

The story of the U.S. government's assassination plots and their repercussions has certainly not been told in full. The current phase of the exposé began with Daniel Schorr's 1975 report of President Ford's concern that the Rockefeller Commission might run into the assassination plots, and culminated with the Schweiker Report on the investigation of the Kennedy assassination. What Senators Schweiker and Hart did quite convincingly was to establish some of the facts and fears behind the immediate federal coverup of the Kennedy assassination. We had known or suspected part of the story for years; it was clear that fears of international complications involving Cuba or Russia had led key people to embrace the case that Lee Harvey Oswald was the lone assassin of President Kennedy.

It is now becoming apparent that the dynamics of this particular aspect of the coverup could have been much more subtle than many of us Warren Report critics thought. The range of possibilities includes (a) an authentic and firm belief by high officials that Castro or the KGB was behind the assassination; (b) suspicion or fear that Castro had retaliated, coupled with knowledge that he had far better reasons to do so than the public could have suspected; (c) a conviction that no foreign power or plot was involved, coupled with an awareness that events and individuals had joined together to create evidence pointing to such a plot, with the aim (sometimes stated) of getting the U.S. to take action against Cuba.

The facts now available do not, I believe, allow us to distinguish with any reliability between these explanations of what was going on inside the U.S. government after the assassination. The key events in question lie in the black-is-white world of double agency where things may mean something quite different from what they appear to mean. Schorr's piece has set out the basic facts about the assassination plots, his own role in reporting them, and his own personal insights - accurately, and with as much detail as one could ask for in a single chapter of an autobiography covering a controversial career. Nonetheless, as a student of the Warren Report I feel obligated to point out what I consider to be extremely serious limitations in his analysis of the connection between the plots against Castro and the death of Kennedy.

Given the fragmentary nature of the current record, any interpretation of the available facts depends very much on what assumptions are made about the Kennedy assassination. To take a peripheral example: Schorr mentions that Desmond Fitzgerald "recklessly" went against the advice of two top professionals to meet personally with AM/LASH, the CIA's agent inside the Castro government. If Oswald was in fact a lone crazed assassin, this is essentially an irrelevant fact, regardless of the mind-boggling questions it raises about the CIA's competence. If, on the other hand, Castro had personally ordered the death of Kennedy, Fitzgerald's action clearly could have had the most direct and fatal consequences. (Indeed, if any top U.S. official believed that Castro had been directly involved, Fitzgerald's actions might in themselves have been enough to require a coverup.) To add a third, equally speculative scenario: if one suspects that individuals within the U.S. intelligence community were responsible for the assassination, one has to ask whether the Fitzgerald-AM/LASH contact was some sort of setup, to insure that there would have to be a coverup.

A key assertion of the Schweiker-Hart Report was that their investigation "did not attempt to duplicate the work of the Warren Commission," and "did not review one of the principal questions facing the Commission: whether Lee Harvey Oswald was in fact the assassin of President Kennedy." (SR 1) As a consequence, the new facts about the plots against Castro were presented with the minimum of analysis, and have remained subject to various interpretations.

Schorr has chosen not to become an assassination buff; that is his right. He has chosen to assume, at least for this one chapter of his book and at least for the sake of argument, that Oswald was the lone assassin. That is a conclusion shared by very few of those who have studied the Warren Commission's own evidence

over the past thirteen years, and shared by only a small fraction of the American public. While I concede that an otherwise reasonable man may feel intuitively that no conspiratorial scenario yet presented for the assassination is more convincing than the Warren Commission's case, such an assumption leads to a very incomplete understanding of the new evidence which Schorr has presented.

Schorr's main original contribution is his insight that the Warren Commission's evidence on Oswald in Mexico is consistent with (a) the idea that Oswald reacted, in an anti-Kennedy fashion, to Castro's public warning of September 7, 1963; and (b) the post-assassination reports that the Cubans had known of Oswald's anti-Kennedy feelings. It is true that by hypothesizing that Oswald did in fact make overtly anti-Kennedy remarks at the Cuban Embassy a gap in the story can be filled in, and the reaction of the Cubans makes more sense.

One must wonder, then, why none of the previous variants of the Schorr thesis have been embraced officially and made part of the favored government interpretation of the assassination. For one thing, I think that considerable evidence suggests that Castro had good reason for suspecting that the remarks attributed to Oswald were in fact a deliberate provocation. More generally, I would suggest that many people in the government recognize that things are not as clear as they seem, and that even a hypothesis which links the Kennedy assassination and the plots to kill Castro in this most indirect and nonconspiratorial way - in which nobody can be blamed but Oswald - opens up far too many cans of worms.

First, what about the idea that Oswald was driven to shoot Kennedy after reading of Castro's threat to retaliate against plots directed at Cuban leaders? If one accepts the Warren Commission's conclusion that Oswald, acting alone, killed the President, this kind of motivation is about as good as anything the Commission could come up with. The Warren Report was unable to establish any convincing motive, suggesting a number of possibilities. (Commissioner Gerald Ford insisted on including Oswald's alleged commitment to Marxism.) In this context, one can certainly add the possibility that Oswald shot Kennedy as a self-appointed avenger of Castro; the question remains, how much does that add?

The Warren Report presented Oswald as somewhat irrational, but it is still relevant that he is not known to have expressed any great antipathy to Kennedy (other than by allegedly shooting him, of course, and in his alleged remarks to the Cubans). The chapter on motive in Sylvia Meagher's essential book, "Accessories After the Fact," presents this evidence persuasively.

In Schorr's scenario, Oswald decided to act against Kennedy on Castro's behalf after reading Castro's warning of September 7. He did go to Mexico at the end of the month, and (Schorr suggests) expressed his feelings to the Cubans. There seems little doubt that he was rebuffed by the Cubans, and complained about the way he had been treated by them and the Russians.

In Schorr's analysis, the strong negative reaction by the Cubans is evidence that Oswald had indeed said something outrageous - for example, that Kennedy should be shot. But then what? Are we to believe that Oswald's murderous anti-Kennedy feelings were turned on by a short piece in the newspaper, but not turned off by a rebuff from a personal representative of the government whose leader he was about to avenge? Does this really make sense? Of course, if Oswald was irrational, anything is possible, but such an assumption makes any analysis of motive unverifiable.

If one wants to argue that Oswald reacted to what he read in the papers, there is another explanation for his visit to Mexico which, to me, is as plausible as Schorr's. We don't really know how closely Oswald read the Times-Picayune when he was in New Orleans. (That paper, by the way, was strongly critical of Kennedy's civil rights policies, and someone with Oswald's generally leftist inclinations could easily have been pushed towards sympathy for the Kennedy administration by that kind of coverage.) We do know that Oswald was interested enough in the publications of the Communist Party and the Socialist

Workers Party (the Worker and the Militant) to subscribe to them.

Both of these papers carried quite a few major stories on U.S. students who were getting in trouble with right-wing segments of the U.S. government for unauthorized travel to Cuba. Oswald had earlier gotten himself quite a bit of attention by defecting to Russia and later returning. Isn't it plausible that he decided that he could make himself something of a hero just by going to Cuba for a visit? That is as persuasive to me as the suggestion that he thought Castro wanted Kennedy killed, decided to take the job on himself, and then denied his guilt.

Certainly, Oswald's guilt in the assassination can not be considered as convincingly proven, and if it is not assumed there are many possible motives for his contacts with the Cubans and the Russians in Mexico. To have no doubts about Oswald's guilt as the lone assassin requires that one set aside the evidence of coverups by the Warren Commission, the FBI, and the CIA; the hints of a frameup of Oswald involving some Dallas police officers; the signs that some of Oswald's leftist activities were not authentic; and the serious problems in the physical and medical evidence necessary for the Warren Commission's reconstruction of the assassination. If all of this evidence is kept in mind, then the questions about Oswald in Mexico appear in a different perspective. This perspective allows at least tentative answers to some of the questions raised by the key piece of documentary evidence on Oswald in Mexico discussed by Schorr, Warren Commission Document 1359 (the top secret letter of June 17, 1964, from Hoover).

The significance of CD 1359, in Schorr's thesis, is the insight it allegedly provides into Oswald's premeditation - that is, an advance indication that he might shoot Kennedy. To the members of the Warren Commission, the significance of CD 1359 (as it was described to Schorr) would have been the same. Viewing Oswald as a lone assassin with a "fevered mind," Schorr wisely refrains from suggesting that the circumstances of Oswald's remarks (i.e., in the Cuban Embassy) implies any guilt or actual responsibility on the part of the Cubans.

The failure of the Warren Commission (and any subsequent known investigation) to pick up on this evidence is, therefore, a real puzzle. I would think that the Commission would simply have been delighted to find a convincing indication of premeditation on Oswald's part.

Why, then, was CD 1359 apparently not used at all? If, as seems likely, CD 1359 itself involved sources so sensitive that the information could not be mentioned at all, I would have expected the Commission to make some effort to allude to the information while disguising the source. (Some information obtained by most sensitive sources - Nosenko and CIA surveillance in Mexico - was so used.)

Even if that was impossible, I would expect that the staff would have expanded its effort to find someone else - a citeable source - who had heard Oswald say the same thing. I am not aware of any evidence that CD 1359 prompted any renewed efforts along these lines.

What are we to make of the fact that David Slawson told Schorr that he did not even recall seeing CD 1359? It was, after all, the only item ever submitted to the Warren Commission by the FBI which bore the highest security classification, Top Secret. The evidence is quite clear that CD 1359 was put into the Commission's files, after a delay of some weeks; if the administrative records are to be trusted, a copy was sent to Slawson, routinely and properly.

An explanation for the Commission's non-response to CD 1359 will have to be deferred until the document is released in full. (My request under the Freedom of Information Act is pending.) There are several possibilities. First, CD 1359 may not be as clear an indication of premeditation by Oswald as Schorr was told by his sources. Second, there probably were (and still are) good

reasons to suspect the authenticity of whatever words were attributed to Oswald. Third, I suspect that the gist of Castro's remarks in CD 1359 was that Oswald's visit had been a provocation. I suggest that Castro's interpretation was plausible enough that the Commission staff, consciously or unconsciously, saw that the net effect of this story was to complicate, rather than reinforce, the lone-nut hypothesis.

Slawson told me that the censored version of CD 1359 which was released in 1976 did not help jog his memory, and that he still did not think he "saw a memo or anything else which included information as starkly indicative of Oswald's premeditation as the 1967 National Enquirer article quotes Castro as saying the incident was." I certainly can't be sure until I see CD 1359, but I suspect that what he does recall seeing was in fact CD 1359, and that his reasons for not getting excited about it at the time were quite valid. In April 1977, Slawson wrote me as follows:

"I do, however, have a vague - and I want to emphasize, vague - memory of having seen a report which indicated the Cuban government as saying, after the fact, that Oswald had appeared to them a 'wild man' or some phrase to that effect) and even hinted or implied he had said that he or somebody 'ought' to get Kennedy, but that this report was entirely unauthenticated and seemingly unauthenticatable."

"My conclusion about it at the time was that it was doubly useless - useless because we had no way of knowing whether it was true, and the possible reasons for its being manufactured by the Cubans made it impossible to rely on without some authentication, and useless because even if true (in the manner in which I heard it) it really proved very little of significance."

"It did not indicate Cuban involvement; quite the contrary. It did not even indicate the kind of finally-arrived-at resolve on Oswald's part which would have been of significance."

"That Oswald probably had thoughts, at least, about killing Kennedy weeks or months in advance of doing so was something I always took for granted. It would have been extremely unlikely that he just decided to do it at the last minute 'out of the blue sky,' so to speak." [From Slawson's letter to me dated April 25, 1977; paraphrasing added.]

Incidentally, this last paragraph suggests a paradoxical aspect of the Schorr thesis: the relatively straightforward analysis of the evidence relies to some degree on the assumption of Oswald's lone guilt, but the main value of the conclusion is as evidence of his guilt. If one is convinced, as Slawson obviously is, of Oswald's guilt, one can argue that the evidence of premeditation is of only marginal value.

In defense of Slawson's lack of interest in the premeditation question, it should be pointed out that he was assigned to the area of foreign conspiracy; Oswald's state of mind and the actual evidence on the identity of the assassin were the primary responsibility of other staff members. It was the members of the Commission, and other staff members (notably Wesley Liebeler) who would, I think, have been much more interested in the evidence of premeditation.

The context in which Slawson had to evaluate CD 1359 included the Sylvia Odio incident, in which Oswald (or an impostor) made remarks about Kennedy to a Cuban exile (whose father was in a Cuban jail in connection with what seems to be another CIA plot to kill Castro). Slawson was well aware of the possible conspiratorial implications of such reports. For example, the Coleman-Slawson report speculated about the possibility that the publicly pro-Castro Oswald was the unwitting tool of anti-Castro Cubans: "Perhaps 'double agents' were even used to persuade Oswald that pro-Castro Cubans would help in the assassination or in the getaway afterward. The motive of this would of course be the expectation that after the President was killed, Oswald would be caught or at least his identity ascertained, the law-enforcement authorities and the

public would then blame the assassination on the Castro government, and the call for its forceful overthrow would be irresistible. A 'second Bay of Pigs Invasion' would begin, this time, hopefully, to end successfully."

Slawson must also have understood that the questions about Oswald's Mexico trip had made it an "intelligence matter" - there had been peculiar behavior by the CIA and other agencies, including an erroneous match between Oswald's name and the description of a different man who had been photographed visiting the Soviet Embassy on the same day. The CIA has not yet provided a full explanation of this "error" and its subsequent coverup, or of the absence of any surveillance photos of the real Oswald. The Agency is still sensitive about the disclosure of details of their surveillance. Anything Oswald said or did in Mexico was part of this rat's nest of ambiguous and sensitive evidence.

In this context, one can expand on Slawson's observation that the Cubans may have had reasons to make up the story in CD 1359. The possible reasons for this story having been manufactured by someone other than the Cubans also makes it impossible to rely on. Recognition of this might help explain why this story has never been officially adopted. It could have been manufactured at a number of points. "Oswald's" remarks could have been made by an impostor. Anti-Castro agents within the Embassy could have fed completely fictitious remarks to Havana as part of a conspiracy before the assassination, or after the assassination, in an attempt to limit Castro's ability to dissociate his government from Oswald. It is conceivable that Castro planted the story in 1964, to see if it got back to Washington through a double agent. There are any number of speculative possibilities.

Incidentally, these possibilities are among the reasons that the 1967 National Enquirer article can not be assumed to be an accurate representation of what Oswald actually said in 1963. For some reason, the Schweiker Report did not mention this story or CD 1359. The explanations which have been given by the usual reliable sources - that the Committee was interested only in what was withheld from the Warren Commission, and that the Enquirer article was not noteworthy because it had been published - simply do not ring true.

Similarly, I do not understand why the 1975 memo by CIA analyst Raymond Rocca apparently did not mention either the Enquirer story or CD 1359. It may be because the CIA has good reason to suspect the authenticity of the remarks attributed to Oswald. (One of the unanswered questions is why this piece of foreign intelligence reached the Warren Commission through the FBI rather than the CIA.) Any CIA document evaluating CD 1359 might be quite enlightening.

Schorr's thesis - that CD 1359, the National Enquirer article, and Duran's testimony all fit together and make sense if Oswald did in fact make a threat against Kennedy - represents an arguable interpretation of the evidence as a whole, but it is not a thesis which misrepresents the evidence it relies on, nor does it carry any provocative or malicious intent towards the Cuban government. Schorr quite clearly is suggesting that Castro's influence over Oswald was at worst something Castro "did not realize or preferred not to speculate about." Why, then, argue about his article at all? Largely because it is difficult for me to separate this kind of minimal version of the Castro-was-responsible theory from the pernicious and irresponsible versions of that theory which, quite probably, have prevented an unrestricted investigation of the assassination ever since 1963.

Specifically, when CD 1359 surfaced in the press last year, it appeared to be part of a campaign to blame Castro directly for the assassination, and to influence the direction of the investigation then getting under way in the House Select Committee on Assassinations. Taking a quite different tack from Schorr and Slawson, Nicholas Horrock of the New York Times wrote

on November 14, 1976 that "The informant, according to the memorandum, said that he had learned of Mr. Oswald's plan from Fidel Castro, the Cuban Premier. If this were true, it would be the strongest evidence yet found that Mr. Oswald had Cuban backing in his assassination attempt." What can you say about reporting like that?

The story was broken by John Goshko of the Washington Post on November 13, 1976. He wrote that "the Justice Department has discovered a 1964 memorandum" saying that Oswald had told the Cubans of his intention to kill the President. Goshko's article emphasized that former Commission staffers (apparently not including Slawson) had no recollection of this memo or its contents; Goshko's sources "said they had no knowledge of whether it actually was sent to the Warren Commission."

It was my initial suspicion that the memo in question was CD 1359, and one of the reporters covering this story quickly reached the same conclusion. However, one of his "reliable sources" told him that CD 1359 dealt with another topic. This little piece of misinformation gave added life to the sensational claim that a totally new document (which had been suppressed from the Warren Commission) had been found. It is hard for me to believe that the distortion and confusion surrounding CD 1359 in its 1976 reincarnation was totally innocent.

In fact, the history of the attention given to Castro's September 7, 1963 statement to AP reporter Daniel Harker suggests that it too was the object of manipulative interpretation within the U.S. government. I would suggest that the position apparently held by Liebelier - that this warning represented the maximum plausible extent of Castro's influence over Oswald, and as such was significant regardless of the validity of Castro's charges - was an uneasy compromise which took note of Castro's remarks but steered clear of the implications raised by the AM/LASH plot.

After the assassination, the Castro remarks were promptly the subject of high-level concern inside the government. On November 28, Thomas Mann, the Ambassador to Mexico, cabled Washington about his "feeling - subjective and unproven to be sure - that either in Mexico or the United States someone had given him [Oswald] an assignment and money." Mann argued that it did not seem plausible that the KGB had hired Oswald, but that "Castro is the kind of person who would avenge himself in this way. He is the Latin type of extremist who reacts viscerally rather than intellectually and apparently without much regard for risks.... This supposition was strengthened by my recollection of an AP story with a Havana dateline attributing to Castro threats against United States officials in reprisal for alleged CIA sponsored raids on the Cuban coast." (CD 442, Cable #1201)

As detailed in the Schweiker Report, high Washington officials realized that Mann was making extreme and unsubstantiated charges, and took steps to quiet him down. This kind of maneuvering may have had something to do with the decision (discussed in the Schweiker Report and in Schorr's article) to make the Russian-oriented Counterintelligence staff responsible for the CIA's liaison with the Warren Commission. Of course, the Warren Commission did receive the Mann cables on February 23, 1964 (CD 442), and the staff could have pursued the implications of the Castro warning at that time; in fact, if they had studied the New York Times, they would have learned that Castro had made repeated allegations of CIA plots to kill him. Certainly the CIA can't take the full blame for the Commission's avoidance of the Cuban connection. Nonetheless, the fact that the CIA kept Rocca and others unwitting of the plots against Castro may have been more than just the extension of a coverup to within the CIA - it may have been part of a deliberate effort to keep a "Mann faction" from pushing onto the Warren Commission the dangerous idea that Castro's remarks suggested direct Cuban responsibility for the assassination. At the very least, one result of this CIA policy was to severely limit the contacts the Commission staff would have with people who knew so much about the

AM/LASH plot and other anti-Castro plots that they could not be counted on to effectively refute the Mann thesis.

In this historical context, I feel compelled to conclude that even a moderate and careful good-faith analysis by someone like Daniel Schorr cannot really focus on the crucial issues raised by the Schweiker Report - as long as that analysis starts with Oswald's guilt and simply asks what was going through his mind.

It remains to be seen whether the current low-profile investigation by the Senate Intelligence Committee will answer the questions passed on to it by Senators Schweiker and Hart. Under its previous chief counsel, the House Assassinations Committee was not very successful in picking its way through the distractions which appeared in its path, including press reports about CD 1359 and other aspects of Oswald's contacts with the Cubans and Russians in Mexico.

One can safely predict that more distractions will appear in the near future. Schorr points out that Angleton still believes that Nosenko was a plant; does he believe that Nosenko's information exculpating the KGB did so falsely? Speculation about the KGB, Castro, and others has to be evaluated in the context of what actually happened on November 22. Did the KGB have the power to get the Dallas Police to zero in on Oswald within hours of the shooting, and to produce conflicting testimony from some of the key participants in that process? Could Castro have been responsible for a most peculiar autopsy (with burned draft notes), which led to questions about the basic physical and medical evidence which have never been resolved?

Speculation about the motives of Oswald or Castro can be engaged in without reference to the more central evidentiary questions. As long as the central questions are kept in mind, such speculation may turn out to be valuable. But by itself the potential for adding to the confusion is great. When one gets into areas where certain key facts have a substantial chance of meaning just the opposite of what they seem to mean, the analysis becomes unstable. One new fact, or claim, can invert the whole scenario. For example, if someone argues that Oswald was working with a team of pro-Castro Cubans, someone else can say that he was a CIA penetration agent. Ultimately, perhaps, if it is established that Oswald had worked for the CIA, will someone like Angleton come forward to argue that the KGB had penetrated the CIA?

Schorr points out that in 1963-64 "there were ... powerful forces in government with disparate motives for playing down the Cuban connection." To go further, there seem to have been, and still be, powerful forces trying to play down the possibility that the Warren Commission's case against Oswald as the lone assassin was fundamentally false. In 1967, for example, the CIA disseminated a memo entitled "Countering Criticism of the Warren Report," and presumably took some steps in that direction. (Ironically, this memo argued that "conspiracy on the large scale often suggested would be impossible to conceal in the United States," but this was not in reference to the CIA's plots against Castro.) The tendency to avoid full disclosure goes far beyond the Cuban connection, into such matters as Oswald's relationships with U.S. intelligence agencies, and the evidence raising doubts about his guilt.