Mark Lane on Oswald

Following are excerpts from an exclusive interview in New Orleans between Darlene Fife and attorney Mark Lane concerning the investigation being conducted by New Orleans District Attorney James C. Garrison into the assassination of President John F. Kennedy. Lane's five-page brief in defense of Lee Harvey Oswald published in the Dec. 19, 1963, issue of the Guardian and subsequent Guardian-sponsored speaking tour opened the door to the flood of doubts concerning the official version of the assassination. Lane has been living in New Orleans for the past several months and intends to remain there until the Garrison investigation has been terminated.

Was Oswald an agent at the age of 16 when he wrote a letter to the Socialist party?

I think it's hard to know precisely when Oswald's employment with the Federal Bureau of Investigation began. It seems while he was in the Marine Corps he was given unusual secret clearance, which is I think an indication of the government's feeling about him at the time. I think the evidence is clear that when he went to the Soviet Union he went as a representative of a U.S. intelligence agency—very likely the FBI.

Garrison has said that Oswald worked for the Central Intelligence Agency. Now you're saying he worked for the FBI and not the CIA.

I think it's a little difficult to penetrate the intelligence agencies of the U.S. government with absolute accuracy and assurance. I know that Jim Garrison believes at this point the evidence is very strong to show that Oswald was an FBI employe. I think the evidence is quite clear now that Oswald was working for the FBI and that the CIA planned the assassination of President Kennedy and that the CIA executed the plan as well.

What was Oswald's job when he came back to New Orleans in April, 1963?

He was supposed to look like a leftist, which he did, of course, with the help of a number of local people, mostly on the right, and he participated in tableaux which I think were no indication of his own political beliefs but were staged so that at some future time when the moment arose it would be possible to say that Oswald was a Marxist. I think the arrest of Oswald for giving out leaflets here in New Orleans was one of the tableaux which was staged well in advance . . .

Why did Oswald think he was establishing himself as a leftist in New Orleans?

I don't know his specific assignment in terms of what was explained to him. I do know he was posing as a leftist and he was aware of the fact that he was posing as a leftist. There is some evidence which shows that the FBI assigned Oswald to meet with a number of persons who were planning the assassination of President Kennedy, and it seems that Oswald was present at those meetings for the purpose of reporting back to the FBI regarding the plans. It may be that Oswald at that time did not know that the plans which were being made in his presence were really being formulated by the CIA. We do know as a fact that on Nov. 17, 1963, the FBI sent a telex to every Southern regional office of the FBI stating that an attempt would be made to assassinate President Kennedy in Dallas in five days. It seems that Oswald was the source of the information which was sent to the FBI. We do know, of course, that the information was never communicated to President Kennedy; otherwise, he obviously would not have driven through Dallas in an open limousine into that ambush. We also know that in October, 1963, the U.S. Secret Service came across a plot to assassinate President Kennedy in Chicago, and as soon as that information was communicated to President Kennedy, he canceled his trip to Chicago.

So you're saying that Oswald thought he was spying on the assassination plan and he did not see himself as having any role in the assassination.

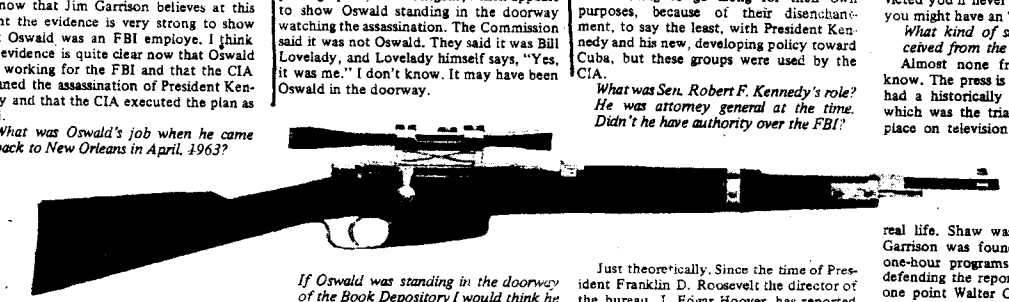
I think all the evidence now available indicates that this is so, yes.

It must be possible to tell at what level an FBI telegram can be stopped. Somebody has enough power to do that, to give orders to the FBI to stop it.

I suppose it would depend on J. Edgar Hoover's willingness to go along with the suggestion in the first place as to how powerful the order to him would have to be. I don't know on what basis the determination was made not to share the intelligence with the President that someone was planning to kill him in five days, but obviously that determination was made.

What was Oswald's role in Dallas on Nov. 22? Was he in the Book Depository?

A picture was taken just as the shots were being fired by an Associated Press photographer, James Altgens, which appears to show Oswald standing in the doorway watching the assassination. The Commission said it was not Oswald. They said it was Bill Lovelady, and Lovelady himself says, "Yes, it was me." I don't know. It may have been Oswald in the doorway.



If Oswald was standing in the doorway of the Book Depository I would think he would be standing there wondering what on earth happened to the information he had given to the FBI that there was going to be an assassination.

He was probably a little curious about it. *He may have been thinking that the assassination had been called off. But what was he doing running down the grassy knoll?*

Well, he didn't try to escape from the scene as soon as the shots were fired . . . But what Oswald was really doing we can know if we examine the stenographic tapes and recording made of Oswald when he was questioned during the 48 hours he lived while in custody. The federal government, Secret Service, FBI and Dallas police force said there were no records. Would you believe that? It's a shame. Such an important person in American history and they forgot to turn on the tape recorders. I believe it's possible that no recording was made and no stenographic record was made of what Oswald said, and I think that's so because they knew who Oswald was and they knew what he would say and what his relationship was to the FBI. We do know that Oswald became extremely hostile to Hosty [an FBI agent] and refused to talk when he was in the room.

I would think he would be getting nervous at that point and wondering what was going on.

Well, you know that Oswald's last words were "I am a patsy." We know that he was questioned for 24 hours and everyone in the world thought he was being asked why he killed the President or if he killed the President. Twenty-four hours after the questioning a group of reporters in the hallway stopped him and we have this on film, in fact the sequence is in the film "Rush To Judgment." The reporter said, "Did you kill the President?" Oswald said, "The President? I haven't been charged with that. We haven't talked about that. There's some talk about killing a police officer." The reporter said, "You have been charged with killing the President," and Oswald looked absolutely amazed at that point, which leads one to wonder what they were talking to him about for the last 24 hours. And then he said, "Well then I'm the patsy."

You talk about the CIA as being the planners and executers of the assassination. I have read that one of the reasons for the assassination was that Kennedy was thinking of taking away the oil depletion allowance. Were there any big businessmen involved, for example, in giving money to the CIA for the assassination?

I don't think the CIA is a charity or in need of funds. I see no evidence at this point that any individuals other than CIA employes were involved in planning the assassination. I think quite clearly that the anti-Castro forces or really the pro-Batista forces were utilized by the CIA and they were willing to go along for their own purposes, because of their disenchantment, to say the least, with President Kennedy and his new, developing policy toward Cuba, but these groups were used by the CIA.

What was Sen. Robert F. Kennedy's role? He was attorney general at the time. Didn't he have authority over the FBI?

Just theoretically. Since the time of President Franklin D. Roosevelt the director of the bureau, J. Edgar Hoover, has reported directly to the President. He is supposed to report to a member of the cabinet, the attorney general, but Mr. Hoover hasn't done that for about four decades and he's not about to start, so he has made the FBI an independent organization. We know there's great friction anyway between Bobby Kennedy and Hoover, and Bobby Kennedy went into what could be described as a state of shock when his brother died and did not function at all. Lyndon Johnson, perhaps for therapy, sent him to Indonesia.

When did Johnson find out about the whole thing? You said he sent Bobby Kennedy away for therapy—apparently he didn't need any himself.

Lyndon Johnson is an accessory after the fact. If there were truly a Department of Justice here he would be arrested, as would every member of the Warren Commission, and they would be charged with being accessories after the fact. Accessories after the fact withhold information about the crime and suppress information. Lyndon Johnson has suppressed information and so has the Warren Commission. I doubt they will be prosecuted, however. When the information came to Johnson I don't know. I would like to say I've looked at the evidence and President Johnson played no part in planning the assassination. I must say I've looked only at the evidence that Johnson has allowed us to look at. The rest of the information which he doesn't want us to see he has locked up in the national archives.

Garrison has limited objectives. He wants the American people to know who killed the President and he wants to arrest everyone involved in his jurisdiction, although he believes no one will go to jail, and he wants the ramifications to be sufficiently great so that the U.S. government will have to dissolve the CIA and find three new letters for the organization that will be formed. He has no illusions about permanent change.

Does Garrison have an inside view yet? Has anyone confessed?

No one has confessed and I don't think you can expect many confessions in this case, because if you're convicted without confessing, all you can get in a conspiracy to kill the President is 20 years and you don't serve 20 years, you may just serve one-third of the time. In fact, you can be absolutely certain that if you're standing trial in New Orleans for conspiracy to kill President Kennedy you will never go to jail, and even if you're convicted you'll never go to jail because the federal government will find a way to reverse the conviction. The law enforcement is able to secure a confession by promising people that if they confess they'll be treated fairly and leniently. In this case you have to turn it backward. Garrison cannot promise anyone leniency for cooperating . . . None of the ordinary motivations for confessing are present. If you don't say anything and are convicted you'll never go to jail. If you confess you might have an "accident."

What kind of support has Garrison received from the press or the movement?

Almost none from the press, as you know. The press is almost unanimous. NBC had a historically unprecedented program which was the trial of Clay Shaw. It took place on television before it took place in

real life. Shaw was found not guilty and Garrison was found guilty. CBS did four one-hour programs on the Warren Report defending the report from its critics, and at one point Walter Cronkite said, "Garrison has made many charges but he hasn't proven any of them in court." In fact, Garrison has made two charges, one against Dean Andrews for perjury in a case closely related to the assassination investigation and the other against Clay Shaw. It's true he hasn't proven the guilt of Shaw, because for over a year now Shaw has been doing everything to prevent the case from coming to trial. About Dean Andrews—three days after Cronkite said Garrison had not proven anything in court, Dean Andrews was convicted of perjury. I watched television the next night to see how Mr. Cronkite was going to explain this, but he never did.

The only movement which has supported Garrison has been the Citizen's Committees of Inquiry on various college campuses and cities which were established early after the assassination for the purpose of making the facts known. Of course, Ramparts magazine has been very helpful in terms of publishing new material, but one of the things that dismays me is that while one would expect attacks from the right, one would expect the left to have a more sophisticated view, a knowledgeable view of what takes place in this society. One would expect the left to support Garrison, but the left seems to be sitting back watching and waiting very cautiously. That's not the position the left should be taking at the present time, it seems to me. One of the problems is the atmosphere around to convince us that Garrison is some kind of nut. One listens long enough and tends to believe it and gives that as an excuse for not participating. I think that's unforgivable. I can understand it from Time, Newsweek, the New York Times, CBS and NBC, but I do not understand why some of the smaller and more militant publications have not shown greater concern for the facts Garrison has uncovered.