

## The Demon in Jim Garrison

Editor's Note: for Oliver Stone's critique of this story, click [here](#).

*By Max Holland*

On March 1, 1967, New Orleans District Attorney Jim Garrison arrested a prominent local businessman named Clay Shaw and charged him with master-minding the crime of the century: the 1963 assassination of President John F. Kennedy. It was a bizarre and groundless accusation by a supremely ambitious prosecutor, but Shaw was not its only victim. This terrible miscarriage of justice was to have immense, if largely unappreciated, consequences for the political culture of the United States.

Of all the legacies of the 1960s, none has been more unambiguously negative than the American public's corrosive cynicism toward the federal government. Although that attitude is commonly traced to the disillusioning experiences of Vietnam and Watergate, its genesis lies in the aftermath of JFK's assassination. Well before anti-war protests were common, lingering dissatisfaction with the official verdict that Lee Harvey Oswald acted alone broadened into a widespread conviction that the federal government was incompetent or suppressing the truth or, in the worst case, covering up its own complicity in the assassination. Today, national polls consistently show that a vast majority of Americans (upward of 75 percent) do not accept that Oswald alone killed President Kennedy. Many also believe that a co-conspirator lurked in Washington, with the Central Intelligence Agency (CIA) always the prime suspect.

No individual was more responsible for fomenting these beliefs than Shaw's nemesis, Jim Garrison. There were other critics of the Warren Commission's official report on the assassination, but none had the authority of a duly-elected law enforcement official; none could match the flamboyant Garrison's skill in casting himself as the archetypal lone hero battling for the truth; and none was more adept at manipulating the *Zeitgeist* of the 1960s. His audacity and lack of scruple were breathtaking, though camouflaged by lean good looks that made Garrison appear like a prosecutor ordered up by central casting. Not since Senator Joseph McCarthy had America seen such a cunning demagogue.

Initially, Garrison explained that, in indicting Shaw, he was only assuming an unsought, even unwanted, burden. The federal government's bungling of the case left an honest prosecutor no other choice, he asserted. Soon that rationale was replaced by a far darker fable. Within two months of Shaw's arrest, Garrison began articulating a truly radical critique that challenged not only the veracity of the *Warren Report* but the federal government's very legitimacy. Ultimately, he would claim that the people's elected leader had been removed in a CIA-led mutiny, and that the plotters had been allowed to walk away unscathed. As he wrote in his 1988 memoir, *On the Trail of the Assassins*,

“What happened at Dealey Plaza in Dallas on November 22, 1963, was a *coup d'état*. I believe that it was instigated and planned long in advance by fanatical anticommunists in the United States intelligence community.”

The fact that a New Orleans jury delivered a resounding verdict of “not guilty” after Shaw’s 1969 trial barely hindered Garrison’s ability to market this myth of CIA complicity. He would argue that the “validity” of his investigation ought not to be judged on its technical, legal results. And one has to admit that, in the court of public opinion at least, Garrison (who died in 1992) by and large succeeded, albeit with Hollywood’s help.

Until recently, it was impossible to revisit this episode as a historian would, by examining primary documents. Garrison’s records were in the possession of his descendants and his successors in office; Shaw’s papers were in the hands of his attorneys and friends; the CIA’s records were secured in agency vaults. But all that began to change after Oliver Stone’s controversial 1991 film, *JFK*, which breathed new life into Garrison’s decades-old charges. As the end of the Cold War eased concerns about secrecy, Congress in 1992 passed the far-reaching JFK Assassination Records Collection Act. It not only freed highly classified documents from government bureaucracies but authorized the gathering of primary materials from nongovernmental sources.

What emerges from these papers, and from other, unexpected quarters, is an altogether new view of the Garrison story. The district attorney who legitimated the notion of CIA complicity emerges as an all-too-willing accomplice to a falsehood. Garrison allowed himself to be taken in by a lie, a lie that may well have been part and parcel of the Soviet KGB’s relentless propagation of disinformation during the Cold War.

To begin unraveling the complicated tale, one has to go back to February 17, 1967, when the *New Orleans States-Item* broke the sensational story that Garrison had opened a new investigation into the Kennedy assassination. A media firestorm erupted, with New Orleans at its center.

Stunning as this story was, it had to compete for attention with another dramatic revelation. Earlier that same week, *Ramparts*, a radical, San Francisco-based magazine, revealed that the National Student Association, the oldest and largest college student organization in the country, had knowingly accepted cash subsidies from the CIA since 1952. A rash of stories quickly followed as elite news outlets raced to outdo the upstart *Ramparts* by exposing a variety of covert CIA subsidies to private organizations in the United States and abroad. The agency seemed to have its tentacles inside every sector of American society: student and teacher groups, labor unions, foundations, legal and business organizations, even universities. The disclosures lent substance to the criticism that the CIA was nothing less than an invisible government.

Amid the furor over the *Ramparts* scoop, Garrison ostentatiously announced the first result of his investigation: the apprehension of Clay Shaw, the alleged “evil genius” behind the assassination. Shaw, the former head of New Orleans’s International Trade Mart, was a socially prominent retired businessman who also dabbled as a playwright

(Tennessee Williams was a friend) and had won local renown as an advocate of restoring the city's French Quarter.

It would take a book to explain how Shaw came to be charged (and Patricia Lambert's 1999 work, *False Witness*, is a very good account). Suffice it to say that Garrison did not arrest Shaw because he suspected a link to the CIA. Indeed, Garrison's theory of the crime at this stage was that Shaw, a homosexual, had been involved because of his sexual orientation. "It was a homosexual thrill-killing," Garrison explained to a reporter shortly after Shaw's arrest. John Kennedy, averred the district attorney, had been assassinated because he was everything the conspirators were not: "a successful, handsome, popular, wealthy, virile man."

In Western Europe, both Shaw's arrest and the exposé of the CIA made for riveting headlines, especially in the left-wing, anti-American newspapers subsidized directly or indirectly by the national communist parties. One of them was a Rome daily called *Paese Sera*. On March 4, 1967, three days after Shaw's arrest, *Paese Sera* managed to weave both stories together in one arresting falsehood. Shaw, *Paese Sera* reported, had been involved in mysterious, "pseudo-commercial" activities in Rome during the early 1960s while serving on the board of a defunct company called the *Centro Mondiale Commerciale* (CMC). The CMC, founded as the first steps were being taken toward a European common market, had been dedicated to making Rome a hub of West European commerce. But trade promotion was a façade, *Paese Sera* claimed. The CMC had been "a creature of the CIA . . . set up as a cover for the transfer to Italy of CIA-FBI funds for illegal political-espionage activities."

*Paese Sera's* lie was swathed in enough truth to make the "exposé" seem plausible in the context of the time, or at least not completely absurd. The disclosures about covert CIA subsidies had shown that anti-communist elements in Italy were among the largest beneficiaries of the agency's overseas largess, and other aspects of *Paese Sera's* scoop were verifiable: The CMC had existed in Rome before going out of business in late 1962, and Shaw had joined its board of directors in 1958. Consequently, *Paese Sera's* allegation of a link between Shaw and the CIA spread rapidly, parroted by like-minded media in Western Europe and the controlled press in the Soviet bloc. Significantly, more sober-minded newspapers in Italy treated the story quite differently because the Italian ministries of defense, foreign affairs, and foreign trade all vigorously denied the core allegation that CMC was a CIA front. Rome's mainstream newspaper, *Corriere della Sera*, limited itself to a matter-of-fact report on Shaw's Roman connection.

Thirty-four years after reliable Italian newspapers discounted the allegation, we have support for their position from official U.S. sources. In compliance with the JFK Assassination Records Collection Act, the CIA released highly classified records pertaining to the assassination and its aftermath. Included are dozens of agency documents generated in direct response to *Paese Sera's* 1967 "scoop."

These documents show that, when the allegations about Shaw's link to the CIA surfaced in communist party organs, including *Pravda*, they immediately grabbed the

attention of the agency's top counterintelligence officers. These anxious officials promptly ran traces on the CMC to see what, if anything, agency files revealed about the trade organization and its corporate parent, a Swiss-based company called PERMINDEX (Permanent Industrial Exhibition). No links whatsoever to the CMC or its parent were found. Nor was there any evidence that Shaw had ever been asked by the CIA to exploit his CMC board membership for any clandestine purpose.

The allegation was a lie. But who concocted it and for what possible reason? The obvious explanation is that the scoop was a journalistic flight of fancy by mischievous *Paese Sera* reporters. In addition to its close identification with the Italian Left, *Paese Sera* was famous (or infamous) for its colorful exclusives, stories that often provoked sarcastic comments in other publications and protests from Italian officials. In American terms, *Paese Sera* was a heavily politicized version of the National Enquirer.

Yet there are ample grounds for suspecting that something more was involved than tabloid opportunism. In the 1960s, *Paese Sera* figured in a number of *dezinformatsiya* schemes instigated by the KGB, including one spectacularly successful effort that is a matter of public record.

*Paese Sera's* role as a conduit for disinformation was first exposed in June 1961, during a U.S. Senate hearing on "Communist Forgeries." The sole witness was Richard Helms, then the deputy to the Deputy Director of Plans at the CIA, and the first exhibit in his testimony concerned *Paese Sera*. The afternoon daily had been instrumental in a disinformation scheme alleging CIA involvement in an April coup attempt against French president Charles de Gaulle--though, in fact, President Kennedy had gone to extraordinary lengths to defend de Gaulle against the plotters. Helms summed up the episode, which almost caused a breach in Franco-American relations, as an "excellent example of how the Communists use the false news story." And it had all started with *Paese Sera* and its then sister publication, *Il Paese*, observed Helms. The two Italian papers belonged "to a small group of journals published in the free world but used as outlets for disguised Soviet propaganda. . . . Instead of having this originate in Moscow, where everybody would pinpoint it, they planted the story first in Italy."

*Paese Sera's* 1967 scoop about Clay Shaw matched the earlier story in the speed and pattern of its dissemination. The KGB itself may not have concocted either story, according to several experts on disinformation. Ladislav Bittman, deputy chief of the KGB-tutored Czechoslovakian disinformation section until his 1968 defection to the West, observes that newspapers like *Paese Sera* often had one or more journalists on their payroll who were, in effect, agents of influence. Some were paid, and some were simply ideological sympathizers. Occasionally, a journalist/agent would be instructed to write specific articles, or receive KGB forgeries of classified U.S. or North Atlantic Treaty Organization documents. But many were schooled to develop independently "certain themes" of enduring interest to the KGB, such as stories about CIA malfeasance. Thus, an agent of influence inside *Paese Sera*--who was "well acquainted with the Soviets' propagandistic interests" might act on his own, notes Bittman. Nonetheless, the story would still "qualify as a Soviet disinformation effort."

The odds in favor of a more direct KGB provenance rose sharply in the fall of 1999, when the so-called Mitrokhin archive became available in the West. Literally a treasure trove of information about Soviet “active measures,” the archive consists of 25,000 pages of handwritten notes about highly sensitive Soviet documents, taken obsessively over a 12-year period by a former KGB archivist named Vasili Mitrokhin. He defected to Britain in 1992, after the dissolution of the Soviet Union, along with his family and six cases of his painstakingly compiled notes. Mitrokhin arrived in London dead set on inflicting as much damage as possible on his hated former employer by exposing the KGB’s subversive activities worldwide.

Mitrokhin’s archive included notes about 250 IMPEDIAN reports, IMPEDIAN apparently being the code name for active measures instigated by the KGB’s outpost in Rome. His note on report number 222, only one paragraph long, seems vague and not very interesting at first glance. Titled “Disinformation Operations of the KGB through *Paese Sera*,” the note states in part, “In 1967, Department A of the First Chief Directorate conducted a series of disinformation operations. . . . One such emplacement in New York was through *Paese Sera*.”

An exhaustive search of 11 nationally significant American periodicals and newspapers published in 1967 turns up only one significant reference to a story from *Paese Sera*. On March 18, the *National Guardian*, an influential left-wing weekly, published a front-page article about Shaw’s arrest. It included information from Rome that had yet to appear in any other American publication, despite the extensive coverage of Garrison’s doings in New Orleans: “The *Guardian’s* Rome correspondent, Phyllis Rosner, quoting the Rome daily *Paesa Serra* [sic], reported that from 1961 till 1965 Shaw was on the board of directors of the *Centro Mondiale Commerciale*, which the paper said was engaged in obscure dealings in Rome. . . . *Paesa Serra* said it is believed that the CMC was set up by the CIA as a cover for channeling funds into Italy.”

The *Guardian* billed itself as a “progressive newsweekly,” proudly independent of U.S. Communist Party orthodoxy. It identified with the burgeoning New Left during the 1960s, and was nowhere more influential than in the city where it was edited and published: New York.

Trying to determine with precision what happened inside *Paese Sera* in March 1967 and who was responsible, however, may be missing the point. Regardless of whether the hoax was intentional and malevolent, or simply a case of journalistic opportunism, the truly significant part of the saga is what transpired after this particular “revelation” reached the district attorney of Orleans Parish.

In his memoir, Garrison flatly denies learning about *Paese Sera’s* scoop in 1967. “We had no inkling that Clay Shaw was much bigger and more powerful than his New Orleans persona indicated,” writes Garrison. “It was not until much later, well after the [1969] Shaw trial when it could have been of any use to us, that we discovered Shaw’s extensive international role as an employee of the CIA.”

Testimony from a variety of sources proves that this version of what happened could not possibly be true. The most indisputable evidence comes from a diary that has long been available to researchers. It was kept by Richard Billings, a senior editor at *Life* magazine who was one of Garrison's closest confidants during the initial phase of the investigation.

Billings's entry for March 16, 1967, 12 days after the publication of the first *Paese Sera* article, notes, "Garrison now interested in possible connections between Shaw and the CIA. . . . Article in March issue *Humanities* [*l'Humanité*, the organ of the French Communist Party] supposedly mentions Shaw's company [CIA] work in Italy." Six days later, according to Billings's diary, Garrison had at least one of the articles in hand. "Story about Shaw and CIA appears in *Humanite* [sic], probably March 8 . . . [Garrison] has copy date-lined Rome, March 7th, from *la presse Italien* [sic]," noted Billings on March 22. "It explains Shaw working in Rome in '58 to '60 period."

Verifying the impact on Garrison of the *Paese Sera* scoop is a simple matter of juxtaposing the district attorney's private and public statements with Billings's entries. Once one does so, a heretofore hidden truth emerges. Though Clay Shaw never deserved to be indicted in the first place, Garrison relentlessly pursued him because by late March 1967 he believed he had in his clutches an important covert operative of the CIA. Undoubtedly encouraged by conspiracy buffs who had flocked to New Orleans (none of whom had yet accused the CIA of being involved), Garrison now thought he was on the verge of exposing a scandal that would make the controversy over the CIA's secret funding of private groups in the United States and abroad look minuscule by comparison. It would also elevate Jim Garrison into a national hero. "I didn't know exactly how Shaw was involved," said Garrison years later, in an unguarded but revealing comment. "But with Shaw I grabbed a toehold on the conspiracy. I wasn't about to let go because of technicalities."

On May 1967, just as the first critical stories about his investigative methods had begun to appear in the national press, Garrison launched a barrage of fresh accusations that dominated national headlines for weeks. Though the facts were subject to daily revision, the theme was constant: The CIA was an unwitting accomplice to the assassination, because some of its agents and ex-agents had acted on their own--which the agency then tried to cover up. After the shock value of this allegation wore a bit thin, Garrison dropped the "unwitting" and alleged foreknowledge and complicity as well. It was a KGB dream come true. Here was an elected American official claiming that Washington knew who killed President Kennedy, but that the CIA called the tune in America. "The CIA has infinitely more power than the [Nazi] Gestapo and the NKVD [Soviet internal security police] of Russia combined," Garrison told the *New Orleans Times-Picayune* in May 1967.

Louisianans have long been accustomed to a certain amount of theatricality in their politicians, and one Bourbon Street store catering to the tourist trade mocked Garrison by publishing a gag newspaper headlined: DA STOPS CIA IN USA TAKEOVER. Elsewhere in the United States, though, where district attorneys are taken more seriously, the cumulative

impact of Garrison's allegations was dramatic. This was the moment in time when the Orleans Parish DA altered forever the terms of the assassination controversy.

A Louis Harris poll in May 1967 revealed that for the first time since 1963, a sizable majority of Americans (66 percent) believed that a conspiracy was behind the assassination. A few months earlier, before news of the Garrison probe broke, only 44 percent had expressed such a view. But the qualitative change, which Harris did not measure, was of even greater and more lasting significance. In the space of a few weeks, Garrison had legitimated the fable that the CIA was complicit in the assassination of President Kennedy--and that American democracy itself was an illusion.

One of the most astute observers of this transformation was none other than Clay Shaw. He discerned earlier and more clearly than most that Garrison had found a perfect foil. The average American was ambivalent about the super-secret agency, which was unlike anything that had ever existed in peace-time America, and because of its very nature, the CIA could not respond forthrightly to public attacks. It was a made-to-order "whipping boy and chief villain," as Shaw later put it.

Shaw finally had the chance to rebut his accuser in January 1969, in a trial that lasted 34 days. Despite pretrial boasts of testimony that "will rock the nation," Garrison produced not a scintilla of evidence of CIA involvement in the assassination. Indeed, the district attorney never even mentioned the agency in court. Garrison may have been a demagogue, but he was no fool, and he certainly realized that Italian newspaper clippings, seconded by *Pravda*, were nothing more than inadmissible hearsay. The closest he came to articulating his theory was during the summation, when he exhorted the jurors to strike a blow against the government's "murder of the truth."

It took the jury just 54 minutes to render a unanimous verdict of not guilty. Never one to admit defeat, Garrison now adopted the position that the prosecution had failed only because a district attorney, no matter how dedicated, could not overcome a secret organization as powerful as the CIA. As Shaw's ordeal receded into history--he died in 1974, nearly destitute after the trial and a subsequent effort by Garrison to convict him of perjury--the *Paese Sera* articles took on the status of a sacred text, an inner secret shared by Garrison's shrinking band of true believers. Within this circle, Garrison was considered the martyr, victimized, ironically, by the vast but hidden power of the CIA and its "disinformation machinery."

In 1979, the Garrison sect received an unexpected boost when Richard Helms, who had gone on to head the CIA from 1966 to 1973, gave a deposition in a court case. Under oath, Helms divulged a fact that the CIA had struggled mightily to keep secret during Shaw's two-year ordeal, fearing that it would be distorted by Garrison and misconstrued by the jury: Clay Shaw had had a relationship with the CIA, beginning in 1948, though it was utterly unlike the one attributed to him in *Paese Sera*. Like 150,000 other Americans during the darkest days of the Cold War, Shaw had volunteered information to the CIA that he routinely gathered during his frequent trips abroad, mostly to Latin America, during the late 1940s and early 1950s. The information was no more secret than what

could be gleaned from a close reading of *The Wall Street Journal* (Shaw's reports are among the CIA documents recently declassified), and the relationship ended in 1956.

Helms, in his deposition, accurately described Shaw's innocuous link with the CIA: At "one time, as a businessman, [Shaw] was one of the part-time contacts of the [CIA's] Domestic Contact Division." Still, the disclosure gave the hoax new life. Garrison seized upon Helms's deposition and claimed it represented "confirmation . . . that Clay Shaw had been an agent."

By the late 1980s, Garrison's pursuit of Shaw was widely regarded as a legal farce, yet despite his defeat in the courts, he had achieved a powerful conceptual triumph. A majority of Americans no longer believed the *Warren Report*, and CIA complicity of one kind or another was widely presumed. Revelations of agency misdeeds by the U.S. Senate's Church Committee during the mid-1970s had inadvertently made Garrison appear to be a prophet, though without much honor. When the former district attorney attempted to sell his memoir, it took him more than four years to find a publisher, though he promised to reveal, for the first time, the actual CIA hand in the assassination.

Garrison's 1988 memoir forged the penultimate link in a grotesque chain that had begun in New Orleans, stretched to Rome, and ended in Hollywood. More than 25 years after first appearing in *Paese Sera*, the lie about Shaw's activities in Rome became the basis for a pivotal scene in Oliver Stone's *JFK*. Without this encounter, there simply was no way to link Shaw with a vast conspiracy involving the highest levels of government.

The fictional scene (which occurs 88 minutes into the film) depicts a meeting in the district attorney's office between Garrison (played by Kevin Costner) and Shaw (played by Tommy Lee Jones):

Garrison shows Shaw a newspaper clipping.

Garrison: Mr. Shaw, this is [an] Italian newspaper article saying that you were a member of the board of *Centro Mondiale Commerciale* in Italy-- that this company was a creature of the CIA for the transfer of funds in Italy for illegal political-espionage activity. [The article] says that this company was expelled from Italy for those activities.

Shaw: I'm well aware of that asinine article. I'm thinking very seriously of suing that rag of a newspaper-- . . .

Garrison: Mr. Shaw, [have] you ever been a contract agent for the Central Intelligence Agency?

Shaw glares at him. Silence.

To drive home the point, just before the credits roll, the film refers to Richard Helms's 1979 deposition. Instead of directly quoting Helms, or accurately characterizing Shaw as

an unpaid, sporadic source whose last significant contact with the agency occurred in 1956, Stone fills a black screen with these words: “In 1979, Richard Helms, director of covert operations in 1963, admitted under oath that Clay Shaw had worked for the CIA.”

In the gross miscarriage of justice and history that Jim Garrison engineered, Oliver Stone was only a skillful and energetic accessory. Years before the filmmaker supplied the megaphone, Garrison’s radical critique had prevailed in a larger cultural sense. The film reflected and exploited that critique; it did not create it. Garrison’s real legacy was not his investigation, but the public memory of his allegations. During a tumultuous, lurid time, he capitalized on gnawing public discontent with the *Warren Report*, legitimated a critique based on a hoax, and insinuated a false notion about CIA complicity that has grown in the public imagination ever since.

That much at least is true. If one also accepts the circumstantial corroboration that suggests the hoax was KGB-inspired disinformation, then the ramifications go considerably further. In that case, IMPEDIAN report number 222 lifts the veil on the single most effective active measure undertaken by the KGB against the United States.

But there is an old saw in the world of intelligence, which also applies to history, especially as portrayed by Hollywood. We are never truly deceived by others. We only deceive ourselves.

Postscript: In a paid advertisement that appeared in *The Nation* on 5 August 2002, Oliver Stone and Zachary Sklar, co-writers of the film *JFK*, alleged that this story was simply another installment from the CIA’s old strategy “of smearing Garrison and other critics of the Warren Commission.”