

**Chapter 1**  
***Demythologizing The Warren Commission and the JFK Assassination***

In its press release distributed November 11, 1998, Brown stated that an independent scholar at Brown University is finishing his book on the inner workings of the Warren Commission ..."

Warren Commission and JFK assassination (GSJ of Nov. 20, 1998) Page 1 of 2

George Street Journal Scholar offers new look at inner workings of the Warren Commission 35 years later

"If people knew what happened on the commission, they might be more at peace with the outcome," says Max Holland

by Kristen Lans

One was a liberal Republican, the other an arch-conservative Democrat.

It was 1963, and if Chief Justice Earl Warren said "up," Sen. Richard Russell of Georgia would say "down." That's the way things usually went between the two key members of the Warren Commission, the federal entity charged with investigating the assassination of President John F. Kennedy.

But they did agree on one thing: The shooting was the act of lone gunman Lee Harvey Oswald, and he was not part of a larger conspiracy.

Thirty-five years after the Nov. 22 assassination, an independent scholar at Brown is writing a book that promises to shed new light on that often criticized finding by examining the personalities of the men who made up that seven-member panel.

It is one story that has gone untold even as scholars, writers and film makers scrambled to examine every angle of the assassination in the years that followed, according to Max Holland, a fellow at the John Nicholas. Brown Center for the Study of American Civilization. By understanding the inner workings of the federal commission, people can truly appreciate its decision, he said.

"I think it is the missing piece of the puzzle," said Holland. "If people knew what happened on the commission, they might be more at peace with the outcome."

Holland has been at Brown since July doing research for his book. Started three years ago for Houghton Mifflin publishers, it is tentatively titled "A Need to Know: Inside the Warren Commission," and is scheduled for publication at the end of 1999.

*American  
Conspirator:  
An Inside  
History of the  
Warren  
Commission and  
the JFK  
Assassination*

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"Three years ago" in this Brown University re-release of May 18, 2001, really refers to 1995, not 1998.

Brown was proud when it took Max Holland in for six months, allegedly to study for the book he was writing on the Warren Commission. It was proud all over again, the reason for the re-release of its 1998 news releases. Its pride came from an honor Holland had won, for his book not printed if, indeed, it had been written:

Honoring the legacy of the journalist and author J. Anthony Lukas, who died in 1997, the Lukas Prize Project recognizes nonfiction writing. Those honored this year include David Nasaw, winner of the \$10,000 J. Anthony Lukas Book Prize for "The Chief: The Life of William Randolph Hearst." Other awards, to be presented on May 8, include the Mark Lynton history Prize to Fred Anderson for "Crucible of War: The Seven Years' War and the Fate of Empire in British North America, 1754-1766," and the J. Anthony Lukas Work-in-Progress Award to Max Holland for "A Need to Know: Inside the Warren Commission."

The award to Holland was the *Work-in-Progress Award*.

It had been "in progress longer than the Brown original release indicated. A check of directories in May, 2001 did not disclose any listing of the book by any publisher, so it has not yet been set for publication.

If written.

The Brown release states it was scheduled for publication in 1999. A note I have, no source indicated, is that it was scheduled for publication by *Basic Books in 1996*. And here it is, in 2001, and it is, in 2001, and it is not even listed in any publishing directory. It has been "in progress" for quite some time. In less time than I wrote and published eight books on the Warren Commission and that assassination and, to use Holland's words, "inside the Warren Commission," all eight of those books come from only the official evidence of that assassination, from the Warren Commission and the executive agencies, mostly of the FBI.

There is more we'll see of these Brown releases but first, an account for my interest in a book not yet written. My file on it is incomplete because I had no reason to have any special interest in Max Holland. What interested me was that his book is, or at least he says it is, on the Warren Commission interested in the Commission since before it was created, since the moment of the first word about the assassination. After that, all that was said lacked credibility or was what should not have been said with a trial for murder coming. It seemed as though every Dallas street corner with a policeman on it was an ongoing press conference.

When the Commission was established, with leaks from the FBI preceding any work by that as yet un-staffed Commission, it was clear that the government was not intent on telling the people what had really happened. So, I decided that I would watch, pick up all I could, and write a book about it, doing the book with the approach I'd used during World War II, when I was an analyst in the OSS, the Office of Strategic Services. However, when my security was cleared, the head of the OSS, William, *Wild Bill* Donovan, a successful Republican lawyer appointed to that position by the Democratic president, had an investigation for me. A crew of brave soldiers who had volunteered for an unusually dangerous parachute drop into Nazi occupied France, had gotten into a fight with the military police in the Washington area. They had been tried, convicted and had lost all their appeals ~~Donovan felt the traditional~~ sense of the responsibility of the commanding officer for those under him. He also believed that they were not guilty. So, I suppose that some of my prior investigative experience accounted for the assignment of that case to me. That assignment was awaiting my security clearance.

Six weeks later those men were free, and it gave me a rep in OSS headquarters which resulted in my being an analyst who was also an investigative trouble shooter.

Prior to then I had been a reporter, an investigative reporter, and a United States Senate investigator and then a Senate editor.

The assassination of President John F. Kennedy was on Friday, November 22, 1963. The Warren Commission was created a week later. Its Report was released September 27, 1964. Two

months later, in addition to its 912-page Report (of 888 pages to Holland), the Commission's appendix of twenty-six large volumes of an officially estimated ten million, words, was also made public.

My book, titled *Whitewash: The Report on the Warren Report*, was completed only three months after those twenty-six large volumes were disclosed, only five months after the Report was out, and my book was based entirely on what was officially disclosed in those twenty-seven large volumes. As have all my books since then. I alone wrote based entirely on the official evidence in the case, and Holland is among the very many who used the very large archive I had by then accumulated, of about a third of a million pages of government records that had been withheld until I sued for them under the Freedom of Information Act (FOIA).

**Holland letter image here**

No rumors, no conjectures, no "theories" none of which really is that, and no Perry Masonry in any of my books, I have printed nine books, beginning with the first on the subject. The first published on the subject is probably the book that set a record in rejections when all would ordinarily believe that publishers would be anxious to have the first book on the most subversive of crimes that always is, although that is never said, a de facto coup d' etat.

After more than a hundred rejections I became the smallest publisher in the country and with no means of distributing it I did publish it. And with good luck, made it a best seller, in my printing of it and in the reprint Dell. It was the only Dell non-fiction best seller for six months.

I also sued the government under the Freedom of Information Act, forcing the disclosure of about a third of a million pages that had been withheld, kept secret. Although those pages were disclosed to me, they were also, as they should have been, made available to all in the public reading rooms of all the agencies sued.

I began including facsimile reproduction of the official evidence in my first book and in the fifth, *Post Mortem*, of 1975, have about two hundred pages of facsimile reproductions, of some of the

anti-American official record to some of the most shocking pictures of the actual assassination evidence, many, if not most, published by the Warren Commission.

It was a shock like none I'd ever experienced when the first book on so horrible a crime, a crime that also negates our entire system, could not be published commercially in this country. The land of the First Amendment, which had as its purpose the freedom to publish the information the people need for their government to work as those greatest political thinkers of all time, our Founding Fathers, intended in that First Amendment to our Constitution. So, I kept on digging and I kept on publishing and suing to obtain more of the vast quantity of withheld assassination records the government was keeping secret improperly.

Until my wife fell and broke an ankle and then more of a long series of medical problems that I had been lucky to survive left me able to move only with difficulty and with it unsafe for me to drive out of Frederick, which I have not done since 1977.

In one of my FOIA lawsuits, when I had decided to go head to head with the FBI over its illegalities, it blinked. Literally, It had been denying access to assassination records by perjury, a felony. I made the charge against the FBI under oath, instead of using an immune lawyer filing. That made either the FBI or me guilty of perjury. It did not deny that it had been swearing falsely to what is material, which perjury means. It actually admitted the perjury I had attributed to it and to even more perjury, a serious crime. It "explained" itself to the court by saying that I could make such allegations "ad infinitum" because I knew more about the Kennedy assassination and its investigations than anyone employed by the FBI. Whether or no the FBI meant that, it did say in my CA 75-226. So, with that knowledge and with the assassination of any President being as important as they all are, I could not retire and let that information so important to our history be buried with the result I've also written about thirty more books, to be a record for history.

My previous experience told me that commercial publishers would continue to refuse solid, factual work on the assassination so I've made no effort to place them, any of those manuscripts.

What I have done in these later books is examine what to me are the extremes of both sides, working in as much of the actual and suppressed official evidence as was possible for me.

I had all those withheld records I forced out of what was really official suppression in our basement but once I was unable to safely use the stairs, I had that fabulous source it had taken so much effort to obtain inaccessible to me. Nonetheless, those books I wrote without access to that third of a million pages that had been suppressed, do stack. Others writing in the field have had access to them, have copies of them, and have used them in their own work.

And with the books I was able to print, despite the severity of the criticism of so many the Commission and the FBI, by name, I did not get from any one of them either a phone call or a letter in which I was accused of unfairness or inaccuracy with regard to what I'd said about any one of them. As I write this I am 88 and all my records are part of a free archive and, when the all the necessary and preliminary arrangements can be made, will be accessible to all, at Hood College, here in Frederick, Maryland. The volume, including my own work, is such that getting only most of what was in our basement over to Hood College required two trips of an interstate moving van.

We had to get them out of our home because of extensive thievery beginning when I was hospitalized and continuing, particularly when, as part of a Medicare fraud, I was placed in a nursing home which never did discharge me. In the end, I discharged myself. Even though all who wanted had free and unsupervised access to all those records and to our copier for making copies, some had to steal and some in particular stole only copies so others could not have access to what they stole. So, that I am trying my best to make as good a record, as is now possible for me, is the reason I got interested in Holland and his book so long in its creation and about which he says so much that requires attention. Before his book is out, if not, indeed, before it is written, using what he has said and written that I have which, of course, is far from all he has said and written but is what I had in my files. To make the record I can make while it is possible for me to make that record.

First with what the file holds on its promised dates of publication, all promises unkept, and then with more from the Brown polite bragging about its contribution to the honored book that is not yet written, not yet a book, if it ever is.

In the weekly, *The Washington Spectator*, for November 15, 1994 all three pages of text of which were written by Holland, it has the headline stating that "Three Decades of Doubt about the Assassination of President Kennedy Will Now Get Three Years of Scrutiny." This appears to refer to study by Holland at the University of Virginia before his sojourn at Brown. There is this to tell the readers about Holland:

#### **About the Author**

Max Holland is a Washington writer and contributing editor at the *Nation* magazine and the *Wilson Quarterly*. He has written about the Kennedy assassination and the Warren Commission for those publications and for *Reviews in American History*, published by *The Johns Hopkins University Press*. When he began researching the Warren Commission in 1992, he says, he too had doubts about its findings.

This says that Holland began his work on the honored unpublished book that is not yet completed, if it is written, according to the standard pusher statements about what is about to appear or has just appeared, in 1992 or about a decade ago.

Holland has a lengthy article in The November 1995 *American Heritage* magazine (pages 50-64) that seems to be a short version of the book the writing of which has him so troubled he cannot get down to doing it after being treated as an honored scholar by two prestigious universities. It can be taken as a shorter version of what he plans to say in his book, if he ever writes it, and this longer than usual expression of his view can indicate why.

On the magazine's cover, with large and thick type used, he actually says in capital letters: *THE KEY TO THE WARREN REPORT*, then in upper and lower case printing, *Seen in its proper historical context, the investigation into Kennedy's assassination looks more impressive and its shortcomings more understandable.*



A note in the file, source not indicated, reports that Holland then had a contract for his book with *Basic Books* for a 1996 publication.

Another article in *The Washington Spectator* by Holland, in its May 15, 1997 issue, begins with a stating that he had still another, different, contract and that he was then, in 1997, *completing* his book that was not yet completed:

Max Holland, one of the few reporters who regularly observe the progress of the JFK Assassination Records Review Board in its efforts to demythologize the murder of President John F. Kennedy, is completing a history of the Warren Commission, *A Need to Know*, to be published by Houghton Mifflin. He reported for us on the beginning of the J.F.K. Assassination Records Review Board in the November 15, 1994, issue of *The Washington Spectator*.

In this Holland says that in 1997 he *is completing a history of the Warren Commission, A Need to Know, to be published by Houghton Mifflin*. Holland also says that the *efforts* of the Assassination Records Review Board was *to demythologize the murder of President Kennedy*." That board was created in a 1992 Act of Congress which charged it with no such responsibility. It had the sole function of seeing to it that no government assassination records were still withheld. In those disclosed records I have seen, a tiny fraction of the reported four million pages that flooded the National Archives, there is no record that does anything that rational people can call "demythologizing" or that rational people can interpret as having the intent to do that.

The headline on this Holland story is, *Conspiracy Theories Keep Coming But Under Scrutiny the Plot Gets Thinner*.

Of course, Holland can have his own dictionary with his own meanings for words but absent secret Holland meanings for everyday words, there is no basis at all for what Holland wrote into that 1992 Assassination Records Review Board Act in this 1997 self-promotion of his.

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But with what we have seen thus far of what Holland really intends for this book, if he ever writes it, that he intends to be the de-mythologize and that he really intends to demythologize the Warren Commission.

His word, of course, with his meaning for it.

Two months later, later, in the July 14, 1997 issue of the *Nation*, Contributing Editor Max Holland had reviews of two books. The review has this note: *Max Holland, a Nation contributing editor, is completing A Need to Know, a history of the Warren Commission, for Houghton Mifflin.*

A year and a half later, in the Books and the Arts section of the *Nation* for December 7, 1998, Holland has an article titled: *The Docudrama that is JFK*. On the first page it has a Hollandesque subheading, *It is not just the myth-makers who have reason to be concerned about the Assassination Records Review Board's papers, now public*. This is a Hollandaise myth. He has this note on it:

Max Holland, a *Nation* contributing editor, is completing a history of the Warren Commission for Houghton Mifflin. In December he will become a research fellow at the Miller Center for Public Affairs at the University of Virginia

Or, a year and a half later Holland, was still *completing a history of the Warren Commission for Houghton Mifflin* the undone book he had begun in 1992, six years earlier. Here he also identifies the other university on whose teat he was as the University of Virginia.

Twenty days later, on December 27, 1998, Holland wrote a San Francisco friend of mine, Hal Verb, that "I'm afraid you will have to await my book for the fullest answer to your question about the bullets in Dealey Plaza. The specific facts that you recite are accurate but they do not add up to the conclusions you reach. The necessary ingredient that is missing is history, ..."

That *history*, if history is really why Holland has been struggling with for a decade, was not available to Verb after three years and a half more of *awaiting* Holland's still nonexistent book.

(In my response to Verb I told him that not knowing where a convenient source for the specifics lacking in all Holland wrote and said could not be attributed to his lack of knowledge of a

convenient source. This was because he or his then colleague, Kai Bird, had been told about me by the *Nation's* then editor, Victor Nevasky, and had come here and worked in my *subject* file. I had made it of duplicate copies of some of the third of a million assassination records I had obtained as a result of my FOIA lawsuits. I believe that what they got, aside from the records on Commission Member John J. McCloy, the subject of their then manuscript, was copied for them by my wife. That was all the stenographic transcripts of the *Top Secret* Commission executive sessions that I had not already published in facsimile in the books I had printed.)

In those executive sessions, for which the Commission expected permanent secrecy, they often did let their hair down.

Way down!

As can be seen in the transcript of their January 22 executive session, in *Post Mortem*, pages 475 ff. Or that of five days later, January 27, to which all of *Whitewash IV* is devoted, with that lengthy transcript beginning on page 36 and running to page 121.

Both can be considered history, as can the others, but not as Holland uses that word and not in any sense being the *right* part of that Commission's history.

That January 2J transcript is of relatively few pages because, in intended violation of their earlier determination to keep a court reporter's transcript of all those sessions for history, they abruptly heeded former head of the CIA, Allen Dulles, and removed the court reporter. They had decided not to have any record of that session and the court reporter did not type up the few notes he had. But in their attempt to see to it that what they said would never be known, they overlooked the stenotypist's tape. I went for it under FOIA. I got a copy made at the Pentagon instead of by that court reporter. So, there are a few errors but they did not alter any meanings.

In regard to history, these transcripts for which the Commission expected permanent secrecy, what it had classified *Top Secret*, speak for themselves.

They are history, but not as Holland uses that word.

But they are not what Holland has in mind in saying that when the Commission was wrong it was also right, and that right would be their justification in his book.

So, we'll use that January 22 transcript as Chapter 2, and with that give the reader or any scholars a taste of the real history, with no explanations added.

In this we let the Commission speak for itself and not with Holland's special meaning for any of the words.

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