

SUMMARY OF AFFIDAVITS AND STATEMENTS COLLECTED BY ATTORNEYS
RONALD J. TABAK AND JEFFREY S. ROBBINS

The book on the late Allard K. Lowenstein by Richard Cummings alleges that Mr. Lowenstein was an agent of the Central Intelligence Agency from at least 1962-1967. It further suggests that much of Lowenstein's political, civil rights and human rights activities before, during and after that period were financed and organized at the request of, or in conjunction with, the CIA.

Mr. Cummings offers absolutely no direct evidence to support this extraordinary allegation. In fact, he does not name any sources for his claim, nor does he offer any quotes from individuals or documents. The closest he comes to describing his sources is a footnote in which he states that one source was in U.S. Army Intelligence and the others were close to the CIA. In short, none of Mr. Cummings sources were from within the CIA itself.

Not only does Mr. Cummings fail to cite any direct evidence for his claim, he manages to ignore, misinterpret or twist the abundance of actual evidence and testimony available to him that categorically disproves his claim.

Mr. Cummings relies almost exclusively on the "guilt by association" technique, supplemented by gymnastic leaps of logic or, more precisely, illogic. The major "evidence" for the Lowenstein-as-CIA agent allegation is:

--Cummings' own theory that the post-war CIA contained a "good wing" which supported democratic alternatives to repressive regimes. Lowenstein also supported democratic alternatives to repressive regimes; therefore, it is natural to assume that he was part of the CIA's "good wing";

--No one could have traveled as extensively as Lowenstein-- and stayed in as many excellent hotels--unless he was financed by the CIA;

--Lowenstein was friendly with various individuals, such as William F. Buckley Jr. and Frank Carlucci, who at one time or another worked for the CIA; therefore, he must also have worked for the agency;

--There are letters among Mr. Lowenstein's personal papers from friends of his who were Peace Corps volunteers in Africa. These letters begin "Dear Family." Mr. Cummings asserts that this phrase was, in reality, a CIA codeword and the innocuous letters were actually intelligence reports;

--Lowenstein was president of the National Student Association in 1950-51. Subsequently, the CIA developed ties to the NSA. Cummings asserts that Lowenstein kept up his contacts with the NSA; therefore, he had knowledge of the CIA-NSA connection.

Cummings must save his most creative contortions for reconciling Lowenstein's lifetime of opposition to major U.S. foreign policy decisions with his alleged role as a loyal CIA operative. For example, how does Lowenstein's CIA work square with his antiwar activities and his leadership of the "dump Johnson" movement? Cummings' answer is that "Lowenstein's opposition to the war confirms his CIA involvement as much as anything" and that it may never be known whether Lowenstein was "on loan" to the antiwar movement by the CIA or actually believed in what he was doing.

THE TRUTH ABOUT THE "CIA CONNECTION":

Virtually every individual used by Mr. Cummings to support his thesis of a Lowenstein-CIA connection have signed sworn affidavits or letters explicitly and unequivocally disputing and denying that they either had knowledge of or believed that Mr. Lowenstein was a CIA agent and/or operative.

--Congressman Lee Hamilton, D-Indiana, a member of the Select Committee on Intelligence of the U.S. House of Representatives stated in an official letter to Mr. Bancroft Littlefield, dated January 23, 1985, that:

"I have talked with officials of the Central Intelligence Agency. As you know, they neither confirm nor deny publicly any operational relationship with specific individuals, whether living or deceased. Nevertheless, based on representations made to me, I can say that Mr. Lowenstein was never an agent of the CIA." (Emphasis added.)

Congressman Hamilton has also said that he can state that Mr. Lowenstein was never on the payroll of the CIA either.

--Frank Carlucci, former U.S. Ambassador to Portugal and former deputy director of the CIA, whose relationship with Mr. Lowenstein forms one of the crucial underpinnings for Mr. Cummings' claim of a CIA-Lowenstein connection, states in a sworn affidavit that:

"Cummings alleges in his article that (1) between 1976 and his death in 1980 Lowenstein worked for the CIA in a CIA-inspired effort to install the Sandinistas in power in Nicaragua; (2) Lowenstein worked for the CIA in an effort to keep Messrs. Nkomo and Mugabe out of power in Zimbabwe; (3) Lowenstein worked for the CIA in an effort to keep the Communists out of power in Portugal; and (4) Lowenstein carried out CIA-related missions in or relating to South Africa.

"During the period of time in question, I served as either Ambassador to Portugal or as the deputy director of the U.S. CIA. To my knowledge, Cummings' allegations regarding Lowenstein are flatly incorrect."

In a subsequent letter to Mr. Jeffrey S. Robbins, Mr. Carlucci adds that linking Mr. Lowenstein's activities with the CIA is "absurd" and "lacks credibility."

--Harris Wofford, President Kennedy's special assistant for civil rights and former associate director of the Peace Corps, whose observations and speculations Cummings' uses as major corroborative evidence for his thesis, stated in a sworn affidavit that:

"I say with confidence that nothing I have ever learned about him (Lowenstein), or ever heard from him, has indicated to me in any way that he was an agent of the CIA."

At least eight other individuals, many of whom were directly involved in activities of Mr. Lowenstein that Mr. Cummings alleges were CIA-inspired, without reservation dispute the CIA-Lowenstein allegation. These individuals are:

William F. Buckley Jr.
Thomas L. Hughes
Leonard R. Sussman
Emory Bundy
Harvey J. Lippman
Clinton De Veaux
Greg Stone
Carol Hardin Kimball

SPECIFIC INACCURATE ALLEGATIONS REGARDING THE CIA-LOWENSTEIN CONNECTION:

The falsity of Mr. Cummings allegation regarding Mr. Lowenstein's alleged connections with the CIA can be easily established by examining some of the "evidence" he uses to support it and comparing it with the sworn affidavits of the individuals involved.

1. Cummings claims that Lowenstein joined the CIA in 1962.

But this claim is rendered ridiculous by the existence of a CIA-produced document which was available to Mr. Cummings and which he either ignored or never bothered to read. The document offers powerful actual evidence that not only was Mr. Lowenstein not a CIA agent, but that, quite the contrary, the CIA regarded him in a most unfavorable light.

The document is dated September 20, 1962, the very year when Mr. Cummings claims that Mr. Lowenstein became a CIA agent.

"(Redacted) should know Lowenstein is among other things a troublemaker out to establish self as American through whom Spanish opposition leaders should deal. To our knowgedge (sic) he represents no one but himself in spite of propensity for name dropping." (Emphasis added.)

Mr. Lowenstein received these documents pursuant to a Freedom of Information Act request filed in 1975. Gary Bellow, professor at Harvard Law School, who helped prepare the request, said it was made partly out of Mr. Lowenstein's concern that the CIA had been spying on him. It is worth noting that two years later, Mr. Bellow visited CIA headquarters to discuss Mr. Lowenstein's file. At the time, Mr. Lowenstein had been nominated to serve at the United Nations and, according to a sworn affidavit filed by Mr. Bellow, he was "concerned that during the Senate confirmation process, the CIA might provide information which would be used to support accusations that he had associated with Communists and 'left wing' groups."

According to Mr. Bellow's affidavit, "nothing that I heard or saw there (CIA headquarters) in any way indicated that Mr. Lowenstein had ever been a CIA agent."

2. Mr. Cummings claims that during Mr. Lowenstein's 1959 trip to Southern Africa with Emory Bundy and Sherman Bull, "he was asked by the CIA to help smuggle a colored South West African (Hans Beukes) out of the country."

The facts are these: Hans Beukes, in a telephone interview with Jeffrey Robbins flatly states that it was he who approached Mr. Lowenstein and asked if Mr. Lowenstein knew of, or could help, find a way to get him out of South Africa.

More significantly, Mr. Bundy, who accompanied Mr. Lowenstein on the trip and was at the meeting where Mr. Beukes approached Lowenstein, stated in a sworn affidavit that far from initiating the effort to spirit Mr. Beukes out of South Africa, Lowenstein was, in fact, "extremely skeptical" about the project.

Further, Bundy stated, the entire trip to Southern Africa and the smuggling of Beukes "was spontaneous and jerry-rigged, with minimal resources. . . Nothing about the trip suggests that the CIA had anything to do with it. . . Such an allegation is preposterous."

Indeed, Bundy continued, the actual smuggling effort was "a frightening, comical 'keystone cop' operation," not the sort of organized, sophisticated and efficient operation one would expect of a CIA-inspired undertaking.

3. Mr. Cummings quotes Harris Wofford as saying that "I could see someone representing the 'good wing' (in the CIA) got some kind of collaboration with Al. I could imagine it. It would not surprise me if for a while he saw this as a good thing. . . ." The heart of Cummings' entire CIA theory hinges on his claim that Lowenstein was a member of this so-called 'good wing.' This theory, in turn, is based on the just cited Wofford quote.

The facts are these: Mr. Wofford stated in a sworn affidavit that he stressed to Mr. Cummings that he "could not imagine Al being an agent of the CIA," a fact Cummings conveniently left out of the book. According to Wofford, he did say that he could imagine Lowenstein "trying to make people in the CIA, as in the State Department, the United Nations, or other institutions, the agents of his purpose."

Wofford regards the Cummings case against Lowenstein as laughable. "The Lowenstein as CIA agent theory requires us to believe that the CIA would be supporting Lowenstein as he incited peaceful revolutions in various nations allied to or closely associated with the United States, contrary to the then foreign policy of the United States. That is nonsense."

4. Mr. Cummings writes that "While working with the CIA, Lowenstein developed ties to the Peace Corps and with the American volunteers in Africa."

Again, there is no evidence for this statement. Indeed, the facts clearly disprove it. Sargent Shriver, former director of the Peace Corps has stated in an interview with Mr. Tabak and will so swear in an affidavit that he has no recollection of Mr. Lowenstein being turned down for any Peace Corps position because of alleged CIA connections, or for any other reason. Mr. Shriver further stated that if Mr. Lowenstein had been turned down for such a reason he would certainly recall it. Mr. Shriver has confirmed that recollection with other top Peace Corps officials from the period.

In addition, former associate director Wofford stated that long standing presidential policy has been to prohibit anyone with CIA background from holding a Peace Corps position. Further, he says, "my best information is that there was no instance--I certainly know of no instance--where there was any CIA-Peace Corps tie."

5. Mr. Cummings also writes that many Peace Corps volunteers in Africa "wrote intelligence reports in the form of letters that were circulated among the American intelligence community concerned with African politics."

He also notes that among Mr. Lowenstein's papers he unearthed letters addressed "Dear Family" and that these letters "were definitely another dimension to the Peace Corps. They were not letters home to mom and dad. There was nothing personal in them. They were intelligence reports to the 'family' of trusted Americans within or at the periphery of that amorphous mass known as the 'intelligence community.'" Mr. Lowenstein's possession of these letters is proof of his CIA connections, Cummings concludes.

Of all the "evidence" produced by Mr. Cummings, this is at once the most comical and insidious.

The two "dear Family" letters found by Cummings were from Sam Bowles of the Chester Bowles family and Carol Hardin Kimball.

Mr. Wofford informed Cummings that he had received the Bowles' letter found in Mr. Lowenstein's files and it had nothing to do with the CIA." His affidavit states: "I have no reason to believe that any of such letters reflect any association with the CIA. They appear to be either letters to the writers' actual biological families or to such families and friends--letters that came to Lowenstein as part of his continuing but disorganized efforts to keep up with his friends."

Indeed, Wofford points out, the "dear Family" salutation was so common among Peace Corps volunteers that even Lillian Carter, former President Carter's mother, began her letters in that manner, as did Wofford.

Similarly, Ms. Kimball disputes in a sworn affidavit the ridiculous and spurious accusation that her "dear Family" letter was actually an intelligence document.

"When I was in Africa I wrote letters which began with the salutation "Dear Family." Those letters were no more and no less than letters to my actual biological family. They had nothing whatever to do with the 'intelligence community,' amorphous or otherwise. I was not 'within or at the periphery of' the intelligence community."

She concludes by stating that Mr. Lowenstein was "a very dear friend" and the letter in question "was sent to Allard Lowenstein purely out of friendship."

Mr. Cummings also implicates Mr. Bundy in his mythical "family" of intelligence agents. Mr. Bundy's affidavit states that: "The assertion that I was a member of the "family of trusted Americans within or at the periphery of that amorphous mass known as the intelligence community' is false and I am deeply offended by it. I do not believe that Allard K. Lowenstein was a member of such a 'family' either."

Both Bundy and Wofford told Cummings of their doubts about his theory. Their doubts are nowhere reflected in the book. Mr. Cummings never bothered to interview Ms. Kimball, despite the serious suggestion that she was an intelligence agent.

6. Mr. Cummings' offers as another piece of "evidence" that Mr. Lowenstein was a CIA agent the fact that he traveled extensively and sometimes stayed at excellent hotels, even though he only had a modest income. He concludes that only the CIA could have supported such travels.

The facts are these: Mr. Lowenstein received significant income from his interest in his family's restaurant business.

Moreover, several affiants affirm the well-known fact that Mr. Lowenstein generally tried to stay with friends while traveling and that he financed his trips with the restaurant income, honoraria and travel reimbursements. Interestingly, the book itself is replete with evidence of Lowenstein receiving funds from various sources for his trips, such as the Ford Foundation, Franklin D. Roosevelt III, his father's insurance. Cummings also frequently notes that Lowenstein stayed in less than elegant hotels.

David Hawk states in his sworn affidavit that:

"The draft book also asserts that a major reason for concluding that Allard Lowenstein was a CIA agent was that he traveled extensively in the United States and abroad. That, too, is false.

"Mr. Lowenstein paid for many of his travels around the country and the world in the following manner: he was paid honoraria and travel reimbursements for many of his speeches, since he was an absolutely spellbinding speaker. Being paid for making one speech in one place, he would make several other stops en route. As for his foreign travels, I learned from Al Lowenstein that if (as he and I did and I still do) you work on causes, the easiest item for which money can be raised is for plane travel for a particular purpose abroad. Since Mr. Lowenstein was deservedly recognized as one of the most effective activists for whatever projects he worked on, wealthy liberals from around the country were happy to pay for his travels."

7. Mr. Cummings also dredges up the dusty allegation that Mr. Lowenstein may have known about and been involved in the CIA's funding of the National Student Association.

The fact that Mr. Cummings must fall back on a charge that has been repeatedly disproven is an indication of how flimsy his work is. Former Attorney General Nicholas Katzenbach has stated and will swear in an affidavit that he supervised the disengagement of the CIA from the NSA and he has no knowledge of any connection between Mr. Lowenstein and the CIA nor any knowledge that Mr. Lowenstein knew of the relationship while it was ongoing. He further states that if there was such information he, as attorney general, would have known about it and would remember it.

Clinton De Veaux, a member of the NSA National Supervisory Board in 1966-67 which investigated NSA funding by the CIA, states in a sworn affidavit that the board "found nothing which connected Mr. Lowenstein to the CIA and concluded that he had not been connected with the CIA's funding of NSA. Those NSA officers who tried to get the NSA to terminate its CIA connection said that Mr. Lowenstein strongly urged that the connection be stopped openly and above board--a position with which some NSA officers disagreed."

Finally, Emory Bundy, who is cited by Mr. Cummings as "asserting that Lowenstein must have known about the CIA connection" said in his affidavit that "Lowenstein denied he knew anything; I was inclined to believe him." Bundy added that "Lowenstein maintained he had no knowledge of such a connection, and though I have speculated to the contrary, I have no evidence to that effect."

The Cummings' book also alleges that Mr. Lowenstein informed on suspected Communists in the civil rights movement in Mississippi. The sole piece of material he offers for this claim is his own unsupported interpretations of cryptic portions of a diary he found among Mr. Lowenstein's personal papers.

It is widely known that Mr. Lowenstein was a central figure in organizing the Mississippi Freedom Summer Project and recruiting students from Northern universities to participate in it.

The diary excerpts--written in headline style--used by Mr. Cummings to fabricate his "spying" claim are:

"Mississippi mire: frenzied recruiting plus firm withdrawal equals schizophrenia. A summary of the situation in Mississippi, at campus centers, in national organizations, among independent groups:

"Wrong decision and wrong groups making them combine to end deep commitment; problem rises of who to tell how much; campus center leaders in mixed roles; obligation to keep them informed called great, but particularly on question of infiltration. Dilemma is acute and has not been solved."

The second excerpt reads: "Three probable deaths dictate July return to Mississippi. Effort to rally liberals; offer of help to be wired to Moses and RFK; NT (Norman Thomas) and RFK propose investigatory mission but A (Lowenstein) defers trip and decision about status."

Mr. Cummings draws the following incredible conclusions from these excerpts and then proceeds to state his conclusions as findings of absolute fact: the phrase "keep them informed" refers to Mr. Lowenstein's "obligation" to inform CIA contacts on college campuses of "infiltration" of the movement. The reference to an "investigatory mission" is actually a mission proposed by Kennedy and Thomas to keep tabs on Communists in the civil rights movement.

A more credible explanation of the diary's meaning is that Lowenstein was deeply committed to the project and the recruitment of Northern students to join it. He was torn between his desire to attract as many students as possible and his desire to make sure they all understood that there were radicals in the movement and that participation could be used, in later years, to damage

their reputations.

The reference to an investigatory mission more likely refers to the possibility of a trip to review the situation and strength of the movement, rather than "spy" on individuals involved.

In fact, the Rev. William Sloane Coffin has stated in a conversation with Mr. Tabak that he totally disagrees with Mr. Cummings' interpretation of the diaries and agrees with the alternative explanation as far more plausible.

SPECIFIC INACCURATE ALLEGATIONS REGARDING THE CIVIL RIGHTS MOVEMENT

Aaron Henry, member of the Mississippi State Legislature and a leader of the Mississippi civil rights movement in the early sixties, categorically denies that Mr. Lowenstein informed on anyone in the movement.

Mr. Henry, who was never interviewed by Mr. Cummings despite his seminal role in the movement and his close relationship with Mr. Lowenstein, said that based on his direct knowledge of Allard K. Lowenstein's work in Mississippi in the 1960's, he is convinced that Mr. Cummings' assertion that Mr. Lowenstein "informed on" anyone there is completely false and that the allegation that Mr. Lowenstein secretly spied on alleged Communists in Mississippi is flatly incorrect.

Curtis Gans, who had a major political falling out with Mr. Lowenstein later, nonetheless filed a sworn affidavit in this matter stating that he "has no reason to believe, with regard to his activities in Mississippi, that Allard Lowenstein was serving in an official capacity for any organization, agency or governmental entity other than the Mississippi Summer Project."

Further, Gregory Craig, who was in Mississippi at the time and is now national security advisor to Sen. Edward M. Kennedy, states that Mr. Lowenstein "had a continuing concern about the influence of various individuals and various groups in the project with whom he disagreed politically. . ."

But, the Craig affidavit continues, "I know of no evidence to support any suggestion that Al Lowenstein was 'spying' for government agencies or that he was, either formally or informally, 'providing information' to government officials or government agencies about radicals within the civil rights movement. . . In my view the allegation is preposterous and there is nothing that I know of first hand or that I read in Cummings' book that support the allegation."

Finally, and most persuasively, Nicholas Katzenbach, who served as attorney general and deputy attorney general in the period when Lowenstein was an alleged informer will state in an affidavit that he, in fact, received reports that people in the civil rights movement did inform on suspected Communists but Lowenstein was not one of them. Further, had Lowenstein been such an informer, Katzenbach states, he would recall it.

There are numerous other malicious allegations in the Cummings' book that are flatly inaccurate.

SOUTH AFRICA

Mr. Cummings writes that Brutal Mandate, Mr. Lowenstein's book about South West Africa, had become, by 1978, "an embarrassment" to Mr. Lowenstein and that Mr. Lowenstein "had retreated from his militant opposition to South Africa" and was "increasingly sympathetic to South African whites."

With regard to Brutal Mandate, Mike Farrell, actor and producer and the former star of the television series MASH, stated in a sworn affidavit that in early 1978 or 1979 he approached Mr. Lowenstein about turning Brutal Mandate into a television or theatrical movie. Mr. Farrell states that Mr. Lowenstein was "very pleased" and "excited" and "volunteered to act as a consultant on the film. The project, with Allard K. Lowenstein's enthusiastic support, was actively proceeding at the time of his assassination in March 1980."

Harvey J. Lippman, Mr. Lowenstein's attorney, further debunks the allegation that Mr. Lowenstein had become "embarrassed" about Brutal Mandate by pointing out in his affidavit that "just two months before his death, Allard K. Lowenstein signed a contract concerning a movie to be based on Brutal Mandate."

Clinton De Veaux, a city judge in Atlanta, Georgia, states that Mr. Lowenstein remained deeply opposed to South Africa's policies up to his death. "I was in close contact with Allard K. Lowenstein regarding South Africa in the last years of his life and thereby know that he never changed one iota in his opposition to apartheid or the racism of South African (and many American) whites."

Greg Stone, who worked closely with Mr. Lowenstein over many years and was involved in drafting testimony delivered by Mr. Lowenstein before Congress on Southern African issues, stated in an affidavit that the Cummings' allegation regarding a weakening of Mr. Lowenstein's opposition to the South African government is "false."

NEO-CONSERVATISM

Finally, Mr. Cummings develops a thesis that Mr. Lowenstein had become a "neo-conservative" in the final years of his life. The major evidence for this is his alleged support of capital punishment during his 1978 campaign for Congress.

The facts are these: Harvey Lippman, treasurer of the 1978 campaign, states in his affidavit that the assertion that Mr. Lowenstein favored the death penalty "is a gross distortion."

His actual position, according to readily available campaign newspaper, was that "the use of capital punishment as a campaign issue is polarizing and misleading, that no one should favor the taking of human life, but that the option of capital punishment should be available under certain extreme circumstances, including mass murders, hijacking and other acts of terrorism."

The newspaper further states that "Lowenstein had occasionally remarked that since it was neither a valid deterrent to crime nor a valid issue in a congressional race, it seemed needlessly polarizing and diversionary."

Finally, one must note with considerable amusement that this "neo-conservative" created by Mr. Cummings is the same individual whom Mr. Cummings' asserts was actively helping the CIA oust the Somoza regime in Nicaragua and install the Sandinistas. Anyone with minimal understanding of the neo-conservative doctrine and contemporary politics would find that juxtaposition truly beyond the pale.