

CHAPTER TEN

FROM STUPIDITY AND FROM PLAGIARISM

Because responding to uninformed articles like this one of Hall's--and referring to it as no more than uninformed is to praise it--can provide a means, if it can get any attention, of taking some of the truth about the assassination to the people; and because it is important for the people to know and understand some of the fact, the official fact of the assassination, I have tried to avoid several matters that could distract from the official fact. What else is wrong with this Hall article I believe warrants more concentrated and undiverted attention. In part this is because Hall is a member of the board that has the great responsibility for seeing to the disclosure of withheld assassination records. In part it is also the question of plagiarism. And in part of the simply astounding stupidity of the whole thing.

The Random House dictionary defines plagiarism as the appropriation or imitation of the language, ideas, and thoughts of another and presenting them as one's original work. It is also something appropriated and presented in this manner.

Even Hall's title for his article is not his.

He says in a note before his numbered footnotes that he is

"indebted" to H. L. Mencken for this title. In fact it is not a precise quotation of Mencken and it is verbatim, including with the alteration of what Mencken actually wrote, taken from Max Holland's American Heritage magazine article of November, 1995. There, on its first page, Holland changed what Mencken wrote in saying of it that "H. L. Mencken noted" and note that what follows is in direct quotation-- "The virulence of the national appetite for bogus revelation."

This without any quotation marks, is the title of Hall's article.

This omits a key word in what Mencken wrote. What he actually wrote and what Holland modified into what Hall took without credit to him from Holland, is Mencken's reference to that he referred to as "the virulence of the racial appetite for bogus revelation."

Hall did not get the words he used from Mencken.

He got them from Holland. He used Holland's modification of Mencken.

In this Holland eliminated Mencken's reference to the "racial appetite_for bogus revelation." In this Hall clearly took Holland's "language, ideas and thoughts" and "presented" them as his own.

Mencken was talking about the "racial appetite" for what he referred to as "bogus revelation." Holland was not and neither was Hall, so Hall did not take this from Mencken. He took it, meaning the Holland alteration of it, to make it refer to what Mencken was not referring to. In this Hall did use Holland's "language, thoughts" and "ideas" as his own.

These words are from the definition of plagiarism. In even his title Hall took Holland's "language, ideas and thoughts" and "presented them as his own." (see insert paragraphs on page 214 A).

Hall's article is divided into three parts. Of the first part, the part we address herein he says what is not true: "This article addresses the Kennedy murder generally" (page 4).

He does not address that assassination in any way.

This is also true of Holland's American Heritage article, He also does not address the assassination in it. In it Holland advances ideas that Hall uses as his own ideas in his article.

Hall concludes his sentence that begins with this false claim to be addressing the "murder" in his article saying he also "addresses" what he refers to as "issues of secrecy and openness in government, specifically."

This comes directly from Holland. It is, in fact what Holland wrote all his fourteen pages in American Heritage about.

One cannot read Holland in American Heritage magazine for November 1995 and Hall's Maryland Law Review article without observing that Hall uses Holland's ideas and thoughts and mistakes as his own, masking them a little with a few footnotes.

Historian that he is, Hall even cribs gross historical errors from Holland. They are essential to the Holland political fabrication--a political falsification that to the best of my recollection was uniquely Holland's until Hall cribbed it.

And it is political infantilism.

Of the 71 footnotes Hall has in this part of his article that

(Insert paragraphs for page 214)

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he says is on the assassination and isn't at all, he has these on Holland:

On page 5, Holland is the second part of note 18. It reads: ". . . see also Max Holland. The key to the Warren Report, Am. Heritage, Nov. 1955, at 50, 52 ('Prior to the Report's) release, a Gallop poll found that only 29 percent of Americans thought Oswald had acted alone, afterward 87 percent believed so.')

On page 7 Hall has two Holland notes. The first note 40, reads "See Holland, supra note 18, at 52." Or, this duplicates his previous Holland note and is not another one. The second Holland note on this page reads, "See Holland, supra note 18, at 64." This also refers back to the first Holland note but cites a different page in it. It and some that follows are also to that first citation to Holland.

On page 8 Hall's note 47 reads, "See Holland, supra note 18, at 52," or the first repeated for the second time. Not the last time for it is exactly what Hall has for his note 52 on page 9. On that page note 53 is, "see id at 56-7;" note 54 is "see id at 57." Note 55 begins "See id at 56" (and then it refers to the Warren Report). Note 56 is "see Holland supra note 18, at 57." (These five Holland notes refer to a total of twenty-four lines of text of Hall's article of more than twenty thousand words.)

On page 12 Hall's note 64 is "see Holland supra note 18, at 57-8. " His note 65 on that same page is "see id."

The part of note 18 that refers to Holland is limited to what is quoted in that note, quoted from page 52.

The first part of this note, which is limited to a selection of the results of polling, is "These figures are based on CBS and Gallop polling data recapitulated in a poll released a week before the 30th anniversary of the assassination." Or, it seems that this citation to Holland is merely duplicative and is not necessary. What Hall can be referring to on page 52, with this note limited to some of the results of some polling, is not apparent because there is no such content on Holland's page 50. It deals with flying saucers and accounts of them, disclosure of the first Soviet atomic bomb, the exhuming of the remains of John Wilkes Booth, a lecture on "The Paranoid Style in American Politics" (which is appropriate to Holland and Hall as they do not perceive), "the anti-Masonic movement of the 1820s, and anti-Catholicism of the 1850s" and the like, of which we quote one more excerpt, "Paranoia fluctuates according to the rate of change sweeping throughout society, and varies with affluence and education," a quotation that can in part at least soon be argued.

But there is no relevance in what is cited that appears on the page before the note, at the bottom of page 4.

Hall's note 40 is to this one sentence on page 7, "Furthermore, because the Warren Commission labored at the height of the Cold War,40" What Holland actually said on this page 52 is, "The Warren Commission's inquiry occurred as what we now know was the height of the Cold War."As noted above, this is not true as the historian, Hall, and the experienced Washington writer Holland both should have known. However, the misstatement suits the Holland

argument that Hall adopts as his own--it is really required by that spurious argument.

The single sentence to which note 42 relates reads, "This information was secret, top secret, and beyond, much of it compartmentalized cryptologic signal intelligence material dealing with the Soviet Union, Cuba and other foreign governments such as China." (The "information" referred to is "an enormous amount of information not otherwise accessible to the American Press and public." Aside from having no connection of any kind with the assassination, with virtually all of the Commission's files publicly available, if this is not a lie it is an enormous exaggeration.)

Not a word of what is cited appears on Holland's page 64. However, there is what Hall did not use that helps evaluate both Hall and Holland on this subject.

Where Holland does refer to "communications intercepts" he says, and nothing is here omitted in quoting him, they "proved" that "there was no link between Oswald and the Soviet or Cuban government." Nobody in his right mind would or could have believed otherwise on reading Oswald's writings, quoted above, that were immediately available to the Commission. No more was needed!

Apparently ignorant, as he is about most matters relating to the Commission, Holland follows this immediately, again nothing omitted in quoting him, saying that the "Warren [sic] had no need to know about past or ongoing covert operations directed against Castro, regardless of how relevant they were to Oswald's internal

equation."

The "sic" above is because it was not Warren alone, it was the entire Commission. The "relevance" to whatever Holland imagines by "Oswald's internal equation" is more of his paranoid-inspired political and factual ignorance--and has no connection with the assassination in any event.

There are two other quotations on this page that, while they are not what Hall's footnote refers to, do give us a means of evaluating Holland as Hall's source, and Hall for using him as a source for what he presents as his own concepts.

After Holland says that "The CIA, especially, had every reason to fear a no-holds-barred investigation," something he had already contradicted, he says:

An uncontrolled investigation would have serious repercussions for the ongoing covert operations. Beyond the inevitable exposure of Mongoose, possibly the largest covert operation that had ever been mounted, the revelations would have given the Communist bloc an undreamed-of propaganda windfall that would have lasted years. There would have followed strong condemnations by the international community and intense investigations of the CIA and administration

officials who had directed the anti-Castro efforts. Such investigations could conceivably destroyed the CIA.

Aside from what their thorough ignorance denies them, the knowledge in the official evidence that Oswald was virtually anti-Communist and anti-Soviet, Holland has already said, as quoted above, that "there was no link between Oswald and the Soviet or the Cuban government."

There is no need to repeat the simply astounding ignorance shared by Hall and Holland on what they say about Mongoose that was

not and could not have been true, as long had been public knowledge. The rest of it all came to pass, became public knowledge, and nothing really happened.

Then, without any proof that there was a single one, Holland says:

Secrets considered inessential to the inquiry were kept secret even from the commission. Those considered essential were shared with the commission but not the public. No doubt referring to the communications intercepts, Earl Warren told the press shortly after the report's publication that there were "things that will not be revealed in our lifetime."

But if there were any such "secrets" not "essential to the inquiry" they are not essential to the investigation of the assassination and thus have no relevance. Then, making it all up as he goes, Holland, who knows all there is to know because he knows nothing at all about the assassination or its investigation, adds that secrets considered essential were shared with the Commission. Of these also he gives no indication--there being none that can be given. Then he has this beaut, and for a professional historian to believe and repeat this is his own self-characterization, as stating it is for an experienced Washington writer and columnist of many, many years of experience:

"No doubt referring to the communications intercepts, Earl Warren told the press shortly after the report's publication that there were 'things that will not be revealed in out lifetime.'"

Before getting to the point, Holland has given no proof of the existence of what he refers to as communications intercepts but being the Holland who exists in Holland's mind he needs no proof.

There never was any question about what Warren was referring

to in what Holland attributed to him and historian Hall had no trouble with and could still use him as a source.

It had nothing to do with any "communications intercepts."

It was, in fact, standard governmental operating procedures.

It refers to the disclosure of information that can damage people's reputations. That was required to be withheld for seventy-five years and it had nothing at all to do with the Warren Commission or with Warren personally.

Hall's note 47 is on his reference to the knowledge of intelligence some of the Members of the Commission had and while he is not strictly accurate, we take no time for that--other than to note that he has not, other than in what he imagines and made up, shown any need for any Member to have more than the usual knowledge of "national security issues and the sources and methods used by intelligence services."

There is, and this cannot be repeated too often, not any connection between this and the assassination. It is puerile paranoia of the Hollands and the Halls and their kind.

Hall's note 52 is to his saying that in appointing the Commission "President Lyndon Johnson had one goal: to check rumors that the assassination was a Communist plot." This does not appear on that page but if it did, it is possible that a professor of history and law did not know that even if this had been a reason there had to be other reasons. Like solving the crime and making a dependable record of it for our history? Or satisfying the public?

This is the page of that remarkable display of ignorance for

both an old Washington hand and a professor of history, that historically incorrect and ignorant statement that "The Warren Commission inquiry occurred at what we know was the height of the Cold War." Which it was not, that having peaked at the time of the Cuba missile crisis a year before then.

On this page there is further childishness: "The assassination might be the first in a concerted series of attacks on U. S. leaders or the prelude to an all-out attack."

The Commission was not appointed until week after the assassination.

If any of this had been possible, it would have happened before the Commission was appointed. There was no relevance to the Commission or its work.

Note 53 applies to the single sentence on page 9: "Johnson appropriately feared the Kennedy murder could precipitate World War III." The citation is to Holland's pages 56-7. It was not quite that way.

What Holland and Hall appears to be referring to is Holland's saying that "The motivation for the formation of the Warren Commission, on November 29, is made clear in transcripts of 275 recently declassified presidential phone conversations from late 1963. They show that Johnson recruited the members of the panel by repeatedly invoking the need to cut off "explosive" and dangerous speculations about a Communist plot."

Hall and Holland should both have known that what Johnson said to get his Members to agree to serve on his commission--and he

appointed several over their strong objections--was not necessarily what he believed. He had to get them to agree if he could and he thus said whatever he thought would be effective.

So far as Johnson knew about any such "Communist plot," Holland, with a convenient bit of carelessness, eliminates that on the same page, 56. He begins it saying that the day after the assassination "the State Department issued a public statement declaring that there was no evidence of a conspiracy involving a foreign country."

It is here that Holland refers to that decryption of communications by the National Security Agency.

If that had to be kept secret what was learned by it was not kept secret and it was announced the day after the assassination whereas the Commission was not appointed until a week after it.

Moreover, as reported repeatedly above, the Holland/Hall ignorance is apparent. The second day after the assassination, as soon as Oswald was killed and it was known there would be no trial, there was, as we have seen, that de facto conspiracy not to investigate the crime at all and to designate Oswald the lone assassin. It then was agreed to, as we saw above, by Johnson, with Hoover, Katzenbach and probably others having agree before it was presented by Bill Moyers, to Johnson, as it was about 9 the night of the day Oswald was killed, the second day after the assassination. We have seen above direct references to this as agreed to in phone tapings to which Holland refers without mentioning any of this.

Hall's note 56 is fictional. It states that "the Commission was under enormous pressure to produce an answer that discounted foreign presence."

This is cited to Holland's page 57.

There was no such "enormous pressure" of any kind, ever on the Commission and none is cited by Holland. There was an occasional political speech that meant nothing and was not any real pressure.

Holland's note 64 is where Hall cribbed his incorrect number of pages for the Warren Report. The single sentence to which it refers is, in full:

"Fifth, the Warren Commission Report--all 888 pages of it was the work of lawyers, who not only dominated the Commission, but also its staff, the true authors of the Report."

The context for this is pretty sick. it is the preceding sentence:

Ironically, even when the latest techniques corroborate the Commission's findings, the result has not been greater confidence in those findings, but rather a belief that the Commission got it wrong instead of almost getting it right.

Hall's source note on this to the House assassinations committee and to Gerald Posner's mistitled Case Closed. He uses Case Closed but not Case Open.

The question is of a fourth shot during the assassination.

Scholar that Hall is, he fails to mention that Posner was a plagiarist in his book and had to make corrections and admission in the reprint of it.

Scholar that Hall is, he fails to mention that without their acknowledging what there without any question was, a missed shot,

both the FBI and the Secret Service state there were three shots or, with proven missed one, at least four shots. So, depending on the plagiarist whose work was rebutted in a book Hall omits, Case Open, and referring to the House assassin's committee controversy with the National Academy of Sciences over a tape, Hall actually pretends that there was no more than three shots when the FBI, and the Secret Service and the House committee prove otherwise.

Those "latest techniques" do not exist. They are fictional, from misrepresentations of the assassination actualities. And despite all the authorities Hall thinks he can dredge out of the intellectual swamps, with the FBI and Secret Service both accounting for three shots, and not agreeing with the Commission on the history of those three shots, and with the missed shot and the injury from it amply and officially recorded, as we have seen, it is still another demonstration of the Hall and Holland ignorance and of the inadequacy of their scholarship, if any, for them to say this.

Besides, as we saw above, Hall uses my Whitewash as a source and it includes, in facsimile, the FBI's explanation of the three shots it admitted plus an ample, official accounting of that missed shot that wounded Jim Tague.

These are the Hall notes that acknowledge what he says he used from Holland. They do not begin to do that, beginning with Hall's adoption of the Holland childish fiction of the sources and methods and communications secrets having not a thing to do with the assassination they say had to be kept secret.

All the made-up junk had no connection with the assassination at all!

Not the tiniest connection of any kind.

How would the professor of history and the law grade students who were so selective in their use of sources and so dishonest in representing what the sources they did use do state?

Would he flunk them?

Should he not flunk them?

That missed shot mentioned above?

Only a subject-matter ignoramus would not know about that missed shot if Hall did not believe what he read in the sources he used, like Whitewash and the Report itself.

As we saw above--and in this we are addressing honesty as well as ignorance--it was seen when it happened by many, including both sheriffs and city police. It was broadcast on the police radio to police headquarters. The point of impact was photographed by the morning paper and a TV station and the paper and the TV station both used the pictures they took. It was twice investigated by the FBI at the Commission's request and that was after it was reported to the FBI; after the FBI had these and other pictures and news accounts, after it transcribed the recordings of the police radio for the Commission which published that; after it had the point on the curbstone dug up and flown to Washington for testing by its Laboratory. And after the Commission took testimony on it, including the testimony of the man wounded by it, and even included it in its Report.

The FBI and the Secret Service were all aware of this missed shot.

They were also well aware that when the best shots in the country could not duplicate the shooting attributed to the duffer Oswald within three shots it certainly was even more impossible with the fourth missed shot.

They also knew that the Commission's accounting of the shooting was impossible and neither, ever, agreed with that.

All of this and more, much more, is in the sources Hall lists, most of them if not all. In mine, it is in detail in his source, Whitewash. It is in the Warren Report and in the report of the House assassins committee. Yet the Hollands and the copying Halls dare raise this phony issue, this issue of greatest dishonesty, about whether or not there was a fourth shot?

The House committee even concluded that there had been!

What does Hall have sources for other than for padding and for deliberate deception when he is capable of this? Or can use or is capable of it as he uses Holland?

Going back to the contrived and baseless criticism about lawyers--and remember, Hall is a lawyer and a professor of the law as well as history.

How this old and experienced Washington hand and the dean and professor of history and the law could think of making an issue, of criticizing the Commission because lawyers' "dominated the Commission" and "also its staff and were the true authors of the Report" raises questions of when they returned from the other side of the moon.

This has always been true and it will always be true. This is the way the Congress, and more than the Congress, work and have to work. Lawyers are required to deal with the law, with evidence, and to draw conclusions from them.

What these subject-matter dummdums do not say is that all seven Members of the Commission were also lawyers!

Lawyers are used because the knowledge of lawyers is required. It is necessary and is normal and it always has been.

Nobody stuffed its staff down the Commission's throats. It chose its own staff. It had its general counsel, the norm. It had its assistant counsels, also the norm, fourteen of them, and it had other staff, twelve of them. One was a historian. The others were lawyers. That is what the Commission wanted. It was not coerced. It did as all commissions do.

The Commission, as the learned Holland and Hall do not say, also had all of the federal government to call on, with the FBI agents in particular, hundreds of them, doing the investigation and the laboratory work. The FBI alone filed with the Commission about 25,000 reports.

As these learned and experienced men knew if they read the Report. There is no probability that any of this was at all a secret. It was all over the papers, for example, and in the Report as well as their other sources.

But if they did not know this, what kind of experienced Washington reporter was Holland and what kind of professor of history and the law was Hall to make this criticism?

If they can be this ignorant, or this dishonest, how can their word be taken for anything?

How can so ignorant a man come to or be qualified to deliver the Sobeloff lecture?

Write for the Maryland Law Review?

Returning to qualifications, how could it be acceptable for the Sobeloff lecture for Hall to speak without saying a word about the assassination itself, the supposed subject of his lecture? Without a single word about the evidence?

How could the law review accept and use his article, supposedly on the assassination, when it has nothing at all--not a single fact--about the assassination?

Does it do no checking at all?

Don't lawyers?

Are not student lawyers taught to do that?

Within the dictionary meaning of plagiarism, if not within that of the law, that Hall plagiarized from Holland is obvious. All that gibberish that has no assassination relevance, "national security" and "sources and methods," and that communications poppycock that also has no assassination relevance and all those zany theories presented as fact are Holland's unique contribution to the many assassination mythologies--that Hall liked and used it as his own for the Sobeloff lecture and for the Maryland Law Review, both insults to Maryland, to the state, to its institutions, and to its people.

The really stupid part of all this, for all involved,

beginning with the experienced Washington journalist Holland, including the dean and professor of history and the law Hall, and all in Maryland's end that were involved is that none of them gave any thought to the realities or perhaps, some did, and like Holland and Hall, decided they wanted to do what they did anyway.

The Holland/Hall line is that all these secrets had to be kept.

Then how in the world was Oswald going to be tried?

We have no secret trials in this country.

All that is said to bear on the guilt had to be represented to a jury and that in public, with a record made, and the media present and reporting it to the people.

So, no secrecy was possible with a trial, not relating to any evidence of the crime. Or to any possibility of any conspiracy in the crime.

The experienced journalist did not know this?

The dean/professor of history and law did not?

Those who decide on the Sobeloff speakers do not?

The editors of the law review do not?

Kids in high school do and these others do not?

The only real and hurtful secrecy was accepted by the media and if a single important politician had a word to say about it I do not recall it. That was holding these hearings in secret whereas if Oswald had been tried it would all have been in public. What in the world could there have been that would have been presented to the jury that could not have been presented at public hearings?

The answer is obvious: not a thing in the world.

Unless, of course, there was no case to take to court!

Which is what the official evidence of the Commission and of the FBI, those hundreds of thousands of pages I got in all that FOIA legislation, those ten million words the Commission published, the two hundred cubic feet of its records, and what is known of what was released subsequently, despite all the Halling and Hollandizing with the truth, with the readily available fact, with the official evidence itself, all show--prove.

This is not enough.

Holland's avoidance of all the official evidence of the crime that has always been fully available to him so he can pontificate his political paranoia and ignorance is to be published, I am told, by a respected publisher in August of 1998, by Houghton, Mifflin Company.

Which it cannot possibly do after a competent peer review--unless it is ignored.

No publisher can even have thought of this as it would hope the children of the editors who may be in high school should have thought of it and then published it.

Not in Holland, and in his copier Hall, is there a word about the crime, a word of the evidence, the available official evidence, and that makes Holland publishable and qualified Hall for the Sobeloff lecture and for the law review.

And, for deciding what is and what is not an assassination record, the extra responsibility all accepted when nobody held a

pistol to his head and he had to know that he began as a subject-matter ignoramus and could not have the time to get to be much more informed.

A Dean of the College of Humanities of a major university and the executive dean of its College of Arts and Science and who is also its Professor of History and of the Law has time for anything else? Even on a part-time basis?

When he is ignorant of it to begin with and can't have the time to learn?

When he does not know what an assassination record is, how can he decide what is a real assassination record and get it disclosed?

Unfortunately, this is not by any means limited to Hall. He is just the one of the board with the loosest jaw and the biggest appetite for public attention. Which, if he aspires to greater responsibilities at his university or elsewhere may account for his seeking all the publicity he had gotten from his job on which he cannot meet his responsibilities.

It ought not be, but can we know, that there are any other board members who know any less or will learn any less so they can see to disclosure of real assassination evidence as distinguished for all the nutty theorizing by political paranoids who have their own political objectives to advance.

Hall is the available example as of the time of this writing.

It is enough to be believed that once again the confidence of the people in their government will be undermined further--and should be.

Once again there will be legitimate reason to wonder why the government persists in dishonesty about the assassination of a President, which really was a coup d'etat, and the official investigation of it.

Once again our government sees to it that the rest of the world is justified in regarding us as what we used to call "banana republics."

How can there be any trust, domestic or international, in a government that is not capable of voluntarily making a full and truthful disclosure of the fact of the assassination of a President and its official investigation--or put together and make sense of the official fact that could not be avoided in the official investigation?

How can trust be expected?

How can the people not refuse to trust?

Or wonder if they became part of corruption, of official dishonesty if they even vote?

We have looked askance at other countries, have raised questions about such developments in them, but when something like this happens to us, after more than three decades the government cannot be honest and forthright with the people? The intellects, from experienced Washington journalists, to respected educators, this dean of humanities, this executive Dean of the College of Arts and Science and Professor of History and the Law, can evolve what a decent educator would give a flunking grade to and they are honored and published?

With selection for a lecture to which honor accrued?

With publication in a law review?

With publication of a book scheduled by a major publisher?

And this, if not more, from stupidity and from plagiarism!