

*James H. Johnston's Response:*

In Jack Colhoun's review, he takes the usual approach of trying to fit the Kennedy assassination into pigeonholes of conspiracy theories. *MURDER, Inc.* is different. It provides a narrative history of John Kennedy's Cuban policy and continues through the radical policy change Lyndon Johnson made after Kennedy's assassination.

The book has two overarching questions. First, was the Central Intelligence Agency (CIA) a "rogue elephant" in plotting Castro's assassination, or did it have Kennedy's approval? Second, why did the CIA's Richard Helms testify under oath that it never occurred to him that Castro might have had Kennedy killed in retaliation for plots against him, and why didn't the CIA investigate that possibility? As the first paragraph of the book explains, its title and focus comes from statements former president Lyndon Johnson made to reporters late in his life about the assassination. He didn't believe the Warren Commission's finding that Lee Harvey Oswald acted alone, he said. He felt that Cuban president Fidel Castro was behind it. After all, Johnson continued, Kennedy was running "a damned Murder, Inc. in the Caribbean," giving Castro reason to retaliate.

Colhoun barely addresses these two major points. With respect to the rogue elephant question, he seems to opt for rogue elephant. However, his basis for this is one sentence in the CIA's 1967 Inspector General Report on assassinations that says Desmond FitzGerald denied having Robert Kennedy's approval for one of the actions. *MURDER, Inc.* devotes a great deal of attention to this, but I'll get to it later. With respect to Helms's statement and the CIA's failure to investigate retaliation, Colhoun suggests, perhaps unintentionally, that Helms's testimony cannot be believed, for Colhoun concludes by saying "Johnston makes a superficially logical and provocative argument for the Castro retaliation allegations." If you believe Helms, it sure wasn't logical to him.

*MURDER, Inc.* makes the case that both Robert and John Kennedy approved the 1963 CIA plot using a high-level Cuban, Rolando Cubela, in a coup. Cubela believed Castro's assassination had to be the first step and wanted the CIA to provide him with assassination weapons. He also wanted the CIA to prove that the Kennedys would back him. He didn't want John Kennedy to leave him hanging if things went wrong as he had with Brigade 2506 at the Bay of Pigs.

The chronological connection between the 1963 plot and Kennedy's assassination is dramatic. Desmond FitzGerald had taken over the CIA's covert operations against Cuba in early 1963. Rather than just assassinate Castro, which the CIA had been trying to do under his predecessor, FitzGerald outlined a plan for increasing economic pressure and sabotage operations against the Castro regime. This would build dissatisfaction in Cuba. The CIA would also organize sympathetic Cuban military officers to pull off a coup when conditions were ripe. Cubela had been a "hero of the Cuban Revolution," but he was disaffected and opposed to the Communist element in Castro's government. In meetings with the CIA a year earlier, that is in 1962, Cubela had said Castro's

“elimination” needed to be the first step in any coup. He didn’t like the word “assassination” though and never used it.

The CIA renewed contact with him on September 7, 1963, in Porto Alegre, Brazil, for the purpose of sounding him out. Nestor Sanchez was to be his new case officer. That night, at the Brazilian embassy in Havana, Castro pulled aside an American reporter. Castro said the CIA was meeting with terrorists who wanted to “eliminate” him but if this continued, US leaders would not be safe. Although this obviously suggests Castro was aware of the CIA’s meeting with Cubela, there is no record the CIA analyzed the remarks. As Colhoun points out, case officer Sanchez dismissed it in his Church Committee testimony by arguing that Castro wouldn’t telegraph his move. Oddly though, Sanchez wasn’t made aware of the threat at the time and blithely continued the operation not knowing that it might have been compromised.

Indeed, CIA security officers warned FitzGerald that things seemed amiss. Sanchez’s dismissing Castro’s statement by asking why he would telegraph his intent makes little sense. The purpose of a threat is to deter the other person from doing something. In this case Castro might have intended the threat to keep the CIA from killing him. Although the CIA didn’t take note of Castro’s statement, the Interagency Cuban Coordinating Committee of the National Security Council did. It spent several months considering what Castro meant. It concluded that he might plan retaliation by, among other things, assassinating an American businessman or diplomat in Latin America. It didn’t consider whether he might try to assassinate Kennedy even though this was precisely what Castro’s words suggest.

In any event, the CIA decided Cubela was its man. Although Sanchez in his cables to headquarters worried about Cubela’s mercurial temperament and suitability for the job, whatever the job was, headquarters pointed out he was a “bird in the hand.” Sanchez made clear in his testimony that Cubela consistently insisted that Castro’s assassination was the first step in a coup. “We certainly had no doubt that in his mind this was the only way to go about it.” While Sanchez did not agree, he did not try to disabuse Cubela of the idea. He instead focused on what the Cuban could contribute to a coup; he was not, however, the CIA’s choice for the post-coup leader of Cuba.

Cubela balked. By this time, he was in Europe. He wanted to talk to Robert Kennedy personally rather than a low-level CIA case officer. Besides, he didn’t like Sanchez. Within an hour of getting a cable on October 11 saying Cubela wanted to meet with Kennedy, FitzGerald called him according to the attorney general’s phone logs. He must have agreed because Sanchez then wrote a memo outlining a plan to fly Cubela to Washington on a military aircraft for a meeting with Robert Kennedy. This proved unnecessary. Instead, Cubela agreed to meet in Paris with Kennedy’s personal representative, a man with the alias James Clark who was in fact FitzGerald.

A good part of this cover story was true. FitzGerald was a personal friend of Robert Kennedy. He called him “Bobby” in phone calls and spent weekends at Kennedy’s country house in rural Virginia. Yet as Colhoun points out, FitzGerald told the

CIA inspector general in 1967 that he didn't seek Kennedy's approval. But then, FitzGerald was not under oath, and it seems highly unlikely he would implicate then-Senator Kennedy, in an assassination plot.

FitzGerald met with Cubela on 29 October 1963. Sanchez was there both as case officer and translator. FitzGerald assured Cubela that the Kennedys were aware of the coup plot and would not back away from lending help as they had done at the Bay of Pigs. FitzGerald told investigators for the inspector general that he told Cubela the CIA would have no part of an assassination. Sanchez told the Church Committee that he was certain no such thing was said because he was translating. Cubela was satisfied that he had the Kennedys' backing but wanted the CIA to provide him assassination weapons, including sniper rifles, to literally trigger the coup, and some sort of poison dart weapon.

The agency continued to prevaricate about so explicitly supporting assassination, but this soon changed. On Monday, November 18, John Kennedy gave a speech to a Latin American press meeting in Miami and called Castro a "barrier" that, once removed, would lead to improved relations with the United States. FitzGerald wrote key passages of the speech. In this way, the president himself could communicate to Cubela and his cohorts the same message FitzGerald had delivered at the October 29 meeting in Paris. The next day, Tuesday, Cubela called the CIA to say he was going to return to Havana. The CIA would lose contact with him, and it had still not committed to giving him the weapons. Within a few hours of receiving a cable with this information, Richard Helms went to see the attorney general.

In his posthumously-published memoir, *A Look over My Shoulder*, Helms says this was about a Cuban arms cache found in Venezuela that President Kennedy had expressed interest in at a meeting a week earlier. The attorney general was fascinated by a submachine gun from the arms cache and was reluctant to give it up, but he called the White House to arrange for Helms to talk to the president. White House logs show Helms and the president talked from 6:15 to 6:55 that evening. Colhoun's aside about this meeting, that Helms knew John Kennedy was going to be assassinated, is absurd.

On this same Tuesday, November 19, Sanchez wrote a memorandum for the record, saying FitzGerald approved one last meeting with Cubela at which he would be given a poison device. He would also be promised sniper rifles that would be smuggled into Cuba later. The memorandum is dated but doesn't have a time-stamp. Therefore, it isn't known whether it was written before or after Helms's White House meeting, but this seems likely. It is notable that Helms testified to the Church Committee on six occasions but never mentioned he held extended meetings with the Kennedys about Cuba less than four days before the president's murder.

The next day, Wednesday November 20, a CIA officer in Paris called Cubela to ask if he would have a last meeting with Sanchez before returning to Cuba. Someone was in the room with Cubela, and so he couldn't talk openly. Before saying yes, he asked if the meeting would be "interesting." The CIA officer said he couldn't say if it would be interesting but it was the meeting Cubela had "requested." Sanchez told the Church

Committee that this was intended to signal Cubela that the CIA had agreed to give him the poison device and the assassination rifles and that Cubela would have understood this. In other words, Cubela knew on November 20 that the CIA had decided to assassinate Castro.

The meeting between Cubela and Sanchez took place on 22 November 1963, and was underway when they learned Kennedy had been assassinated. Sanchez also gave Cubela a copy of the “barrier” speech Kennedy had delivered on Monday and told him that James Clark, (FitzGerald) had written it. Helms in his memoir says that as soon as the CIA heard about Kennedy’s assassination, which of course was almost instantly, it went to “battle stations,” thinking the assassination might be a plot by the Soviets or Chinese. It is hard to square these comments with Helms’s testimony that the possibility of Cuban retaliation never occurred to him.

FitzGerald and several assistants, who had been working with Sanchez two days earlier in getting CIA technicians to make the poison device Cubela wanted, were lunching at City Tavern in Georgetown when they heard of Kennedy’s death and the arrest of Lee Harvey Oswald. One remembered saying, “I sure hope that guy doesn’t have anything to do with Cuba.” This underscores how preposterous Helms’s statement was.

*MURDER, Inc.* speculates that one reason the CIA was so blasé about the retaliation possibility was that it expected Lyndon Johnson to take an even tougher approach to Cuba and invade the island. In that case, it could simply round up the leadership and interrogate them about Kennedy’s assassination. But Johnson went in a very different direction. He thought Kennedy’s Cuban policy was immoral. According to CIA notes of Johnson’s first meeting with seventeen national security officials responsible for Cuban policy on 19 December 1963, the president told the assemblage, which included Helms, FitzGerald and three others from the CIA: “[O]ne day those concerned in Cuba matters, including himself [i.e. Johnson] would have to face the ‘grand jury’ (of domestic public opinion) to account for your progress in our attempts to find a solution to the Cuban situation.” The words “grand jury,” imply Johnson thought something criminal, for example assassination, had been going on.

In another meeting, the new president called Kennedy’s two-track approach of simultaneously negotiating with and trying to kill Castro “hypocritical.” *MURDER, Inc.* concludes that the CIA told President Johnson what had been going on with Cubela, including the assassination aspects. He ordered it stopped, but he also approved the CIA’s covering it up from the Warren Commission. This was relatively easy since only a handful at the CIA knew about it and since FitzGerald told everyone to keep written records to a minimum. This would explain why the assassination investigation shied away from any kind of conspiracy.

For example, J. Edgar Hoover, director of the Federal Bureau of Investigation (FBI), warned Johnson that a public investigation of Oswald’s contact with the KGB assassin Valery Kostikov in Mexico City would “muddy the waters internationally.” A

lawyer for a Communist leader interviewed by the Warren Commission said later that neither the FBI nor the Warren Commission was interested in finding a conspiracy. And according to a 1963 cable the Russians turned over to the Clinton administration, the Soviet ambassador, after meeting with an American diplomat, concluded the United States would be mindful of foreign policy concerns in investigating the assassination.

Colhoun's article devotes considerable attention to rebutting the notion that the allegations about retaliation by underworld figures in 1967 were true, but he misses the point. The point is not whether those allegations were true. The point is those allegations were not investigated in 1967. Why not? The underworld figures had indeed been involved in CIA plots to assassinate Castro. They had sources close enough to Castro to poison him. And, they alleged Castro learned of plots and retaliated. President Johnson learned of the allegations and took them seriously. He talked them over with his friend, Texas Governor John Connolly; he told Attorney General Ramsey Clark and had him fly down to Johnson's Texas ranch for a weekend to talk them over; and, he ordered Richard Helms, who was CIA director by then, to investigate and report.

Yet nothing came of it. Helms had his inspector general spend three weeks investigating. The inspector general did not interview Helms or anyone outside the CIA. His report dealt with the various assassination plots. He did not address the question of retaliation, which was the reason President Johnson wanted the report. Johnson, perhaps frustrated by not having his orders carried out, quit pressing the matter. Colhoun's article asserts that idea of Cuban retaliation came first from Edward Morgan in 1967 in his talk with reporter Drew Pearson. This isn't quite accurate. The first mention of possible retaliation came at a meeting with President Kennedy on June 19, 1963. According to the minutes, someone asked whether "the Cubans would retaliate in kind" for the sabotage operations that were under discussion. The answer was that although they might, they had not retaliated in the past. The subject was raised again after Castro's 7 September 1963 threat to retaliate by assassinating US "leaders." This was taken seriously but not literally.

While *MURDER, Inc.* was intended as a factual, historical narrative about Kennedy's and Johnson's Cuban policies, there is one implied theory, but it is not the theory Colhoun tries to rebut. The theory is that Lyndon Johnson authorized a cover up of the CIA's 1963 plot to assassinate Castro. The Warren Commission was steered away from anything that might suggest a foreign conspiracy. The book goes through a litany of inexplicable, investigatory failures, whose common denominator is conspiracy. It has an appendix and lengthy footnotes devoted to what might have turned up by a proper investigation. In other writings, I've made the analogy to the Sherlock Holmes tale of "The Dog that Didn't Bark." In that story, Holmes tells the stumped police that the important fact about the murder is what didn't happen. The watchdog didn't bark. This meant the murderer was someone the dog knew. Armed with that fact, the crime was easily solved.

By the same token, the Warren Report doesn't make sense because of what didn't happen: the investigation was steered away from a foreign conspiracy. This doesn't mean

there was one, but it might explain why so many things were not done and why there are so many holes in the report.

*MURDER, Inc.* concludes with a lesson from all this. Covert operations, such as assassination, that violate fundamental moral or legal principles come with the risk that if things go wrong, there may be enormous, unintended consequences. In the case of Kennedy's assassination, the result was a shoddy investigation and a report that no one believes to this day, fifty-seven years after the fact.