

DRAFT OF A REVIEW BEING PREPARED  
FOR PUBLICATION

Jane Hamilton-Merritt

An Evaluation of Her Scholarly Work

As an anthropologist specializing in mainland Southeast Asia, and specifically the ethnic minorities of the region, I address primarily Jane Hamilton-Merritt's scholarly and popular writings on the Hmong people, leaving aside her several popular children's books but taking some note of her other work on Thai Buddhism. Hamilton-Merritt has a joint appointment in History and Journalism, and so may be evaluated in regard to both fields; she identifies herself as an expert in Southeast Asian Studies and so may also be evaluated in terms of areal expertise.

CONTRIBUTION TO THE FIELD

Hamilton-Merritt does not participate in the activities of the primary U.S. professional organization in the field of Asian Studies, the Association of Asian Studies (she is not currently even a member); neither, according to her *c. v.*, does she present papers to annual scholarly meetings of that association or other Asian Studies groups. Her *c. v.* indicates that she is a member of the Society of Professional Journalists, but it does not describe any participation in or contribution to their programs or activities. There is no indication that Hamilton-Merritt is active in the American Historical Association, the Oral History Association, or other professional scholarly organizations in the field of History. She appears never to have published any articles or reviews in scholarly journals of any discipline, refereed or not, nor (according to her *c. v.*) does she contribute to those fields through other professional activities such as reviewing grant applications, reviewing manuscripts, or engaging in public debate with other specialists.

REPUTATION IN THE FIELD

Among specialists in Southeast Asian Studies who are familiar with her work, Hamilton-Merritt's primary reputation is not as a scholar but as an advocate—and, in many eyes, an advocate whose credibility and effectiveness are both limited. She engages in only minimal professional or scholarly colloquy with experts in the field (as noted above), and by consequence her reputation is modest. Many of those Asian Studies scholars who do know her personally or know of her work are variously amused or astonished by her claim to be an expert in the field, in view of her absence of any formal training in the region or subjects about which she writes, and her very limited participation in professional activities in the Asian Studies field. Hamilton-Merritt's primary claim to academic credibility in the field of Southeast Asian Studies is a diploma-mill Ph.D. from an institution that provides no formal instruction and numbers no area specialists on its staff. I cannot speak to her reputation among Historians or Journalists.

## CALIBER OF HER PUBLICATIONS, INCLUDING THE DEGREE OF ORIGINALITY OF HER WORK

Hamilton-Merritt has never published a scholarly article in a refereed journal, contributed a chapter to a refereed scholarly book, or otherwise published works of scholarship except for two books: *A Mediator's Diary* (1976) and *Tragic Mountains: The Hmong, The Americans, and the Secret Wars for Laos 1942-1992* (1992). There is no question about the originality of her work; indeed, the more relevant question is not whether it draws too heavily on previous work but whether it adequately reflects *sufficiens* knowledge of the prior work of others (see below). The first book, a journal of the author's experience with Thai Buddhism addressed to a popular and academic readership, has been translated into several languages, but database searches of the *Arts and Humanities Citation Index* and *Social Sciences Citation Index* show that it is almost never cited or otherwise employed by scholars writing about Thailand, Buddhism, or meditation. A non-exhaustive search of book review indices and Asian Studies bibliographies suggests that the book was not reviewed by scholarly journals (save a capsule review of a translated German edition, in *Zeitschrift für Religions- und Geistesgeschichte* 36[1984], 86-87). The *Tragic Mountains* book, discussed more fully below, has not yet been reviewed by any scholarly journal; nor does it seem to have been reviewed by the *New York Times Book Review*, *Washington Post Book Review*, *New York Review of Books*, *Times Literary Supplement*, or other popular book publications.

## QUALITY OF THE SCHOLARSHIP

The author's primary effort at scholarship is her recent book, *Tragic Mountains*. Presented by the author as a work of History (pp. xix, xx) and marketed as such by its publisher, the book does not come close to satisfying the intellectual and professional canons and standards of that discipline. I rely here on the *Statement on Standards of Professional Conduct* of the American Historical Association (as amended May 1990 [1992]), that organization's *Statement on Interviewing for Historical Documentation* (May 1989 [1992]), and the *Goals and Guidelines of the Oral History Association* (1968[1989]), as well as other writings on historiography, methodology, and source criticism. I bring my own knowledge of the historical, ethnographic, and area studies literature to bear on the task of evaluating whether her book is credible, reliable, and well-argued, taking the professional standards of History as the basis for organizing the following discussion.

The prerequisite for a work to be considered as a credible work of History is that its claims and evidence be subject to scrutiny by other historians: "a fundamental canon in the use of historical evidence is that it be capable of being verified or falsified..." according to a prominent oral historian (Herige 1980:184). This principle is embodied in the AHA's *Standards* in several places: "Historians should carefully document their findings and thereafter be prepared to make available to others their sources, evidence, and data, including the documentation they develop through

interviews" (AHA 1992:5; cf. pp. 6, 25-27). Further, professional practice imposes certain unspecified but commonly accepted standards for proper citation of the sources of evidence so that other historians may locate materials cited. Hamilton-Merritt's *Tragic Mountains* cannot satisfy the prerequisite of verifiability for several reasons:

- 1) Throughout, both informants/interviewees and historical actors are identified with pseudonyms or nicknames and their true identity is disguised. In some cases this is done even when the actors are already publicly identified with their actions. It is thus impossible in many cases to know who provided interview-based data or to know in some cases whose actions are being recounted; these data are consequently unverifiable and *of little or no evidentiary value* from the standpoint of accepted historical methodology.
- 2) Footnotes and other citations of sources do not allow specific information to be related to a specific identifiable and locatable source. Footnotes never refer to specific interviews by date but only by month or year, and often to "numerous" interviews "over the years"; locations of interviews are inadequately described ("France," "California," "telephone interview"). Interviews are not identified by tape number, transcript number, page number, etc. If the source of information cannot be identified, the information cannot readily be verified.
- 3) There is no indication that the author has deposited notes, documents, and interview tapes and transcripts in any public archive where they may be examined by other scholars. Even if this may have been done, or it is the author's intention to do so at some future time, accepted standards of historical practice require that these arrangements be described in the historical work itself so that other researchers do not have to undertake detective work simply to find out where to look for materials.

Admittedly, the nature of the subjects about which Hamilton-Merritt writes (specifically, the past or present CIA affiliation of a number of actors and informants and the ongoing illegal activities of the Lao resistance terrorists) imposes particular problems with confidentiality and the protection of the identities of certain persons (1-3 above). This problem, however, is quite fully discussed among Historians, and among Oral Historians in particular; there are several well-accepted solutions to the problem of protecting confidentiality while also facilitating verification by other scholars. Tapes and other interview materials may be deposited in archives under seal until some future date; actors may be identified by pseudonyms with a key to their identities deposited under seal; material obtained under conditions of confidentiality may be used as "deep background" for other information that can be identified and made available. Although admittedly imperfect, such arrangements demonstrate an attempt to balance confidentiality and verifiability. They must, however, be clearly described in the work that employs such sources so that it is clear to readers exactly what limits there are on verifiability. In the present case, however, Hamilton-Merritt does not indicate that she

has made any attempt to make materials available, now or in the future, openly or under restricted circumstances. This suggests that she may be unwilling to allow her historical interpretations to be subjected to the primary test of verification and validation. As Henige notes, "no scholar has the right to seek both the approval of his peers and immunity from any criticism based on their familiarity with his sources" (1982:124).

The book fails the test of verifiability for several other reasons, relating to the author's failure to provide sources or citations for crucial elements of her argument :

4) Footnotes are very sparse; long sections of narrative have no source(s) cited yet recount conversations (in the form of direct quotes), the thoughts of historical actors, and other detailed information that is not identified with any source(s). As the AHA points out, "we depend on footnotes to validate evidence" (1992:18); Hamilton-Merritt's footnotes are generally too few—and when present inadequately specific—to allow us to do so.

5) Crucial aspects of Hamilton-Merritt's argument depend on allegations made with absolutely *no primary evidence* to support them. Examples are legion: numerous population figures are given with no supporting documentation (p. 303, p. 403, p. 448, p. 503; some are presented as Hamilton-Merritt's figures and others are the unsupported allegations of others; compare also Hamilton-Merritt's use of very divergent figures in her previous publications and congressional testimony); the alleged killing of pro-democracy demonstrators in Xieng Khouang is unattested in any credible source (p. 500); the existence of a Hmong alphabet suppressed by the Chinese is apocryphal (p. 5); the claim that "most" or "the majority of" Hmong supported the French and Americans is unsupported (pp. 45-46, p. xvii); the claim that POW "survivors were captured and kept as prisoners" is pure speculation (p. 186). In some cases, Hamilton-Merritt can provide no evidence because the facts are simply wrong or invented: she claims that Phoumi Vongvichit (then President of Laos) was a guest at a July 4th, 1990 party at the home of the U.S. chargé d'affaires in Vientiane; she mistakes him for Phoun Sipraseuth, the Foreign Minister, who did attend (I also attended the party so I know first-hand that Phoumi did not).

Underlying Hamilton-Merritt's charges of genocide directed against the Hmong by the Lao government is a very crucial allegation that sometime in early May 1975, Phoumi Vongvichit "announced on national radio that the Hmong must be 'taken out at the roots'" (p. 337). Elsewhere, relying on a 1981 letter from Vang Pao to Alexander Haig, Hamilton-Merritt recounts a strikingly similar threat: "The Pathet Lao had threatened to wipe out the Hmong ethnic tribe once they were in power...the Pathet Lao News Bulletin in May 9, 1975...stated that "the Hmong are the sole enemies of the Pathet Lao...such an ethnic group must be destroyed and all roots must be pulled up"" (p. 424). Whether this is one event or two, Hamilton-Merritt provides

no primary source citation whatsoever, nor does she refer to any publicly available secondary source. The only citation is to a letter written six years after the alleged event, and thus of less evidentiary value than a similar secondary source roughly contemporaneous with the alleged event(s) might possibly be; in any case no archival location for the letter is provided to permit its examination. While proving a negative is impossible, and thus I cannot say with absolute certainty that no such broadcast was made or Bulletin published, an exhaustive search of the *Foreign Broadcast Information Service Daily Reports*, *Joint Publication Research Services Reports*, and *BBC Summary of World Broadcasts* for the months from April to June 1975 shows *absolutely no evidence* to support this allegation.

Moreover, the public record instead suggests the unlikelihood of any such blanket threat—all contemporaneous broadcasts, speeches, and statements of the Pathet Lao and Phoumi Vongvichit are careful to distinguish a very small handful of named individuals as the subjects of threats, not a group or class. In the early part of May, Phoumi was acting as host to the King and Queen of Laos during a visit to Viengsay in the liberated zone; it is highly unlikely that he would have taken the occasion to threaten a group of Lao citizens. From May 7 until the end of the month he was in Vientiane as the highest NLHX official in the coalition government, the PGNU; Pathet Lao Radio was broadcast from Viengsay so he could not have been on the radio after May 7. In any case, it is not the obligation of a skeptic to prove a negative but the obligation of the Historian to prove her allegations affirmatively; this has not been done. As Fischer points out, "the burden of proof, for any historical assertion, always rests upon its author. Not his critics, not his readers, not his graduate students, not the next generation" (Fischer 1970:63).

The issue of proper citation, adequate supporting documentation, and the verifiability of the author's claims takes on particularly urgency in the present instance because in numerous instances where historical evidence is readily available, it *falsifies* Hamilton-Merritt's account or interpretation rather than validating it. In some cases, admittedly, this is a matter of conflicting evidence, where Hamilton-Merritt bases a claim on one piece of evidence which is belied by the preponderance of other available information. Certainly, were there not room for legitimate disagreement about the interpretation of historical events and the comparative evaluation of conflicting evidence, there would be little for Historians to do. But the question is whether Hamilton-Merritt satisfies the AHA's *Standards* to recognize "one's own bias and...to follow sound method and analysis wherever they may lead" (1992:5). Specifically, for AHA, integrity "demands disclosure of all significant qualifications of one's arguments" (1992:5). By this test Hamilton-Merritt falls far short.

Rather than detailing the numerous instances where Hamilton-Merritt's assertions belied by the preponderance of evidence but supported by some evidence she may have available (even if she rarely provides it or a citation to it), I concentrate on

those where she makes the more egregious mistake of distorting the evidence she herself presents or making what can only be construed as mis-statements of fact. As a prominent scholar of historical method explains, "Every true statement must be thrice true. It must be true to its evidence, true to itself, and true to other historical truths with which it is colligated. Moreover, a historian must not merely tell truths, but demonstrate their truthfulness as well. He is judged not simply by his veracity, but by his skill at verification" (Fischer 1970:40). The AHA insists that "Historians must not misrepresent evidence or the sources of evidence" (AHA 1992:5); on numerous occasions Hamilton-Merritt does precisely that:

6) Quoting out of context (misrepresenting evidence). In alleging that the Lao government has pursued a policy of genocide against the Hmong people (which assertion is a keystone of the entire book), Hamilton-Merritt relies heavily upon a broadcast of May 6, 1975 over Pathet Lao radio, a commentary entitled "The U.S.-Vang Pao Special Forces Must Be Completely Cleaned Up." A full transcript of this broadcast is included in the FBIS Daily Report, Asia & Pacific for 9 May 1975 (p. 13); excerpts are provided in another slightly different translation in the BBC Summary of World Broadcasts, Far East for 12 May 1975 (FE/4901/B/1). Taken in full, the broadcast criticizes a "handful of special forces" that were "formed, trained, armed and commanded" by the CIA and that remained under the direction of the "Vientiane ultrarightist reactionary clique" (in contemporaneous broadcasts and speeches, the members of this "reactionary clique" are identified by name, constituting a half-dozen prominent Lao officials). The Patriotic Armed Forces, the broadcast continues, "have no fear of this handful of special forces. We can wipe them out (?any time). That is not our primary goal, we are constrained to repeat, because we want to preserve the spirit of national concord called for in the [1973] peace accords." Clearly stated, the Pathet Lao make no threat against the shrinking membership of the special forces (only some of whom were indeed Hmong), instead in fact overtly denying any hostile intent against them.

The only threat made in the broadcast is directed very specifically against "the obstinate reactionary clique on the Vientiane side"—that is, those half-dozen named officials, none of whom were Hmong: "the Patriotic Armed Forces must exercise our right of self-defense and duly punish or wipe them out" (quoted from FBIS; the BBC text differs only trivially). The "them" referred to initially are the "handful of special forces," some of whom were Hmong and many of whom were not; *no* threat is leveled against "them." The second "them" who *are* the subject of the threat are the Lao generals and ministers—Sisouk Na Champassak, the Sananikones, other prominent lowland Lao officials—and neither the special forces in general nor the Hmong in particular. Yet throughout the book, Hamilton-Merritt repeatedly asserts that in this May 6, 1975 broadcast the Pathet Lao threaten to wipe out the Hmong as a people, in their entirety, and with genocidal intent. For instance, note the

chronology where she alleges that the "Pathet Lao publicly announce plans to 'wipe out' Hmong" (p. xxvi); cf. the chapter heading pp. 337-351: "'Wipe Them Out!'" with an invented exclamation point. See also where she refers to "the LPDR's publicly stated policy to 'wipe out' the reactionary Hmong" (p. 516). Hamilton-Merritt quotes out of context in two respects: first, where she presents the radio broadcast at some length (p. 340) but omits the crucial sentences that would make it unmistakable that threats were leveled *not* against the special forces (and least of all against the Hmong in general) but only against a clique of Lao officials and, and second, where she further excerpts and further misrepresents the threat (pp. xxvi, 337-351, 516).

Although the Lao original text is not available to us, it is worth making quite plain that nowhere in the English translations is there any mention of the Hmong ethnic group as such. There is a very important issue here, one which might contribute to the verification or falsification of the alleged radio broadcast by Phoumi or the alleged "Pathet Lao News Bulletin" discussed above. During this period, the Pathet Lao were careful and quite consistent in their use of the two paired terms "Meo" and "Lao Soung" (and "Hmong" was indeed never used by them at all). The term "Lao Soung" was used to refer to that sizable proportion of Hmong who actively supported the NLHX and Patriotic Armed Forces. The term "Meo" (usually qualified by adjectives identifying them with the U.S.) was used only to refer to *that small proportion of Hmong* who continued to support Vang Pao and refused to accept the terms of the 1973 Vientiane Agreement under which his special forces were to be disbanded. So even if there had been any threats directed against the "Meo"—and remember, Hamilton-Merritt provides no evidence thereof, nor is any available in the most likely sources—the referent would have been *not* the Hmong in general but Vang Pao's troops in particular.

7) Misrepresenting evidence. Despite the explicit and unequivocal language of the Final Declaration of the 1954 Geneva Conference which states that "the military demarcation line [at the 17th parallel] is provisional and should not in any way be interpreted as constituting a political or territorial boundary" (Final Declaration, sec. 6), Hamilton-Merritt misrepresents the evidence by claiming on two occasions that "the 1954 Geneva Accords...prohibited [North Vietnam] from using a second country (Laos) in order to fight in yet another country (South Vietnam) (p. 114, cf. 126—Hamilton-Merritt provides no citation to the Accords). Note that this is not a question of whether the U.S. was bound to respect the Geneva Accords (having refused to sign them), or whether the 1954 Accords were eventually superseded by later events that made North Vietnam and South Vietnam *de facto* separate countries, as many reputable experts on international law contended (see the several volumes of debates on *The Vietnam War and International Law*, ed. Richard A. Falk, 1968-1972). The question is simply whether the Geneva Accords said what

Hamilton-Merritt claims they said—or whether she instead misrepresented the evidence itself.

8) Misrepresenting evidence. Hamilton-Merritt contends that “In 1991, international drug enforcement agencies documented that the current ‘drug lords’ of Laos were the communist government” (p. 541) and cites the U.S. Department of State, *International Narcotics Control Strategy Report, March 1991* as the source. In fact, that document reaches exactly the opposite conclusion: despite receiving credible “reports” (note there is no material evidence beyond hearsay) of involvement by low-level military and local officials, “no credible evidence is available that the central government is a sponsor of such illegal activity” (*Report* p. 254).

9) Misrepresenting the sources of evidence. Hamilton-Merritt condemns “a fallacious book about them [the Hmong] published in Australia” when no such book exists; she misrepresents a study, *The Yellow Rainmakers*, written by an Australian anthropologist, Grant Evans, and published in London by Verso Press (1983). In any case, she offers no evidence that the book is indeed “fallacious”; it is well-accepted as reliable by most other Southeast Asian scholars. Note that by stark contrast to Hamilton-Merritt, Evans has an earned doctorate in anthropology, is a fluent speaker of Lao, has traveled widely within Laos over the last dozen years, himself visited several actual sites alleged to have been subject to CBW use, interviewed Hmong living in the very sites purported to have been gassed, and accurately represents the allegations that he disproves and the qualifications of his own arguments.

10) Misrepresenting evidence and the sources of evidence. Hamilton-Merritt refers on three occasions to CBW expert Matthew Meselson’s “assertion that bees defecating in flight...caused the death of the Hmong...” (p. 455); “Meselson’s announcement that bees defecating in flight had killed the Hmong...” (p. 456); and “Meselson...proposed that bees defecating in flight had killed these people [Hmong, Cambodians, and Afghanis]” (p. 553). Hamilton-Merritt completely fabricates these “assertion[s], announcement[s], and] propos[itions]” without evidence of any kind, since Meselson himself said no such thing. Notably, Hamilton-Merritt provides not a single reference to any primary source for any of the remarks she attributes to Meselson, despite the fact that he has published several lengthy articles on the topic over the years, in refereed scientific and academic journals including *Science*, *Scientific American*, and *Foreign Policy*. To be sure, she could hardly have provided a primary source for the claims she herself fabricated and imputed to him, but at least she has the obligation to “disclos[e] all significant qualifications of one’s arguments” (*AHA Standards* 1992:5) by offering citations to Meselson’s several readily-available articles, or to several others in which he is interviewed. Readers could then verify for themselves that he never said anything like what she claims that he said.

11) Misrepresenting evidence and failing to "disclos[e] all significant qualifications of one's arguments" (AHA 1992:5). Among the most striking deficiencies of Hamilton-Merritt's book is her almost total disregard for virtually all previous scholarship on Laos, the Hmong, CBWs, yellow rain, and so on. There are quite sizable bodies of literature on these topics, but Hamilton-Merritt studiously ignores any evidence that in any way undercuts her own arguments and further overlooks substantial evidence that could support her interpretations. This is not the place to detail this sizable literature but to question how a historical work written in 1992 could be isolated so thoroughly from all previous scholarship. To focus solely on the scholarly debates about a key aspect of Hamilton-Merritt's entire work—her allegation that yellow rain was used against the Hmong—there are lengthy, detailed discussions of this topic from the standpoint of chemistry, palynology, entomology, anthropology, and political science. These are published in reputable scientific journals, refereed by peer reviewers, carefully documented, and basically consistent in their conclusion that there remains *no credible evidence that yellow rain was ever used against the Hmong*. Note that nobody claims to have proved the negative—that yellow rain was not used—since that is beyond the ability of any scholar; but scholars and scientists of various political persuasions, nationality, and discipline agree that *the only evidence offered to "prove" the use of yellow rain is inadequate to do so*. Hamilton-Merritt, rather than engaging in any meaningful debate or in any way disputing these studies on accepted scholarly and scientific grounds, simply condemns them all anonymously as "sensational tales [that] bear little resemblance to truth" (p. xxi) and "rumor, innuendo, propaganda, and disinformation" (p. xiv). Not just ignoring her obligation as a Historian to disclose the counter-arguments and evidence that would qualify her own argument, Hamilton-Merritt actively misrepresents the large body of existing literature through unsupported slurs and *ad hominem* attacks on its authors (see below).

Turning from the issue of professional standards for documentation, evidence, and accuracy, I focus now on the larger issues of the intellectual quality of Hamilton-Merritt's scholarship. Does her work satisfy the requirements of a "logic of historical thought," in the words of David Fischer, whose catalogue of *Historian's Fallacies* (1970) I use as a framework to organize the following discussion. The answer to this question is fundamental to evaluating the quality of her scholarship.

#### I. Fallacies of Question-Framing.

"The fallacy of declarative questions...violates a fundamental rule of empirical question-making...If a historian goes to his sources with a simple affirmative proposition that 'X was the case,' then he is predisposed to prove it" (Fischer 1970:24). Hamilton-Merritt seems to have sought only evidence to confirm her