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PRO & CON

WAS THERE A CONSPIRACY TO KILL JFK?

YES: Look beyond the assassination

BY PETER DALE SCOTT

The only answer to this question large enough to fit all the relevant evidence will involve not only a conspiracy but an on-going collaboration between forces within the political establishment and the criminal elements outside it. Such collaboration, an example of what I call in my book the "deep politics" of this country, is in fact widely documented and generally accepted.

For example, it is no secret that in cities like Chicago or New York, where there is major police and political corruption, most mob hits go unsolved. The novelty is to think that such corrupt arrangement could also have successfully murdered a President.

The more one studies the assassination of John F. Kennedy on November 22, 1963, the more one is struck by the continuity between the three murders in Dallas that weekend (of the President, of Lee Harvey Oswald, and of Dallas police officer J.D. Tippit) on the one hand, and on the other the ensuing cover-up, which appears to have been partly the result of prior arrangements. In other words, of a conspiracy.

No one man, acting by himself, could have arranged for all the illegal and manipulative events that first produced and then obscured the murder in Dealey Plaza. However, I believe it is wrong to think that an *external* conspiracy (whether of Corsican terrorists, Cuban exiles, Nazis, or whomever) could have been responsible for all that happened. For there were efforts both inside and outside government, at both the local and federal levels, not only to cover up the murder but also probably to plan it.

Many writers have tried to prove or disprove conspiracy by looking at the murder itself, or at its legacy of medical and physical evidence. In my book, I look instead at the periphery of the case, at events preceding and following the assassination of the President. Here the undis-

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NO: Lee Harvey Oswald acted alone

BY GERALD POSNER '75

Before answering the question of a conspiracy in the murder of President Kennedy, a prior issue needs to be addressed: *Could* Lee Harvey Oswald, or any other single individual, have done it? As my book discusses in detail, there is new evidence about the basic "facts" of the case. For example, new computer enhancements of the Zapruder film—the home movie of the shooting—reveal that Lee Harvey Oswald had 8.4 seconds to fire the three shots, not the 4.8 seconds mistakenly allotted him by the Warren Commission.

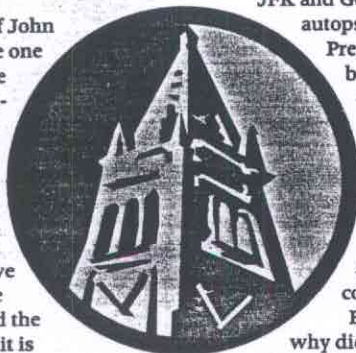
What about the so-called "magic bullet"? The latest technology also confirms that the bullet that struck both JFK and Governor Connally needed no magic. The autopsy x-rays and photographs confirm that the President was only struck by two shots from behind. The bullets later recovered matched only one gun in the world, Oswald's rifle, which he carried into the Texas School Book Depository the morning of November 22, 1963. His co-workers had left him alone on the sixth floor near noon. After the assassination, his fingerprints were found all around the sniper's nest, as well as on his rifle, which had been tossed into a corner.

But if Oswald alone shot and killed Kennedy, why did he do so? Was he in league with others or acting on his own? In order to answer the question of a conspiracy, we must unmask the enigma that was Lee Harvey Oswald.

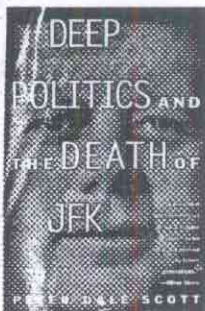
Oswald was born into a poor family in New Orleans on October 18, 1939, two months after his father died. A bully at school, at home he chased his stepbrother and sister-in-law with knives and struck his mother. With his few acquaintances, he argued incessantly about communism.

A New York psychiatrist who interviewed Oswald at the age of 13 concluded that he was "emotionally quite disturbed." By 16, Lee had moved 21 times and attended

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Peter Dale Scott's 1992 book-length poem, *Listening to the Candle*, opens with these lines: "No one ever had/a fiftieth birthday quite like mine,/pointing a wooden/simulacrum of a Mannlicher Carcano/from the sixth-floor window/of the Texas School Book Depository..." Now 66, Scott has capped his long interest in the assassination by writing *Deep Politics and the Death of JFK*, published last month by UC Press. The Canadian-born Scott has been a faculty member at Berkeley since 1961. His first two books — *The Politics of Escalation in Vietnam* (1966) and *The War Conspiracy: The Secret Road to the Second Indochina War* (1972)—led him to examine the connection



tion between the Kennedy assassination and the war in Vietnam. Some of Scott's findings were used by Oliver Stone in the movie *JFK*, and it was the subsequent attacks on his findings that provoked him into writing *Deep Politics*. That done, Scott hopes to return to the relative calm of his poetry.

SCOTT continued

putable evidence of conspiracy and related collusion is much greater.

There is, for example, strong prima facie evidence that the murder of Lee Harvey Oswald was a conspiratorial event involving not only Jack Ruby, who pulled the trigger, but also members of the Dallas police. Dallas police officers have admitted that a door to the police basement where Oswald was shot had been left unlocked that morning and that the officers assigned to guard it had been removed by orders shortly before Ruby gained entry to the building. Anyone who dismisses these events as unrelated to the Kennedy case, as Posner does in *Case Closed*, should probably be labeled a "coincidence theorist."

The relationship of Ruby to the Dallas police was an important and on-going one, dating back for well over a decade. Ruby was admittedly used as a narcotics informant by Dallas police detectives, and probably on the federal level as well. In addressing the question of a conspiracy, one must ask why numerous reports that Ruby played just this role between police and organized crime were twice ignored rather than investigated—first by the Warren Commission and then again by the House Select Committee on Assassinations.

The Warren Report concluded that "the evidence does not establish a link between Ruby and organized crime." But the record it examined was a dishonest one, created by collusion between organized crime and the FBI (especially in Ruby's home city of Chicago). For example, when the Chicago FBI transmitted from a close Ruby associate the assurance that Ruby was "not outfit-connected," it failed to point out that this associate, Dave Yaras, was not only in the mob but one of the mob's top murderers. Furthermore, according to a former FBI agent, Yaras was protected from investigation in one murder by no less a figure than J. Edgar Hoover.

The House Committee took the first step toward the truth when it published more than a thousand pages showing Ruby's significant links to organized crime figures. But it too denied Ruby's status and influence with the Dallas police, ignoring a detective's report that he regularly used Ruby as an informant, and ignoring a former Dallas FBI agent's report that, as early as 1948, Ruby had been influential with the police.

In other words, the conspiratorial murder of Oswald involved a milieu connected, and hence potentially embarrassing, to politics and law enforcement at the federal as well as the local

level. Such an on-going symbiosis between crime and law enforcement, and the resulting secrets in FBI files, helps explain the speed and efficiency with which the FBI presented Oswald to the media as the lone assassin. The CIA also reacted with alarm to stories that the President's murder was the outcome of CIA collaboration with mob figures from Chicago and elsewhere to assassinate Fidel Castro. It is possible of course that the cover-up reaction of both the FBI and CIA was merely an ex post facto one, to protect both agencies from embarrassment.

But there is also the more sinister possibility that some federal officials had helped to arrange in advance for the cover-up. This possibility is suggested by striking anomalies in the pre-assassination files on Lee Harvey Oswald, especially in Army intelligence and in the CIA. Is it really a coincidence that, just five weeks before the assassination, the CIA file on Oswald began to grow with "information" that the alleged loner Oswald had been talking in Mexico with a suspected KGB specialist on assassinations?

We know now that this report was taken seriously within the CIA, just before as well as after the assassination. It certainly contributed to the alert that mobilized U.S. nuclear strike forces after the assassination. It also helps explain how President Johnson was able to persuade Chief Justice Earl Warren to head up the Commission that bore his name, to stave off (so Warren has since told us) the rumors that might lead the U.S. into a nuclear war.

One therefore can see how decent men might accept the portrait of Oswald as a lone assassin, even if false, because it was preferable to the portrait—equally false but far more dangerous—of Oswald as a KGB assassin.

The full facts about the Oswald-KGB rumor are not yet known. We cannot even evaluate properly the impression that this rumor was started in Mexico City by an imposter, conspiratorially impersonating Oswald. But the fault here can be laid squarely at the door of the CIA, whose officers have continued—to this day—to treat this aspect of the Oswald case as a high-level national security matter. Some of them also have continued to leak false information to authors, like Posner, who acknowledge their debt to "confidential intelligence sources."

Anyone who has seen the dozen or more CIA sections handling the Oswald files before the assassination knows how false the cover story is that he was a "loner." Worse, the planted "evidence" in these files fits with other pre-assassination intrigues. Taken together, these argue strongly that there was a conspiracy before November 22 to murder the President and blame it on Oswald. ☉

POSNER *continued*

12 schools. At 17, dissatisfied with his life, he joined the Marines; but here, as a loner whom some considered a homosexual, he was taunted as "Mrs. Oswald" and mercilessly razed.

While enduring such abuse, he had begun, as early as 1957, to think of defecting to Russia, where he hoped his talents would be recognized. When he was discharged in September 1959, Oswald made his way to Moscow, where he announced that he wanted to become a Soviet citizen. When the Soviets rejected his request, Oswald tried to kill himself. After Soviet doctors saved his life, two psychiatrists examined him and found him to be "mentally unstable."

The Soviets moved him to Minsk, where the KGB kept him under surveillance and concluded that he was too erratic to work for an intelligence agency. Meanwhile, Oswald discovered that Soviet communism was not what he expected, and he soon grew to hate Russia. The only bright spot was that he met a young Russian student, Marina Prusokova, in February 1961 and married her a month later.

Choosing "the lesser of two evils," Oswald decided to return to the United States, although it took more than a year to get permission from both governments for Oswald, Marina, and their daughter to repatriate. In June 1962, the Oswalds moved to the Dallas-Ft. Worth area. A group of Russian emigrants who met them took a strong dislike to Lee. Oswald had difficulty finding work, and he was visited by the FBI, with questions about his time in Russia. The tension in his marriage was high, and Oswald's arguments with Marina turned violent.

As his personal life deteriorated, Oswald increasingly focused on his semi-literate political philosophy, a mixture of Marxism and anarchism. He created false identity cards and used them to order both a rifle and a pistol. He had settled on political assassination as his next goal; his first target was former Army general and right-wing politician Edwin Walker.

On April 10, 1963, when Oswald came home at 11:30 p.m., he boasted that he had killed Walker (his shot had in fact been deflected by a window frame and barely missed Walker's head). Marina was horrified. Two weeks later, Oswald grabbed his pistol and told Marina that he was going after Richard Nixon, but she stopped him.

By late April, Oswald relocated to New Orleans. He again decided to abandon the United States. His passion now was for Cuba. Oswald founded his own pro-Castro group, but he failed to attract even one recruit. By late August, he talked of hijacking a plane to Cuba,

causing Marina to remark to her daughter, "Junie, our papa is out of his mind."

The mercurial Oswald abruptly abandoned his hijacking plans and decided to travel to Mexico City to obtain a visa for Cuba. He arrived at the Cuban embassy there on September 27, 1963, boasting of his leftist credentials. But Oswald was stunned when the Cuban consul rejected his visa request. It was another in a long line of reversals, and his return to the U.S. was a crushing personal setback.

Lee now talked of political change coming only through violence. Oswald felt new pressure from the FBI. He wrote to the Soviet Embassy to complain about the "notorious FBI." Two days after the birth of his second daughter, Rachel, Oswald again began to stalk Walker.

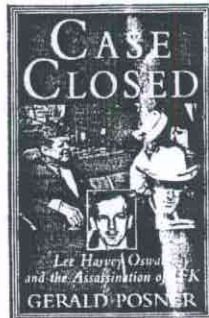
During this period, one of Marina's friends, whose brother worked at the Texas School Book Depository, suggested that Lee Harvey Oswald seek employment there. On October 16, 1963, he was hired at the book warehouse.

On November 19, only three days before President Kennedy's visit, the *Dallas Times Herald* detailed the exact route of the motorcade, revealing that the President would pass in front of the Book Depository. One can only imagine the impact this news had on Oswald, an avid newspaper reader. Having failed to find satisfaction in either the United States or the Soviet Union, having been rejected by the Cubans, barely able to earn a living in America, frustrated in a loveless marriage, and harassed by the FBI, he was desperate to break out of his downward spiral. Here was a chance, a once-in-a-lifetime opportunity, to show all those in his past how greatly they had underestimated him.

On the night before JFK's visit, Oswald broke his normal routine by visiting Marina. At dinner, when the subject of the President's visit came up, he refused to discuss it. He went to bed two hours early, although he was restless and did not fall asleep until nearly 5 a.m. That morning, he left without kissing Marina goodbye, something he had never done before. When she awoke, she noticed that Lee had left their life savings of \$170 on top of their bureau. While that startled her, it was only later that she noticed something else that would have worried her even more: In a hand-painted demitasse cup, Lee had placed his wedding ring. He had never before taken it off.

That afternoon, Lee Harvey Oswald successfully assassinated John F. Kennedy. Oswald was the only assassin at Dealey Plaza on November 22, 1963. To say otherwise, in light of the overwhelming physical evidence and the buildup to the murder which characterized his life, is to absolve a man with blood on his hands and to mock the President he killed. The case is closed. ☉

When he was an undergraduate at Cal, Gerald Posner says, "I would have thought anyone who said Oswald was the single assassin was insane." Posner now says exactly that in *Case Closed*,



recently published by Random House. A native of San Francisco, Posner graduated from Cal with a degree in political science in 1975 (without taking any courses from Professor Scott) and then earned a law degree from Hastings. He worked two years for Cravath, Swaine & Moore in New York before forming his own firm, Posner and Ferrara. "I like large, daunting projects with lots of documents," says Posner, whose first book, *Mengele: The Complete Story*, was written after he had represented a man who had been treated by the "Angel of Death" at Auschwitz. He has now written five books, including a novel, and loves the life of a writer. "It's like a dream: being a perpetual student, doing research and then getting paid for it—however little at times—and seeing it published."