The Second Oswald by Richard Popkin, and A Citizen's Dissent, Mark Lane's latest book, which will be reviewed in a later newsletter. The Blue Door is also ordering some of the books that are harder to come by--like Weisberg's Oswald in New Orleans and Ray Marcus' The Bastard Bullet. For a free bibliography of all books on the subject, pro and con, write the AIC.

Q. The first question, Dr. Popkin, concerns one of Epstein's claims that if Oswald is innocent, as Garrison alleges, then this "creates complications in the case of Clay Shaw, who was, after all, indicted for a conspiracy that involved Lee Harvey Oswald." Is this so?

A. My impression is that Garrison has been holding the theory all along that Oswald is innocent of the shooting but not innocent of the conspiracy. I think two things are being mixed up here: that Garrison has held that Oswald's role is that of a decoy to get the police to follow him, and Garrison has been following the trail of two-Oswalds. He seems to have found a fair amount of evidence that there was a second Oswald figure in New Orleans as far back as 1961.

Q. How reliable are Epstein's sources of information? For example, Thomas Bethell and Life correspondent Richard Billings?

A. The sources vary a great deal. Bethell has been a very hard working member of Garrison's staff, and I've always found him extremely reliable. Billings I've never met, but-- I think I did meet him once in New Orleans-- and he was with Garrison for a long time and knows a good deal of information. Some of the other sources I think are fairly unreliable, like Mr. Gurvich, who was once an investigator for Garrison and who has testified against Garrison before the New Orleans Grand Jury, which didn't choose to believe him. He testified at Dean Andrews trial and his testimony was not taken seriously there, so I don't think he's shown up as a particularly reliable source. Epstein also uses some of the people who are used on the NBC program, who seem to have been thoroughly discredited by the New Orleans' newspapers and by the New Orleans' Grand Jury.

Q. Epstein says that Richard Nagell, who became a Garrison witness through your assistance, suffered brain damage in an airplane crash in 1957 and was rejected as a court witness. Is this true, and do you consider Nagell reliable?

A. Nagell, as far as I know, has never been a witness for Garrison. Garrison has met him once, but Nagell has never come and testified before the Grand Jury in New Orleans. He was in an airplane crash back around 1957, which caused him extensive brain damage. Thereafter, he was on active service for the United States' Military Intelligence, so he seems to have been quite functional. I've never met him, but people who have claim he's quite rational and seems to know what he's doing. As far as I know, the only trial in which he's been involved was his own, so I don't know where Epstein gets the information that the court refused to have him as a witness.

Q. Do you think Epstein has changed his opinion and is now a defender of the conclusions reached by the Warren Report?

A. From my knowledge of Epstein, he's had very cautious views in public and somewhat different views in private. I haven't seen him since March or April, 1967, at which time what he was willing to say in public was that there are difficulties with the Warren Commission, that there are unanswered questions. But he was unwilling to go as far as others of us who say that other theories are more likely or that something else was true. I think that he's, even in the New Yorker article, still about in that position of indicating that there are certain things that seem dubious about the Warren Commission; but he's very much against the proposed solution of Garrison's.

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Q. According to Epstein, Garrison issued a warrant for the arrest of Edgar Eugene Bradley solely on the basis of an anonymous letter alleging that "Bradley had once made inflammatory comments on President Kennedy." Do you consider this to be true?

A. I just don't know what the sequence of events was prior to ordering the indictment of Bradley. I know subsequently I've heard of and seen other evidence which gives reasonable grounds for suspecting Bradley. I, myself, have doubts that he was involved; but I think there's much more evidence than Epstein indicates in the article.

Q. Would you comment on the apparent schism involving Mark Lane, Harold Weisberg and Garrison on the one hand; and Sylvia Meagher, Epstein, and David Lifton, who have all, in their own way, recently attacked Garrison's inquiry?

A. I don't know what each person's reason is for the stand they're taking. Since Garrison's come to the fore, some people like Sylvia Meagher have been extremely skeptical; and some of Garrison's public statements have disturbed her, made her feel he was not taking account of the facts, that he was mixing them up. And as a result she's been extremely critical of the development of Garrison's case. She has spoken out at various stages of this, at things she found were very dubious; and I gather it's her position that one has to stick to just the facts and not do any speculating, and make sure that the facts are kept pure and pristine. I know that Mark Lane and Weisberg have been working with Garrison and have apparently found what he's doing quite convincing and along the lines which they previously thought would be productive. In the case of Lifton, as far as I know, he's friendly with one of the people Garrison suspects, Mr. Thornley, and seems convinced that Garrison is trying to railroad Thornley and force him into the case, when Lifton believes he's innocent. So I think there are all sorts of reasons depending on one's own investigation, one's own standards, one's own outlook as to where one fits into all this.

Q. Are the critics concerned about finding the truth, or do they just like to be critical?

A. I think I would have to say-- I haven't met all the critics-- All of us probably hopefully want to bring the truth out about this. Each person has his own way of doing it and gets very attached to the particular interests that started him, the particular line of development he goes into. I think there's a lot of petty jealousies involved in the group, and I think that unfortunately the financial rewards involved in being a critic have led some people astray and have led them to do certain things which they might not have done otherwise.

Q. Finally, Dr. Popkin, would you give us your opinions generally regarding Epstein's attack?

A. I found it's a queer mix of facts, half facts, rumors and very dubious information from people hostile to Garrison. Epstein has compressed all this to make it look like everything's on the same level. I think it would take an awful lot of work to disentangle what he's saying on almost any page as to how much of it has a factual base, how much of it is rumor that he has heard from people, how much of it are charges that have been made by people like Gurvich against Garrison, which haven't been substantiated anywhere except by Gurvich's statement of them. And also that he tends to take facts and information and rumors and so on, that occurred over a year and

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a half's period, and compresses them all into simultaneous events, so that a statement made by Garrison at one time is pounded upon on the basis of informations or statements he made a year and a half later in a totally different context. So I think it's a quite unfair presentation, which has some factual base, but which also has a lot of very dubious elements in it. (end of interview)

CLOSING NOTE

Previous issues of the AIC Newsletter were mailed at reduced rate using a bulk mailing permit generously provided to us by the Peace and Freedom Party. Postal regulations required their name on the outer cover; this explains why your last newsletter may have had "Peace and Freedom" juxtaposed with our return address. We have had a few complaints based on an erroneous impression of a tie to P&F stronger than monetary considerations and Post Office regulations. We wish to acknowledge the generosity of P&F in letting us use their stamp, and also note that theirs is the only political party calling for a re-investigation. We hope other political groups will follow suite.. Nevertheless, we want to remain independent of even the weakest sorts of ties, and therefore we are obtaining our own bulk stamp, at considerable expense to us. Support us by sending checks to:

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