

HETERO DOXY

ARTICLES AND ANIMADVERSIONS ON POLITICAL CORRECTNESS AND OTHER FOLLIES



DRESSED TO KILL

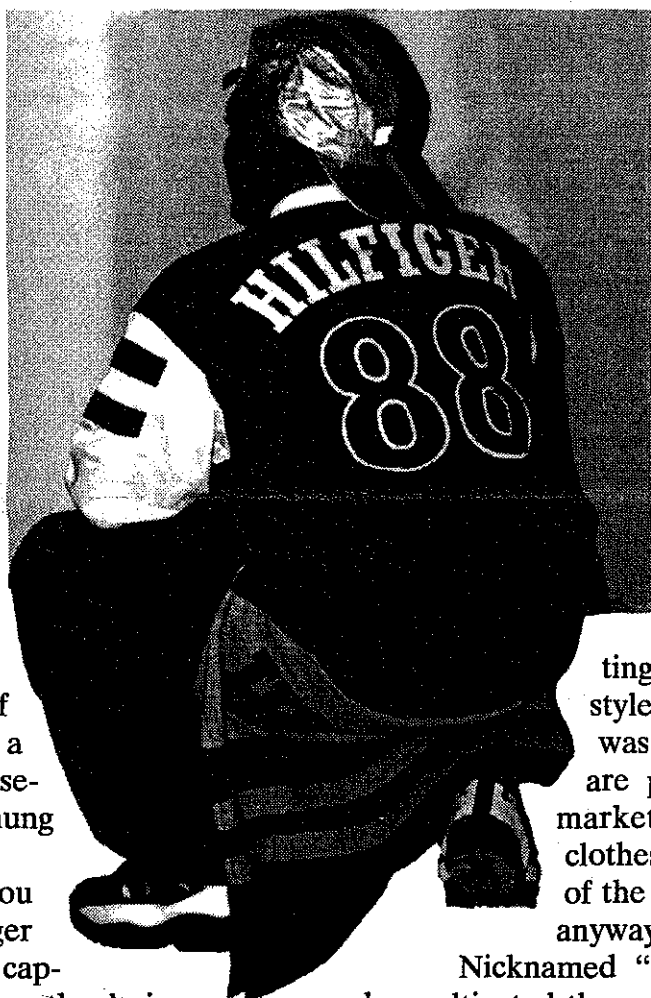
When you mention the name Tommy Hilfiger, the country's hottest menswear designer, many famous customers come to mind. You think of Bill Clinton, for instance, and Hugh Grant, and, if you should

happen to live in Baltimore, you think of Phillip Eugene Moore. A 14-year-old black kid, whose home is in one of Baltimore's riskier neighborhoods, Phillip's admiration for Hilfiger came to light a few months ago after Moore was accused of a vicious rape. The charge was dropped after DNA tests failed to link him to the crime, but by then his mother, understandably distraught, had begun to search for clues to what she called his frame of mind. Ever since his older brother was shot to death, she explained, Phillip had been skipping school and getting into fights. But what really startled her was a collage he had sketched. Prominently featured in it were knives, snakes, and insignia representing Hilfiger and a rap group, Wu-Tang Clan, one of whose stalwarts, Chef Raekwon, chants about the designer in a 1995 hit, "Criminology." In her son's basement bedroom, a row of Hilfiger shirts hung neatly from a ceiling pipe.

In the best of all possible worlds, you might theorize that Phillip idolized Hilfiger as a role model, an example of bootstrap capitalism at its finest. A self-made millionaire, the designer does speak thoughtfully in media interviews about how he likes "to give something back," chairing benefits for the Fresh

Air Fund, a New York-based children's charity, as well as making very generous donations to fight AIDS and multiple sclerosis. And he is a most patriotic philanthropist, at that. The clothing for which he is best-known in mainstream America is prep-

py gear, modeled in one recent series of ads by fresh-faced young people who frolic amid Old Glory themes that would do justice to a Young Republicans convention. Phillip Moore, however, says that the collage on his bedroom wall reflects his familiarity with a different strand of the Hilfiger sales pitch: the "urban homeboy" look that has helped transform the designer's publicly traded company into one of the meteoric successes of Wall Street.



Tommy Hilfiger was inspired to create "The Look," the essence of which consists of outsized shirts worn over pants slopped down to the thighs, after noticing black and Hispanic youths strutting the street with their skivvies showing. This style, sometimes referred to as "felony chic," was supposedly pioneered by jail inmates who are prohibited belts. Credit for devising the marketing gimmick that has made Hilfiger's clothes an integral part of The Look among those of the alienated masses who aren't in jail (so far, anyway) belongs wholly to the designer himself.

Nicknamed "hip-hop's favorite haberdasher," Hilfiger has cultivated the patronage of rappers who, as he so perceptively puts it, are "like gods" to inner-city teens—teens like Phillip Moore.

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THE MERCURY NEWS DREDGES UP THE CHRISTICS DÉJÀ VOO-DOO

By K.L. Billingsley

"God put me down to be the cocaine man," Ricky Ross, heavyweight champ of the southern California drug trade, liked to brag. But on November 19 in San Diego, "Freeway" Ricky, as he was known in cocaine circles, the 36-year-old coke kingpin with two prior drug convictions, was sentenced to life in prison. This should have been the beginning of the end for the man who had been such a plague to public safety that the Los Angeles police had set up a Freeway Rick Task Force in 1987. But it was actually only the end of the beginning, for even as Ross headed toward his life sentence, he was becoming part of a story that was far bigger than even his lucrative drug career. He had become a "patsy" in a conspiracy theory

which holds that the U.S. government, working through the shadowy efforts of the CIA, had spread crack cocaine, the drug world's equivalent of fast food, throughout America's black community as part of an effort to fund Contra rebels in Nicaragua during the 1980s.

The notion that government officials are responsible for the drug plague in the inner cities has previously been a murmur, but now it has become a roar. Rep. Maxine Waters, head of the Congressional Black Caucus, is one leading partisan. Another is her running mate, Rep. Juanita Millender-McDonald, who criticized Ross's sentence as too severe and dragged CIA-boss John Deutch to a raucous inquisition in Watts, where enraged activists bombarded the embattled official with abuse, a preview of a similar episode which was played out during a November 26 Senate Intelligence Committee hearing, when activists inter-

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COMMUNIQUÉS

IT'S A WAR!

In their otherwise perceptive essay "It's a War, Stupid!" in the November issue, Peter Collier and David Horowitz overlook one vital battle sector: immigration. One reason why those on the Left still feel that the future belongs to them, despite the recent collapse of communism, is that the United States is in the midst of the process of "dissolving the people, and electing another one" as the German Stalinist Bertolt Brecht put it in a somewhat different context. And the new people are decidedly more favorably disposed to an anti-individualistic, anti-American agenda than the existing American population. Eleanor Smeal may thus be correct in claiming that the Left's defeat on the California racial preference initiative was "only round one." After all, the new people—Hispanics, and even Asians—voted against Proposition 209 by large majorities—70% to 30% in the case of the Chicanos. What reason is there to think that these figures will change once the new groups approach majority status, first in California, then in the nation. How is California's population likely to vote on anti-white racial preferences twenty-five years from now?

Collier and Horowitz's readiness to overlook the immigration issue may be what keeps them from giving Pat Buchanan his due. He was after all the only Republican active in the primaries who talked about reforming legal immigration at all; that's one reason he drew support from conservatives who were otherwise quite uneasy with other aspects of his program and rhetoric. (Though of course to deride Buchanan as "taking potshots at black helicopters" is akin to depicting David Duke as a key supporter of Proposition 209.)

The demographic transformation of this country through mass Third World immigration is a veritable *deus ex machina* for the Left, through which they hope to snatch victory from the jaws of an epochal defeat. I think *Heterodoxy* is mistaken for allowing them to get away with it.

Scott McConnell
New York, NY

I just received the November issue of *Heterodoxy* and read your magnificent essay, "It's A War, Stupid!" Frankly, it is the finest piece of writing I have ever encountered. I think the whole thing was summed up in your report of Eleanor Smeal's reaction to the victory at the polls of Proposition 209: "... they recorded her confident dismissal of the outcome as 'only round one' in the larger war, as she and her supporters vowed never to accept the voters' decision." It says it all: The Left wins a victory, e.g., *Roe v. Wade*, and it's a settled issue. The Right (going to the voters, not the courts) passes a constitutional amendment and it's only round one.

I think you have made the case perfectly. The only battle that truly counts is the last. And it's pretty tough to fight the "last battle" if the Right is unaware of the fact that it's in a war. I only hope that you will be able to widely disseminate this essay.

Finally, a niggles with *Heterodoxy*. If Judith Schumann Weizner's parodies didn't always appear on the back page, I wouldn't necessarily know which articles are factual and which are parody. For evidence, I ask you to compare her latest effort with K. L. Billingsley's "The Question of Pilot B." Weighed on a scale, Billingsley's article appears to be more of

a parody than Weizner's. But it's true! And it provides still more support for the proposition you two are arguing. The frightening thing about the armed forces is that for years now any officer who downgrades the performance of a female risks his career. The result is that the feminists point to the accumulated satisfactory grades as evidence of good military performance of women in combat and combat-support assignments.

Keep up the great work!

Ward Reed
St Johnsbury, VT

"It's a War, Stupid!" finally exposes the nature of the enemy of the Right, and excoriates the Right and especially the Republican Party for failing to mount a suitable counterattack. Missing, however, is a diagnosis of the cause of the Right's failure.

The Right has not found a venue for organizing the counterattack. We have no institution with the reach, and the moral courage, to mobilize the tens of millions of people who feel as we do. We have no courageous and dynamic leader. We don't (and won't) control the media or academic establishments.

The Republican Party, as constituted, is not up to the job. We must purge our internal enemies—the moderates in power, and the fossils and bureaucrats in the party machinery. The moderates often

that something is very wrong, but don't understand it. Their existence is evidenced by the rise of the religious Right, the amazing popularity of Rush Limbaugh, the political appeal of the populist messages of Pat Buchanan and Ross Perot, and the general political dysphoria across the land.

Let the counterattack begin!

John Moore
Paradise Valley, AZ

Bravo for your article describing the appeasement of our conservative political "leaders" toward the Left. They do not fundamentally understand that we are in a war to determine the future of Western and particularly American Civilization. In such a war we must fight in every possible way: block leftist judicial appointments, repeal or judicially stymie left-wing laws and programs, defund the left-wing "bureaucracy-interest group complex," attack the press for its left-wing bias and aid those journalists who are not biased, confidently advance a pro-freedom agenda including significant tax-cuts, and impeach and convict Bill Clinton. The word "corrupt" should be attached to left-wing politicians so often that it becomes synonymous with "liberal." Finally, the ultimate counter to a Neville Chamberlain-like appeasement of the Left is obvious. We need a consistent dedication to the principles underlying Western Civilization and the tenacity to stand up and say, "We shall fight in the courts, we shall fight in the House and Senate, we shall fight with growing confidence and growing strength on the airwaves, we shall defend our civilization, whatever the cost may be, we shall fight in the bureaucracy, we shall fight in the statehouses, we shall fight in the schools and in the churches, we shall fight at the grassroots; we shall never surrender." And then, no less than in Churchill's time, we need to act to push forward to victory.

Ed Powell
Fairfax, VA

Your article "It's a War, Stupid!" put into words all the things (and many new ones) which I had formulated for myself about the real undercurrent of the last election.

I have supported the Republican Party for years; they sent me my dues notice last week for '97 membership and I threw it into

the wastebasket. I am no longer going to belong to a group of self-made losers. The Democrats outfoxed them all the way. How could they even understand the subtle and far more potent force of the LEFT in its subversion of the Liberal.

This is the most powerful explanation I have ever run across. And unlike some articles in *Reason* and the *Chronicles*, it was masterfully done as an essay. I was beginning to think everything I had learned in advanced writing in college had been abandoned. Few writers today say exactly what they want to say, no more, no less.

I find *Heterodoxy* being referred to in magazines I get. One referred to you with a word I forget, but I think "sophisticated" would be an acceptable synonym.

In a way I feel sorry for Collier & Horowitz. It's going to be hard to trump this article!

Harold H. Roelike D.D.S.
Melrose, MN

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ARTICLES AND ANIMADVERSIONS ON POLITICAL CORRECTNESS AND OTHER FOLLIES

WRITE TO US

Send your comments to Letters Editor, *Heterodoxy*, by mail (Box 67398, Los Angeles, CA 90067) or by fax (310)843-3692 or by e-mail (76712.3274@compuserve.com). Letters should be no more than 200 words and may be edited for length, grammar, and clarity. Please include your address and telephone number.

vote our way, but it is with shallow conviction—they cannot be trusted and they will run at the first round of unfriendly fire. The bureaucrats in the party machinery are in it for petty power or job security, and maybe a bit of glory. They will naturally counsel the easy course, the one least likely to be attacked by the media: the quiet road to oblivion. The fossils run much of the field organization and are too often motivated by being the biggest frog in a shrinking pond. These people have to go.

We must have leaders willing to take the heat from the leftist press and give it back in kind. Ronald Reagan was unique in this regard. Without him, we must hope that another will rise in his place, and do our best to make it so. Whoever it is must not only be courageous in his convictions, but he must recognize that this is a war of many fronts. A tax cut, is a minor battle, not a major campaign in a great war!

We will lose this war unless we can organize those across the country who know in their hearts

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REDUCTIO AD ABSURDUM

OB/GUN: Last May, as her daughters played in another room, 28-year-old Ontario resident Brenda Drummond tried to induce a miscarriage by using a rifle to fire a pellet into her vagina. When she gave birth alone in her bathroom two days later, the pellet was lodged in the infant's brain. Emergency surgery saved the baby's life, and doctors say he has suffered "no serious permanent damage." The infant, named Johnathan, is now at home with his father and older sisters. Drummond is currently being tried for attempted murder. As described in the *Toronto Star*, the case raises some interesting questions. In Canada, as in the United States, abortion is legal until the moment of birth (and in the case of partial-birth abortion, during birth). However, Canadian law considers it murder if, after being born, an infant dies as the result of injuries inflicted in the womb. Thus, there were three possibilities in this case: 1) If the surgery to remove the pellet from Johnathan's brain had been unsuccessful and he had died, Drummond would have been charged with murder; 2) If the baby survived the wound (as he fortunately did), the charge would have been attempted murder; 3) If the gunshot had killed Johnathan while he was still in the womb it would have been perfectly legal.

HAND DANCES AND GODDESS WORSHIP: The first Re-Imagining Conference in 1993 was sponsored by mainline Protestant churches and officially designated the annual theological workshop for the Women's Division of the United Methodist Church. At that gathering, feminist theologians attacked the atonement of Christ and presented eucharistic milk-and-honey offerings to the goddess Sophia. The idea caught on and the Re-Imagining Conferences became annual events. This past November, the fourth Re-Imagining Conference in Minneapolis showed how the pantheon of female deities has grown. There was a "Goddess Wall" featuring 33 of them, including such worthies as Ochun, an Afrocentric pan-erotic goddess; Gaia's children; the Babylonian Ishtar; the redoubtable Lilith; and the multi-breasted Diana of Ephesus. In addition to an expanded menu for worship, as part of an activity called "holy play" women were given a strip of a sheet to draw on. "We make love between the sheets," read the instructions, "we are conceived between the sheets, sheets were used before sanitary pads." Participants were to untie their sheets "as erotically as possible," as preparation for the "Milk and Honey Ritual" which celebrated "the milk of our breasts . . . nectar between our thighs . . . the honey of wisdom in our mouths . . . let your milk and honey flow." God, it was explained, could be sought through the experiencing of "pan-erotic" love, which everyone is born with but which society takes away as part of placing us all in sexual straight jackets. As part of the recovery of this truncated eros, middle-aged women at the conference shed their inhibitions with "hand dances" in which they shouted phrases such as "throbbing clitoris." Methodist clergywoman Heather Murray Elkins, an Assistant Professor of Worship and Liturgical Studies at Drew University, defended the rituals

as part of an early church rite that has since been lost, but did not cite chapter and verse to prove this assertion.

ASIAN HATER: Asian students comprise nearly half of the 16,000 students at the University of California at Irvine, and that bothers some people. In particular, it bothered Richard Machado, a Latino dismissed from the campus last spring for reasons the school will not disclose, who nonetheless showed up for the fall semester long enough

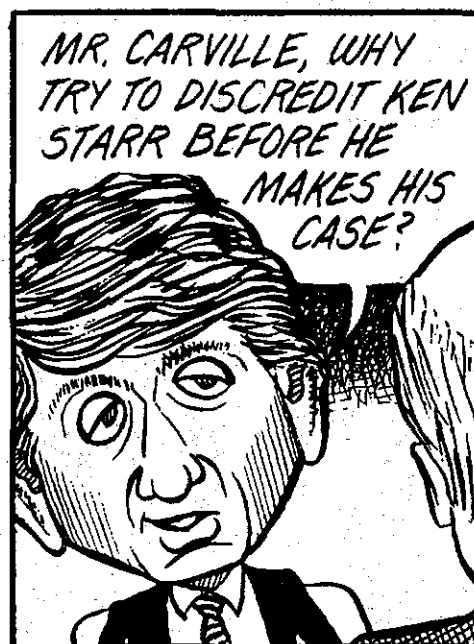
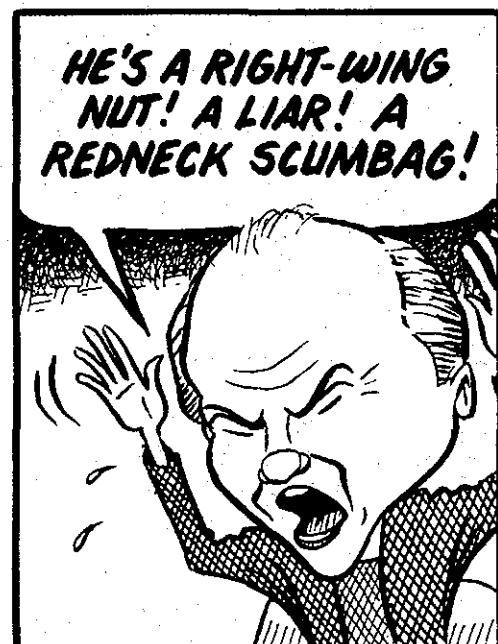
reports that a local school board member called for a ban on what he says is a racist curriculum that teaches children that winged black Egyptians were able to fly around the pyramids until white people destroyed them. Leon Todd denounced the curriculum as "racist pseudo-science" and says it had only widened the achievement gap between poor black children and middle-class youngsters. "I am concerned about the fact that we are running a dual school system once again," said Todd, who is black. "One system for poor blacks and another for middle-class children." The school board will take up Todd's resolution to get the curriculum banned at two black immersion schools where more than 1,100 pupils are enrolled.

Todd said, "Afrocentrism mythologizes and falsifies the past and provides inaccurate information about the treatment of blacks in the ancient Mediterranean world." But principals at Martin Luther King Jr. Elementary School and Malcolm X Academy disagreed. "Teaching children about their culture, history, and heritage does make a difference," said Josephine Mosley, principal at Martin Luther King. "We do look at telling the whole truth about history and inserting facts that were left out, and telling our children that they are the descendants of queens and kings." Malcolm X Academy's Ken Holt denied inventing material: "We just researched and presented the truth." Todd, who holds an undergraduate degree in Latin and Greek and two Master's degrees, said Milwaukee students have been taught that ancient black Egyptians levitated and even flew until the white man came to Africa and destroyed them. Todd's resolution says: "Afrocentrism is a racist, ultra-conservative, nationalist pseudo-science . . . The experience of modern society needs to be pluralistic, not Afrocentric nor Eurocentric." The most detailed curriculum for Afrocentrism is found in the so-called

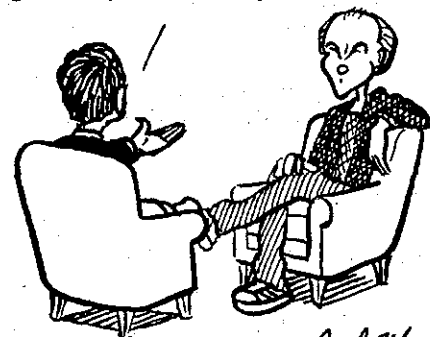
"African-American Baseline Essays" published by the Portland School District. The science module of this curriculum has come under fire for suggesting that the (black) Egyptians "developed the theory of evolution (thousands of years before Darwin), understood quantum mechanics, and flew around for business and pleasure in full-size gliders," in the words of American Federation of Teachers President Al Shanker.

STATUE OF IMPLICATIONS: An outdoor display by the Penn State art department included a statue of the Virgin Mary resting within what appeared to be a grotto setting but which was actually female genitalia complete with surrounding pubic hair and emanating blood. When a priest from the Catholic campus ministry complained about this kitsch he was told that the work was intended to bring attention to "oppressed women in the church." The "artist" proved unable to explain what the placing a statue of Mary in this venue had to do with the oppression of women. While giving its blessing to what feminists celebrate as vaginal art, Penn State discourages nativity scenes as being contrary to the spirit of multiculturalism. Happy Holidays.

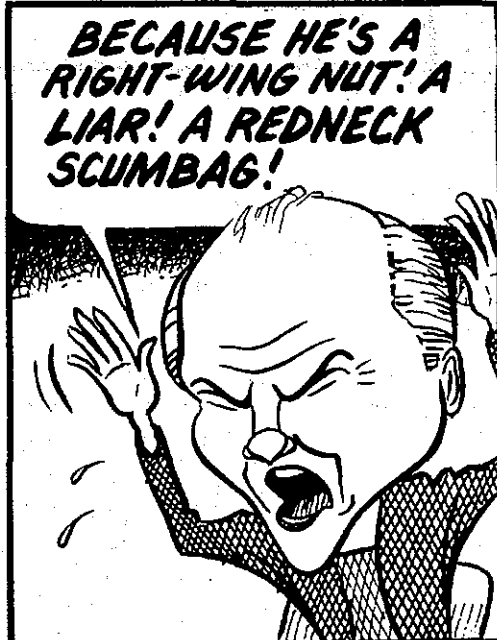
LUNA BEACH By Carl Moore



IF THE CLINTONS HAVE NOTHING TO HIDE, WHY NOT CALMLY AND QUIETLY REFUTE HIM WHEN HE GOES PUBLIC?



Carl Moore



to send 60 computer messages informing Asian students that they were responsible for all crimes on campus and that he would "hunt down and kill" them. He signed the messages "Asian hater." As observers of the campus scene know full well, if a white College Republican threatened to hunt down and kill blacks, Asians, or Chicanos, UC Irvine's administrators would have called in a SWAT team. But this offender was part of a protected class on campus, so they tried to reason with him and even brought in the campus ombudsman. But away from the PC precincts of the campus, an admission of being an Asian-hater was taken somewhat more seriously. Orange County human-rights officials declared Machado's act a hate crime and U.S. Attorney Michael Genneco charged him with 10 counts of civil-rights violations for threatening bodily harm based on race. On Nov. 25 Machado failed to appear for his arraignment. He blew town in a car stolen from his roommate, who also happened to be the recipient of one of the death threats. No word how Janet Reno's office will handle the case.

WINGED BLACK EGYPTIANS: In a story datelined Milwaukee, the Associated Press

The Long Goodbye of Alger Hiss

By John Haynes

The recent death of Alger Hiss is a reminder that while the Cold War is over in fact, it is still being fought in the world of memory and history, and the outcome is undecided. ABC television, for example, reported Hiss's death in a manner implying that this onetime New Deal lawyer and high-ranking diplomat had been imprisoned on false charges of being a Soviet spy. Peter Jennings closed the segment with the statement that Boris Yeltsin himself had ordered the Soviet archives searched and no evidence of Hiss's guilt had been found. NBC also suggested Hiss's innocence, but its implication was more restrained and attributed his vindication to a search of the Soviet archives by Russian historian Dimitri Volkogonov.

That two of the nation's major news sources should present Alger Hiss as an innocent victim of anti-Communist paranoia was scandalous, but not unexpected. Unfortunately, a very large segment of those who set the tone of informed opinion continue to be unable to come to grips with the truth of the Hiss case, just as their predecessors were unable to see it clearly a half century ago.

Let us first dispose of the alleged exoneration by the Soviet archives. ABC mistakenly attributed this to Yeltsin. It later

retracted that statement and, as NBC had, attributed it to Volkogonov. I have met with General Volkogonov and have great respect for him. In the 1980s his position as a senior Soviet military historian did indeed give him access to many closed archives. Indeed, what he found there undercut his Communist faith, and he became a semi-dissident and sided with Yeltsin when the latter faced down Communist hard-liners during the collapse of the Soviet Union.

Volkogonov's biographies of Lenin, Trotsky, and Stalin are significant contributions to scholarship by any standard; in the Russian context in which they were first published, they were breathtakingly bold and will have a major salutary influence on the writing of Russian history. Volkogonov's involvement with the Hiss case, however, was a mistake, one which he came to regret. Volkogonov had not written on and never claimed any expertise in American or espionage history. In 1991, John Lowenthal, one of Hiss's most fervent defenders, approached him and asked, Volkogonov explained later, as a "primarily humanitarian" act that he assist the 88-year-old Hiss, who "would like to die peacefully." Six weeks later Volkogonov signed a statement which Lowenthal released. The statement read that Volkogonov had searched the Russian archives and found no evidence of Hiss's guilt and, further, no documentation that Whittaker Chambers, his chief accuser, had any contact with Soviet intelligence, either.

The statement was given huge coverage with the American media (although the process that led to it was blacked out), making the front pages of many newspapers and being carried on most television news programs as vindication for Hiss. In fact, Volkogonov had no idea how impor-

tant the Hiss case was regarded in the U.S. and when journalists pressed for details, he realized he had walked into a historical controversy for which he was unprepared. He quickly backed out. He told reporters that "I was not properly understood" and that Lowenthal "pushed me to say things of which I was not fully convinced." Volkogonov explained that he had asked the Foreign Intelligence Service for records on Hiss, and it had provided some material, none of which implicated Hiss or Chambers. Further, and this most clearly showed his unfamiliarity with the Hiss case, Volkogonov said that he had not gotten anything from the Russian military intelligence agency and was not allowed to search the foreign intelligence section of the archive of its Soviet predecessor, the GRU. As serious students of the case know, Chambers and Hiss worked for a GRU espionage network.

In short, Volkogonov's statement about Hiss and Chambers was worthless, and realizing that he had stepped into a bramble bush of

examination of the material established that much of it was typed on a typewriter Hiss kept at his home.

After initially denying any knowledge of Chambers, Hiss backed off as the evidence accumulated, saying he had known him under a different name, but only casually. But Chambers testified at length about intimate details of Hiss's life, details that were confirmed. To give but one example, Chambers had testified that Hiss had given an old auto to the Communist party in the '30s.

Hiss testified that he had given it to Chambers as part of a deal for Chambers subleasing an apartment. But investigators turned up documentation that the car had passed directly from Hiss to a used car dealer to a Communist party organizer through a sham sale.

The government indicted Hiss for perjury. (The statute of limitations had passed for an espionage charge, but the perjury indictment got at the same issue by charging Hiss with lying to the Grand Jury.) At the trial, the government

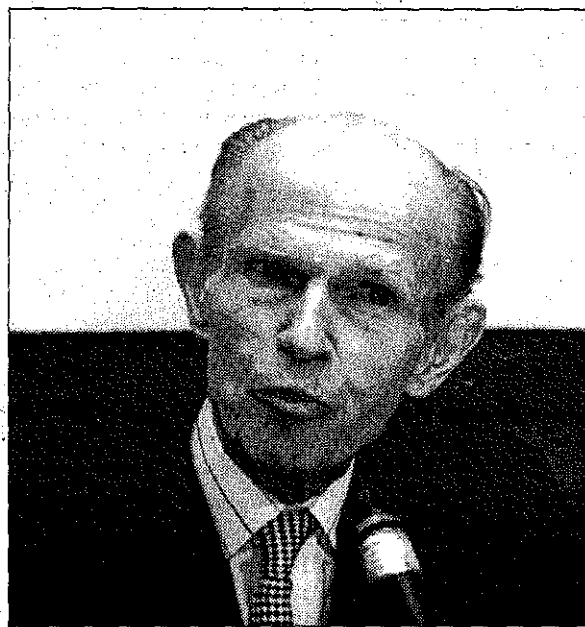
introduced ample evidence supporting Chambers' story and shredding Hiss's testimony. Most damning of all, however, remained the documents that Chambers had produced. Hiss went to prison in 1951.

Since that time, evidence has continued to accumulate supporting Hiss's guilt. In 1977, Nadya Ulanovsky, a Soviet intelligence agent, defected from the USSR and confirmed her role as a supervisor of Chambers' espionage activities in 1934. In 1992, when Harvey Klehr and I went to Russia to do research

in Soviet archives, we found documents confirming Chambers' testimony about the Communist underground operating in the 1930s; we even found two stolen State Department letters. In 1993, Maria Schmidt, a Hungarian historian, found in her country's newly opened archives statements by another Soviet spy, Noel Field, that Hiss had been a fellow spy. Most recently, in the Venona Papers, a release of decrypted World War II Soviet cable traffic by the U.S. code breakers, a message turned up about agent "Ales." Even without the FBI-supplied footnote that this was "probably Alger Hiss," anyone familiar with the Hiss case would have recognized Ales as Hiss from information in the text.

Over the years, a number of books and a multitude of articles have appeared proclaiming Hiss's innocence. Most are polemics or, like the statements Hiss made during his life, lawyerly briefs for the defense taking issue with some narrow issue in the case and only presenting evidence that serves the advocate. Several of the exculpations of Hiss are conspiratorial fantasies. Among the theories advanced are that the FBI faked the evidence and coerced false testimony; that there was "forgery by typewriter" with a special typewriter constructed to duplicate Hiss's famous Woodstock, or, alternately, that Hiss's typewriter had been tampered with to make it emulate Chambers' documents, and that Chambers was a KGB agent who framed Hiss. A favorite theory among many Hiss defenders was that Chambers had a homosexual crush on Hiss and, when Hiss rejected him, he faked the evidence of espionage in revenge.

None of these books and articles, however, presents a convincing or even plausible narrative that disputes the mountain of evidence



A Spy For All Seasons

American domestic politics he withdrew from the matter altogether. Not surprisingly, those newspapers that had put the Volkogonov's "vindication" on the front page either buried the retraction deep in the paper or ignored it altogether, as did ABC and NBC in their coverage of Hiss's death.

It is well to remember, in these times of mumbled apologetics about Hiss, just how strong the case against him was and is. Two former Soviet spies, Whittaker Chambers and Hede Massing, provided direct testimony of Hiss having participated in Communist underground operations in the 1930s. Julian Wadleigh and Vincent Reno, government employees who Chambers had also named as members of his spy ring, confessed. Three photographers who worked for Chambers' spy ring all confirmed that they had microfilmed documents for Chambers. Elizabeth Bentley, another defecting Soviet spy, said that members of her network knew of Hiss's espionage. Igor Gouzenko, defecting Soviet code clerk at the Soviet embassy in Canada, brought information that while not naming Hiss pointed at him.

But the chief accuser was Whittaker Chambers, the man to whom Hiss will always be joined in what Hiss supporters have made a Cold War cosmology of good subverted by evil. Chambers also produced documents and microfilm he had hidden when he had broken with the Soviets. The documents were proof of Hiss's espionage: four pages in Hiss's handwriting, sixty-five typewritten documents which were copies of confidential State Department material that had passed through Hiss's office, two microfilm reels of confidential State Department documents, many of Hiss's initials and office stamp on them, and other sensitive material. Later technical

presented in the trials and various congressional investigations.

Since the late 1960s, the temper of the academic world has been decidedly friendly to Alger Hiss and, with even more fervor, hostile to Whittaker Chambers. In numerous historical accounts and textbooks, the Hiss-Chambers case is treated as an example of anti-Communist paranoia. Many scholarly accounts suggest Hiss's innocence but are worded so as to avoid actually taking responsibility for that position. Others are rigidly agnostic and insist that the case is a mystery and the truth unknown, which is tantamount to voting for innocence.

Despite the strong desire in the academic world to have its cynical view of America's paranoia, nativism, and intolerance vindicated by an innocent Hiss, the only comprehensive detailed scholarly study that has appeared, Allen Weinstein's *Perjury: The Hiss-Chambers Case* (1978), takes the view that the evidence strongly supports Hiss's guilt. While Weinstein has been repeatedly attacked for his book, the assaults are notable more for their viciousness than for their intellectual force. The attacks on Weinstein's book, like those on the case in general, take on some small narrow issue, claim that an error has

been found, and that, therefore, the entire book should be disregarded. This technique has some weight as polemic but little as scholarship.

Weinstein's book is subjected to constant sniping in academic publications, and many textbooks that cover the Hiss-Chambers case are written as if it did not exist. But there is no challenger, no alternative historical narrative that makes sense of the totality of the evidence.

This is not due to a lack of incentive. A comprehensive, detailed, coherent, and intelligently argued book of scholarly quality that proved Hiss innocent would be greeted by much of the historical profession with wild applause, academic prizes, and accolades galore. It would also be assured of massive coverage by the popular media and would be a sure bet for a Pulitzer. Over the last fifteen years the number of talented young scholars, and some senior ones, who have given thought to writing an alternative to Weinstein's *Perjury* has surely been in the hundreds. And yet it has not appeared and is not even on the horizon. The reason is simple. It cannot be written. The facts are too many, the documents too convincing, and the evidence too heavy for anyone to produce a coherent narrative that accounts for the evidence and shows that Hiss was innocent. So, scholars do what they regard as the

next best thing: look at the evidence and turn away.

Indeed, if one put most American historians up against a wall, most would admit through clenched teeth that Hiss was guilty. But, of course, one can't put scholars up against a wall. Consequently, on the Hiss-Chambers affair, one is left with weasel words and pretended agnosticism. Many scholars are so addicted to a vision of America in the 1945-to-1960 period as a nightmarish era of witch-hunting McCarthyists who railroad innocent progressives into the gas chamber (the Rosenbergs) or into prison (Hiss) on framed-up charges of espionage and smash the careers of blameless civil servants with sneering "are you now or have you every been" inquiries that they cannot face the truth. To maintain this sinister and ugly portrait of America, Hiss must be innocent or at least his guilt must be doubtful. Historical scholarship, however, is only of value if it is a search for the truth. Anything else is a fraud. That the truth of the Hiss-Chambers case is so painful to so many scholars is a symptom of the intellectual corruption that threatens the American academy today.

John Haynes is the author of *Red Scare or Red Menace: American Communism and Anti-Communism in the Cold War Era*.

Alger Hiss and Whittaker Chambers were joined in life and now that Hiss is gone they are joined in death. Whenever the issues of the Cold War, domestic subversion, and the nature of life on the homefront during 1950s are raised, their names will appear in the same sentence. For decades, the left has been able to dictate the structure of that sentence: "Alger Hiss was framed, and the evil, devious Whittaker Chambers was the man who framed him." But now that the Cold War is over and the secret vaults of information, here and in Russia, have been opened, the heavy weight of the evidence of Hiss's guilt has become undeniable. Even many of those who had once insisted on his innocence as an article of faith would probably now agree that the sentence must begin, "Alger Hiss was guilty..." But how should this sentence end? This is something the anti anti-communists will find the bitterest pill of all: "...and his accuser, Whittaker Chambers, was an heroic figure who told the truth about this treasonable activity, helped his country in its life and death struggle with the Evil Empire, and as a result saw his reputation blackened and his life cut short."

The Hiss-Chambers case is filled with bizarre detail. The generation that lived through the trial was as familiar with hollowed-out pumpkins, a prophanatory warbler, bad dentition, a 1937 Ford, and a battered Woodstock typewriter as the present generation is with O.J.'s glove and his Bruno Magli shoes. In time the memory of these objects faded into kitsch, but the questions raised by the Hiss-Chambers case did not. Far more even than the trial of Julius and Ethel Rosenberg, the question of Alger Hiss's guilt or innocence has always been the elemental Cold War drama. No other moment in that era posed the issues of treason and patriotism so clearly as did the conflict between these two men. There was no middle ground between them: if Chambers was right then Hiss must be guilty; if Chambers was wrong, then Hiss was an innocent man.

For his supporters, people like the venerable Dean Acheson, who had attended the same elite schools and gone through the same rite of passage on the way to membership in the establishment, it was simply unthinkable that a man of Alger Hiss's parts could sell out his country. It was only necessary to consider the source of the accusations against him—an intellectual guttersnipe and parvenu who was either a former communist or an imagined one—to know that Hiss could not have done it. The only question was why would this bizarre figure attempt to bring down this pillar of the establishment. It was inconceivable that Whittaker Chambers—a shambling wreck of a man, particularly in comparison to the elegant and aristocratic Hiss; a man of dark imaginings and mysterious provenance—could be telling the truth. For those who considered themselves The Right People, the question was never Hiss's innocence, but Chambers' motives. That the arch anti-communist and *bête noire* of a generation of leftists, Richard Nixon, had become Chambers' sponsor and (they assumed) his ventriloquist made the issue all the clearer for them.

Chambers was vindicated by the outcome of the 1950 perjury trial but was too saturnine a figure to take pleasure in the victory and too pessimistic to try to claim the honor that was his due. His reputation, wilting under a withering barrage of insult and slander, soon slid into an eclipse that led to his resignation from Time Inc., where he was the most brilliant of Henry Luce's staff writers; to his ostracism even from those intellectual circles that should have been sympathetic; and finally to a lonely death. Hiss was found guilty, yet his fate was the opposite of Chambers'. After serving four years of his sentence and returning to society, he was enfolded in the unblemished robes of martyrdom by the intellectual culture whose darling he had always been. He was a cause and a victim, the blameless figure who, in an act of supererogation, had endured the ultimate sacrifice for America and its Cold War sins.

Like one of those figures airbrushed out of history by Stalin's historians, Chambers became an Unperson; Hiss, on the other hand, became a cult figure. Living on into his nineties, he was seen as a witness of the inquisition that had nearly driven America mad. He was able to watch, moreover, as a generation of leftist historians and journalists dissected Chambers' corpse over and over again and found, among other

things, a ravaging and unrequited homosexual attraction for Hiss; a devil's bargain with Nixon and the forces of the Right; and other weird and ingrown neuroses that had led him capriciously to destroy the reputation of one of America's best and brightest and to unleash the witch-hunt that had lacerated the nation for a generation.

When Hiss is referred to in books about the '50s it is with at least a distant sympathy: even if he was wrong he was wrong for the right reasons. When Chambers is mentioned it is as the worm in the American apple, the unappeasable Other whose only commitment was to desecration. In the hands of the leftist intellectuals and academics who created a cartoon of the 1950s as a "haunted" era filled with paranoia and dark nativism, Whittaker Chambers, more than any other individual (with the exception of his puppetmaster Nixon), was the man who sold the country out to the anti-communists and set America on a course that would lead to the great fear, to near nuclear war, and ultimately even to the catastrophe in Vietnam.

Chambers died early, although he knew the fate that awaited him, having written in his classic autobiography *Witness* that he had "traded the winning side for the losing side" in deciding to tell about his early career in the Communist Party and his relationship with Hiss. Hiss, on the other hand, saw himself become an icon for the hate-America Left, someone who had perfected the posture of being more sinned against than sinning and was so innocent that he didn't have to prove it, although in reality he engaged in a subtle campaign of self-rehabilitation for the last forty years of his life. The results of his campaign can be seen in the Alger Hiss Endowed Chair of History at Bard College and the fact that even those intellectuals who have come over

the years to wonder about him would never be so gross as to mention their doubts in public. As Lionel Trilling once noted, in America's intellectual high society, it might be regarded as a bit tacky to be a communist, but God save the man who was an anti-communist.

But now that Hiss has been shown almost certainly to have been guilty of treason, will Whittaker Chambers finally be rescued? If those who have perpetuated the myth of Hiss's innocence have their way, the answer is no. Chambers will continue to be imprisoned in the hell reserved for those who named names, even if the names were the correct ones. If those who now grudgingly admit that Hiss was compromised have their way, the answer is also no. Chambers will never get farther than the purgatory reserved for those who are right for the wrong reasons.

The miscarriage of justice has gone on long enough. Whittaker Chambers (and Elizabeth Bentley and all the other "contemptible snitches" who saw their reputations destroyed after telling the truth about the enemies within) should be recognized for what they were—American heroes. They should be accorded heroes' status in the history books. They should be rehabilitated by the government which has acceded too long to their obloquy. They should be officially praised as the embodiment of that willingness to go against the grain, whatever the consequences, that has always exemplified

America at its best. They should be liberated from the penumbra created by their enemies and brought back into the light where their memory deserves to live.

This rehabilitation will not be easy to accomplish. The self-appointed spokesmen of our intellectual high culture may have no choice but to modify their views of Hiss, given the evidence, but they will never voluntarily admit that Chambers was a patriot who sacrificed his career and indeed his life for his country. This would be a far more bitter pill even than the admission that their hero was a Soviet agent. So, correcting the injustice suffered by Whittaker Chambers should not be left in the hands of those who have so intentionally and maliciously blackened his reputation. There should also be a government commission to right the wrongs suffered by Chambers and the others who tried to come to their nation's defense four decades ago. A good beginning—an act that would help educate the citizens of this country and also begin the process of moral restitution—would be the issuance of a commemorative postage stamp bearing the image of Whittaker Chambers.

Let us now praise famous men!

Whittaker Chambers Commemorative



Justice Denied: The Fate of Proposition 209

By Cristopher Rapp

"Tonight, my friends, we celebrate. In our hearts we dance not in the darkness but in the warm sunshine, to the sweet music of equal treatment for all and special privileges for none." The speaker was Ward Connerly, University of California regent and chairman of the Proposition 209 campaign, in the Sacramento Marriott on the night of the election. The polls had only been closed for a few hours, but it was clear that the California Civil Rights Initiative, the first major referendum on race and gender preferences, was going to win by a large margin. Californians, perhaps once again playing their historic role as precursors of a national trend, had determined that affirmative action was an idea whose time had gone.

But that sweet music of equality was soon replaced by the discordant notes of legal rap. Early the next morning the ACLU, along with NOW, the Northern California NAACP, the AFL-CIO and other organizations that had failed to defeat 209 in the election, filed a class action lawsuit in the U.S. District Court in San Francisco attempting to block the implementation of the new law.

There were other legal actions—a suit filed by three beneficiaries of affirmative action in contracting in the city of San Francisco and a suit by the conservative Pacific Legal Foundation to enforce 209—but the action of the ACLU and the civil rights establishment—which dubbed itself the "Coalition for Economic Equality"—took center stage. On the same day that it filed the suit, the Coalition applied for preliminary class action status, arguing that it represented the interests of all women and minorities in the state, a request that was granted by a black District Judge named Thelton Henderson despite the fact that a majority of women and significant percentages of Latinos and African Americans voted for 209. In order to prevent the "irreparable harm" that it claimed the ban on race and gender preferences would cause, the ACLU also requested a temporary restraining order preventing Governor Pete Wilson and Attorney General Dan Lungren from implementing and enforcing Prop. 209.

This quick action paid off. On November 27, the day before Thanksgiving, Judge Henderson granted the TRO, commenting in support of his decision that there was a "strong possibility" that he would eventually find Prop 209 unconstitutional. The courts "must look beyond the plain language of an enactment," he said in his nine-page ruling. "The relevant question is whether, in reality, the burden imposed by a law necessarily falls on minorities and women." A hearing was set for December 16, at which time it seemed likely that Henderson would grant a preliminary injunction which would block enforcement of 209 until the trial, which would also be in his courtroom.

How did this happen? How did Prop. 209, whose text reads like a Xerox of the 1964 Civil Rights Act and which won the support of a large majority of Californians despite a vicious campaign by opponents who attempted to link it to the Ku Klux Klan, arrive so quickly at the legal brink? How did the ACLU's twisted worldview, in which colorblindness is racism, and equal protection not only permits but requires unequal treatment, prevail so soon?

Thelton Henderson wasn't supposed to be involved in the matter at all. *Coalition for Economic Equality v. Pete Wilson, et al* was originally assigned to Vaughn Walker, a district judge with moderate to conservative leanings. But the ACLU realized that only a special kind of judge would buy its questionable logic, and it saw an opening in the form of a rule requiring that two different cases which raised "the same questions of law" be heard by the same judge. Henderson, a Carter appointee who according to the *San Francisco Chronicle* is considered "one of the most liberal judges in the Northern District," is currently presiding over a reverse discrimination suit filed in 1995 involving San Francisco's Women and Minority Business Enterprise Ordinance (WMBE). The ACLU argued that since the plaintiff in that action (*Spencer v. San Francisco*) initially sought to end the preference program, the two cases were inextricably linked. As the chief judge of the U.S. District Court in San Francisco, it was up to Henderson to decide whether the cases were sufficiently related to justify moving

the Coalition's suit to his courtroom. Not surprisingly, given his background, he ruled that they were.

Supporters of Prop. 209 immediately charged the ACLU with judge-shopping. They pointed out that *Spencer* deals with a specific instance of alleged reverse discrimination: a white contractor is charging that his equal protection rights were violated by the WMBE, which awards preference to female- and minority-owned businesses in city contracting. The ACLU's lawsuit asks a very different, much more general question about whether a general ban on such preferences is constitutional. If Prop 209 was declared unconstitutional, *Spencer's* claim would still stand—the permissibility of a ban on race and gender preferences is quite apart from whether or not a particular preference program itself violates the 14th Amendment.

"The cases are not that closely related," comments UCLA professor of constitutional law Eugene



Judge Thelton Henderson

Volokh, who says the related case rule is "notoriously mushy" and prone to abuse. "In fact, I would say that the only thing that is similar is that they both have to do with issues of race and affirmative action." Furthermore, other observers note that clause b of Prop 209 expressly limits the measure's application to events occurring after November 5, 1996—making it irrelevant to *Spencer's* year-old claim.

"In terms of procedure, I take my hat off to the ACLU," said Manuel S. Klausner, an attorney for Californians Against Discrimination and Preferences (CADAP), the group behind the 209 campaign and an intervener in the case. "It was a very clever tactic, and it was nicely executed on their part to get a judge who would be sympathetic to them." Klausner is similarly diplomatic about Henderson's acceptance of the ACLU's cobbled-up argument. He said that while most judges would have referred the case back to Judge Walker, "obviously Henderson was interested in taking the case . . . It was an aggressive use of the related case doctrine. I'm not sure it was a bending [of the rule] so much as a stretching."

Indeed, it seems that Henderson wanted to have the case as much as the ACLU and Company wanted him to have it. During his Senate confirmation hearings in 1980, Henderson provided a list of organizations which he had served as a board member, and said that he "would feel obliged to recuse for a reasonable period of time" from any cases which involved them. The list included both the ACLU and Equal Rights Advocates, two major players in the suit against 209. While it is arguable that sufficient time has passed for Henderson to begin accepting such cases, his eagerness in granting the ACLU's wishes (both in taking on the case and in his rulings since) raises some interesting ethical questions about judicial impartiality and using the bench as a prosthesis for political advocacy.

In an brief submitted to Judge Henderson, the ACLU asserted that 209's ban on race and gender preferences places a unique, unfair burden on women and minorities, restricting their "access to the levers of government" and "cutting off their ability to seek assistance and protection from the government on the same terms as everyone else" (emphasis added). In this view, the initiative removed race and gender preferences from the table, but not all kinds of preferences. As the ACLU's Taylor Flynn explains, "209 makes it extremely difficult for women and people of color, forcing them to go through the process of amending the state constitution before they can get any sort of affirmative action program, whereas anyone else who wants to have

preferential programs—like veterans, children of alumni, people with disabilities, whatever the group may be—only has to go to the legislature."

The pro-209 side is quick to poke holes in this argument, pointing out that the Supreme Court, the Constitution, and civil rights legislation dictates that classifications based on race and gender should be held to a stricter level of scrutiny than those based on other criteria. As Manuel Klausner explains, "There is a long history in American constitutional law which says that while the government can make certain kinds of classifications, racial classifications are suspect. They are morally odious and the government gets involved in a lot of mischief when it looks at people's skin color and determines whether they're in or they're out. And gender preferences are given only a slightly lesser degree of scrutiny, for the same reasons."

"The whole point is that different kinds of discrimination are different," says Eugene Volokh. "Some are much more pernicious, much more inappropriate than others. We give benefits to veterans because they risked their life for the country—that's a lot more relevant to someone's moral character than their race or their sex." Volokh believes that anyone aware of America's past should understand the importance of this distinction: "Historically we have found that race and sex preferences are the source of an immense amount of grief and danger to society in a sense that veteran preferences are not."

When reminded that every other group—Armenians, Cambodians, Jews, Slavs, and East Timorese, for example, as well as white males—has been forbidden from pursuing racial and gender preferences for years, ACLU attorney Taylor Flynn dances with non sequiturs. After decrying 209's "disproportionate impact," she notes that the measure bans race and gender preferences and that "from a legal standpoint...those classifications are given the highest scrutiny, which means that the court has to look at it more carefully and more suspiciously than it ordinarily would."

In the ACLU's reading of the Constitution, the word "race" serves as a code word meaning only blacks, Hispanics, and other designated victim groups, and "gender" is a code for women. Thus, racial and gender equality requires preferences for women and "people of color," and the Supreme Court's strict scrutiny doctrine exists to ensure that these preferences be awarded with dispatch (rather than to guarantee equal treatment for everyone regardless of color and gender), ergo the colorblind provisions of 209 are discriminatory and unconstitutional. Clearly, this legal reasoning owes far more to Lani Guanier and critical race theory than to Martin Luther King and the Civil Rights movement.

This view also leads to the ACLU's second major charge against 209—that it "stands as an insurmountable obstacle" which makes it all but impossible for municipalities and state government agencies to comply with the 14th Amendment and federal civil rights statutes, particularly the 1964 Civil Rights Act. But the equal protection clause of the 14th Amendment forbids the federal and state governments from denying "to any person within its jurisdiction the equal protection of the laws." And Title VII of the 1964 Civil Rights Act spells this out further with regards to hiring:

It shall be an unlawful employment practice for an employer

- 1) to fail or refuse to hire...or to otherwise discriminate against any individual...or
- 2) to limit, segregate, or classify his employees or applicants...in any way which would deprive or tend to deprive any individual of employment opportunities or to otherwise adversely affect his status as an employee because of such individual's race, color, religion, sex, or national origin.

Given the ACLU's arguments, the operative passage of Proposition 209 is breathtaking in its similarity to both the 14th Amendment and Title VII:

- (a) The state shall not discriminate against, or grant preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

Glynn Custred, a professor at UC-Hayward and co-author of Proposition 209, is amazed at the ACLU's contention that it violates civil rights laws. "This is so Orwellian" he comments. "It's like calling the Ministry of War 'the Ministry of Peace.'"

UCLA's Eugene Volokh also protests the notion

CCRI Masochist

By David Bianco

As an openly gay man working hard for the passage of the California Civil Rights Initiative (CCRI), I encountered repeated instances of harassment and denial of my civil rights.

Now, when I make the above statement, many people assume that bigoted CCRI staffers and volunteers must have made me feel unwelcome and outcast in their patriarchal, white, straight, right-wing Christian attempt to roll back the gains of the civil rights movement of the last 40 years.

Nothing could be further from the truth. The surprisingly diverse group of fair-minded Proposition 209 supporters with whom I worked never gave me any trouble for being openly gay, and indeed encouraged me in my attempt to campaign hard for the initiative among California's gay and lesbian voters. My reception within the organized gay and lesbian community, on the other hand, was quite another story.

I should say that I supported the elimination of racial and gender preferences in California hiring, contracts, and education for what I consider to be very good "gay reasons." As much as any group, gays and lesbians know what it's like to be treated as a category and not as individuals. There has never been an openly gay Senator, Hollywood leading man, or Ivy League president precisely because of the tendency to judge people based on their labels and not their individual merit or talent. I feel strongly that gays and lesbians have a vested interest in a system that does not inquire into people's races, genders, or sexual orientations before deciding their economic, educational, or occupational fates. Based on many conversations with other gays I respect, I know I am by no means not alone in my distrust of affirmative action as currently practiced in the state of California.

But the powers that be among the leading gay and lesbian organizations—many of which I have supported and still support—felt differently. The Human Rights Campaign, the Lambda Legal Defense and Education Fund, and the Los Angeles Gay and Lesbian Center all took a firm position against Proposition 209. When any group is attacked, we are all attacked, they said. (Never mind that until the last month of the campaign, every survey showed a plurality of every ethnic group, except blacks, supporting CCRI). Proposition 209 would end gay studies programs in universities, they said. (A ridiculous argument since the initiative made no mention of sexual orientation, nor is an academic class to which all are welcome in any way a "preference.") And besides, they argued, the initiative's supporters were homophobes who were using this as one step in their campaign to take away everyone's rights. (I took particular offense at this last contention, since it implied that I was either stupid or anti-gay myself.)

The fact that so many gay and lesbian organizations fought a measure that drew upon the finest principles of the gay and lesbian movement was bad enough. The fact that they tried to silence the voices of those within the community who disagreed, however, was inexcusable.

Three snapshots from my experience campaigning for the California Civil Rights Initiative:

1) I show up to an advertised "open microphone" at a gay bookstore in West Hollywood. Although I sign up first, an anti-209 straight woman gives an hour-long diatribe against the initiative. I try to hand out copies of the initiative, just so people could read it and make up their own minds. A bookstore employee warns me that if I continue to distribute my "literature," she'll have me escorted from the store. When I finally am allowed to make my case, I am given only two minutes and one person interrupts me, shouting that I am homophobic.

2) A member of the Women's Business and Professional Alliance of the Los Angeles Gay and Lesbian Center invites the 209 campaign to send a speaker to debate noted L.A. feminist and lesbian talk show host Tammy Bruce. The campaign naturally turns to me, and I spend a week preparing. When I arrive, I am told that despite my invitation in hand, the event would be a speech by Ms. Bruce, with no opposing viewpoints allowed. Besides, I am told, this is "woman-only space." The space in question is a pizzeria in the heart of the West Hollywood neighborhood commonly known as "Boys' Town." When I ask for the opportunity to simply speak for five minutes at the start of the meeting to give what I call "a few good queer reasons to vote yes on CCRI," I am told no, and ultimately a West Hollywood Sheriff's deputy is called to escort me from the premises.

3) The night before the election, I hand out copies of the initiative on the gayest street corner in L.A.—Santa Monica and San Vicente. I share the sidewalk with about 25 opponents of CCRI, many of whom shout at me, calling me an "idiot" and a "racist." One woman holds a sign that proclaims "I support Affirmative Action—Colin Powell." I remind her that Colin Powell is anything but a gay rights supporter and indeed played a key role in halting President Clinton's efforts to lift the ban on gays in the military. The same man who wanted to ask people their sexual orientation before determining their admission to the military wants to ask people their race before determining their promotions. She just gives me a blank stare. When a TV camera shows up, I wait until the No on 209 folks have their say, then ask if I can give my perspective. As soon as the camera is on me, my voice is drowned out by the other side chanting "Hey, hey, vote no. Prop. 209 has got to go." I am saddened but somehow not surprised to see that among them is a prominent Los Angeles gay attorney who for many years worked for the ACLU.

Why would so many gay people behave in such an irresponsible fashion? One hint lies in an E-mail message posted to a gay Los Angeles list-serve, in which about a dozen gays and lesbians debated CCRI in the last two months before the election. About half the messages were from supporters of the initiative, with the rest opposing it. One of the opponents responded to my description of the pizzeria brouhaha with the following justification:

"Regardless of what each of us thinks about Affirmative Action, it is in the best interests (sic) of the gay community as a whole to at least appear to be united against 209 because we need to appease our political allies who are for the most part opposed . . . Personally I am against measure 209, however I would vote 'no' regardless of my feelings, because as a gay white male I am virtually unaffected either way and people who have supported me in the past are asking for me to return the favor. The bottom line: Vote 'no' on 209. If not because it is wrong but because it is in our (the gay community's) best interests, politically speaking."

For the last 30 years, the gay and lesbian community has relied on the methods and discourse of the black civil rights movement—and with some success. But being gay is not the same as being black—and noble goals such as same-sex marriage and the right to serve in the military will continue to be frustrated until we learn to explore other paradigms besides constantly jumping on the bandwagon of the latest civil rights controversy.

By speaking out in favor of the principles I believe in rather than kowtowing to the "official party line," I was outside of acceptable discourse as far as the gay community's leadership was concerned. I am a member of a community that desperately wants to see the day when our sexual orientation won't matter in our personal and professional development. But for now, the leadership of that community has "made a pact with the devil," explicitly supporting systems in which race and gender are often a primary factor in determining people's success. Shame on them.

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that preferences are necessary to fulfill the requirements of civil rights legislation: "It's always been completely clear that you can comply with Title VII without discriminating—and the way to do that, by not discriminating! You can identify bigoted managers and educate them or fire them, you can change your hiring criteria to make sure they are more objective and less likely to be influenced by prejudice, you can publicize job openings more widely—there are lots of things you can do."

Furthermore, Prop. 209's clause h stipulates that the ban would not apply in any cases where it was found to be in conflict with federal law or the Constitution. Federal court orders demanding race- or gender-conscious programs would also supersede 209.

When all these facts are taken into account, the ACLU's argument seems more like a political attack than legal reasoning. And indeed, that may explain the ACLU's descent into social science and name-calling in the remainder of the brief. In an thinly veiled attempt to impugn the motives of those who voted for 209, one passage of the ACLU brief cites research done by Donald Kinder, identified as a professor of political science and psychology at the University of Michigan, which suggest that in general when white Americans express disapproval of preference programs it is an "expression, in large part, of racial resentment." In fact, claims Kinder, "Specifically as to affirmative action, racial resentment is nearly the whole story for white opinion." Why should such dubious views be included in a legal brief? If it is at all possible to know the motivations of those who supported 209, what could they possibly have to do with the measure's constitutionality? And what then of the thousands of blacks, Latinos, and Asians who voted for 209?

Nor was the inclusion of this sort of race-baiting argument innocuous or accidental. Rather, it reflects the commitment of the ACLU to a view of America's deep and deeply conspiratorial racism. When reminded that Senator Hubert Humphrey, one of the bill's most important supporters, vowed that if it ever lead to the granting of racial preferences he would eat the paper it was written on, Taylor Flynn responded that the opinion of "one particular senator" was irrelevant. She described the Title VII-inspired Prop. 209 as "insidious," and said that its authors "tried to mask what they were doing."

In its constant deviation from law and from logic, the ACLU seems to have found a perfect match in the man it shopped for, Judge Thelton Henderson. The standard he set in granting the TRO—the courts "must look beyond the plain language"; what's important is whether "the burden imposed by a law necessarily falls on minorities and women"—could have been lifted wholesale from the ACLU's Alice in Wonderland version of the Constitution.

The way in which women and minorities are "burdened" by Prop. 209, says UCLA's Volokh, is the same way in which members of certain religious groups are "burdened" by the Establishment Clauses of the federal and state constitutions, which essentially ban religion-based preferences. "They remove from the political realm certain things that certain religious groups, including religious minorities, like," he explains. "But it doesn't mean that it discriminates against those religious groups. What it does is prohibit a certain kind of program, regardless of which religious groups it would benefit, with the thought that it is helpful to everybody to have those programs be outlawed."

As the December 16th hearing approached, both sides predicted that Judge Henderson would grant the preliminary injunction which would block 209 until the trial. While Henderson's decisions have not been uniformly liberal, among other rulings he has twice overturned the conviction of Black Panther Johnny Spain, one of the San Quentin Six who were tried for their participation in George Jackson's escape attempt, during which two prison guards were tied-up and their throats slit with razor blades. Still, supporters of the proposition remained hopeful. Gail Heriot, a vice chair of the 209 campaign and a law professor at San Diego University, commented, "I am used to dealing with questions of law that are not clear, that are in gray areas. I can't think of a legal issue that I am more confident on than this one." Heriot said that the Attorney General Lungren and Californians Against Discrimination and Preferences would appeal the injunction to the 9th Circuit Court of Appeals, a generally more moderate court, and continue to fight the measure as far as necessary.

But for now defenders of preferences are celebrating. When Henderson's ruling on the TRO was announced, ACLU lead counsel Mark Rosenbaum smirked, "We took a race card from Pete Wilson's deck." It is a card, of course, that his side has been playing for a long time, and in this judge's courtroom it may be enough for a winning hand.

Dressed To Kill, continued from page 1

"I gave them a lot of my latest styles, styles that hadn't hit the streets," he recently explained. "Immediately, those styles caught on. It had a great impact."

Phillip Moore enjoys the fact that a number of rap artists ("Wu-Tang Clan being my favorite") not only wear The Look but rhapsodize about it in anthems in which Hilfiger is referred to by the *nom de street*, "Tommy Hill." (A nice touch and perhaps a necessary one, since otherwise kids like Phillip might have problems identifying with Hilfiger, who is white and lives with his wife and four children on a Greenwich, Connecticut estate maintained in the British-stately-home tradition by eight servants and three groundskeepers.)

"I know the verses," Phillip says proudly.

I tried a few of them on him. "Tommy Hill was my nigga/and others couldn't figga/how me and Hilfiga/used to move through with vigga," raps Q-Tip on Mobb Deep's "Drink Away the Pain."

Yes, that is one of the verses he knows, Phillip says.

For guidance on the sort of social situations in which it is appropriate to be arrayed in Tommy's rags, there is another melody with which this 14-year-old is acquainted, Raekwon's "Criminology":

"Fuck rap hip hop for me off top/Lo wears and Tommy Hill fly shit with a knot/The

witty unpredictable live shit/Drive by shit/Do or die shit."

"It's just rappin'," Phillip says, lethargically. "We understand. I mean, it goes on in our neighborhood."

Asked if it's right for a multi-millionaire like Hilfiger to be spotlighted in lyrics like this about homicide in his neighborhood, the youth says hesitantly, "I can't put my finger on it, but..."

Talking to Phillip Moore, whose brother was gunned down in front of the house where he was growing up, anyone with an ounce of empathy can put a finger on it. Even by the standards of Seventh Avenue, where Calvin Klein is constantly pushing the envelope with witty, unpredictable fuck middle-class-morality shit—copulation themes, Lolita themes, heroin themes, even one ad with a urinal theme—Hilfiger is embracing "gods" who are taking fashion promotion to a scummy new low.

Admittedly, the designer doesn't have any control over the disgusting lyrics. While the identities of bands on his freebie list seems to have become a matter of dispute since I began asking (a manager for Raekwon's record label told me that they have included his group on the list, but a Hilfiger publicist insists that to her "knowledge" this is untrue), mouthpieces for both the musicians and the designer say that the effusions of admiration pour spontaneously from the rappers' hearts. Moreover, while the anti-rap lobby contends that there is a direct link between violent behavior and violent music—such as in the Dodge City, Kansas, case in which five teens pleaded not guilty to murder, claiming a rap record drove them insane—such sniveling attacks are probably as self-serving as they are simplistic. The only people most of us want to kill when subjected to rap at three-digit decibels are the musicians.

One does not have to be a psychological expert, on the other hand, to deduce that lyrics like "Criminology" have some sort of bad influence, albeit only one among many, on kids who are not most of us, kids who have been dragged up—if anyone "brought them up" at all—in what Hilfiger fatuously calls "urban" surroundings. At the very least, this music glamorizes crimes that their peers are already committing. At worst, it greenlights copycat crimes, since the "gods," to these youngsters, are more credible authority figures than any teacher or parent. And now one of the most shocking of these crimes is being given a status-y new buzz, with the notion that you look cuter killing in your "Tommy Hill."

Phillip Moore's lawyer Kenneth Williams, who also is black and who grew up in New York housing projects, told me, "I worry about kids like Phillip. I don't believe this sort of music alone causes crime. What I do believe it does is it gets kids to accept violence because, man, these kids identify with these rappers. But businessmen don't deal with ethics, of course. They just exploit kids whose mothers haven't done their jobs raising them."

Hilfiger himself prefers to characterize his efforts as a seamless part of his charitable personality, a sort of one-man affirmative action program (albeit one which kids like Phillip pay to join). "We Caucasians will be the minorities in the very near future," the designer says. "It's not really about designing clothes for someone who looks just like me. A lot of companies aren't proud of it. They would deny it. But we want to dress everybody."

Perhaps Hilfiger's most potent selling tool with the New Majority is Snoop Doggy Dogg, a rap king who has been among his most ardent wearers. When the Dogg appeared in a Hilfiger shirt on *Saturday Night Live* in 1995, the garment sold out the next day at three New York City department stores.

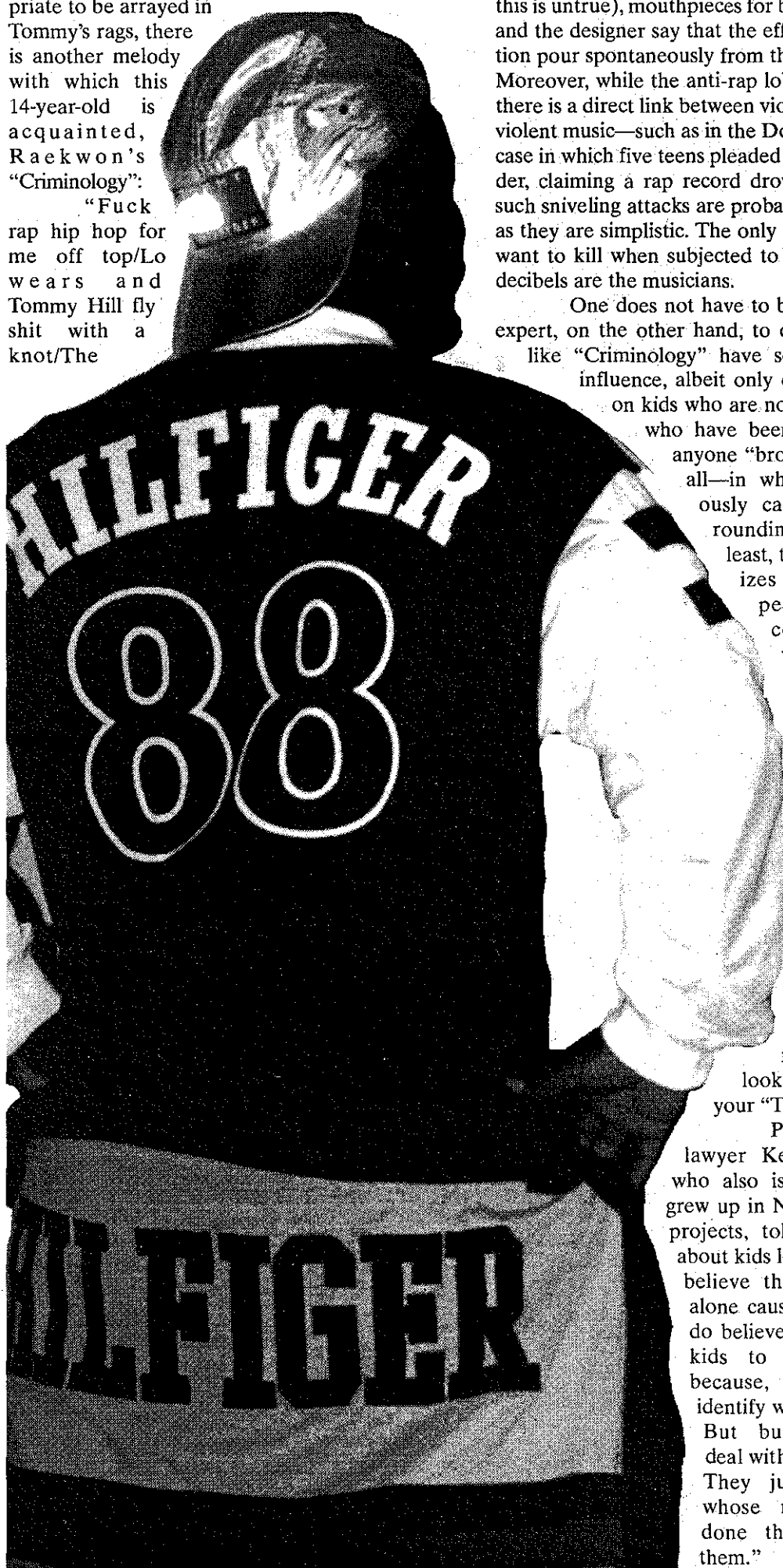
Should you be unfamiliar with the Dogg's résumé, a brief rundown may be helpful when you next go shopping for clothes. Calvin Broadus (the rapper's real name) was tried for murder earlier this year, after he allegedly took part in a real-life "drive-by," helping hunt down a 20-year-old gang member. The Dogg was acquitted after pleading self-defense. (The victim, who was shot in the back, was reaching for his gun, the rapper said.)

Asked about this incident, Hilfiger publicist Catherine Fisher wriggled herself into a pretzel. Admitting that the designer dressed the Dogg for his *SNL* appearance, she said, "To my knowledge," Hilfiger is no longer "working" with him. "Violence is not at all in Tommy's vernacular," she adds. "It's not something that inspires him. What inspires him is multicultural young people creating music that has a positive message."

The song "Criminology," admittedly, may not be your idea of positive conditioning for the audience of "brothers" at whom it apparently is directed. ("Many brothers I be sparkin'... Then I react like a convict and start killing shit.") But like Calvin Klein, Tommy Hilfiger seems blessed with an ability to detect virtue in what less-artistic critics like lawyer Kenneth Williams perceive only as the most subversive nihilism. Just as Calvin decried allegations that crotch shots he ran in 1995 ads were "child porn" (they were a "positive message," his agents assured us, "about the inner [sic] worth of today's young people"), Hilfiger preened in the after-glow from "Criminology" despite the tsk-tsk'ing of his representatives. The band gave him a plaque commemorating the album's success, says the recording company's manager, and looks upon him as a friend: "They all know each other. They all hang out sometimes at clubs. They are pretty tight."

Nor, despite his publicist's contortions, is there any evidence that Hilfiger intends to ostracize other rappers. In an interview in the February 1996 issue of *Vanity Fair*, he defended what he portrayed as a continuing relationship with Snoop Doggy Dogg and even had an opinion about the crime the rapper was charged with: "From what we understand, I don't think he shot the gun." Besides, as Hilfiger correctly mused, the sweeping saga of fashion history suggested that the charges wouldn't so much as take a nibble out of the Dogg's market appeal: "I mean, Keith Richards was busted for heroin. But he's still a rock 'n' roll god. Of course, I don't condone any kind of criminal behavior. Michael Jackson also wears my clothes. I mean, I don't know if he actually did that..."

In an era in which one designer jacket or pair of jeans looks



much like another, fashion companies intent on attracting the crucial youth market—every ethnic cranny of it—have used almost every ploy to enhance their “street cred” other than actually handing out heroin. Calvin Klein’s sleazy 1995 campaign even turned up in *YM*, a magazine that is bought mostly by girls, some as young as 12. They were treated to such sights as a youth splaying his legs. In fairness to Calvin, *U.S. News & World Report*’s John Leo said he assumed that one boychik in the layouts was “scanning desperately” not for underage girls but “any nearby member of the North American Man/Boy Love Association.”

One also recalls Benetton’s full-color two-page spread of 56 male and female sex organs. Oddly, despite the Italian clothing empire’s vow that it was employing such advertising to encourage the races of the world “to come together in a spirit of unity and equality,” all but one of the well- and peculiarly endowed models appeared to be white. Benetton’s advertising oeuvre also includes a photo of a 32-year-old man at the moment of his death from AIDS, the bloody shirt of a slain Bosnian soldier, and the grisly stumps of limbs torn off by land mines.

More of what might be called the Dr. Kevorkian School of Advertising may be discerned in the British TV commercial for Pepe Jeans that depicted a suicidal youth stealing his parents’ Mercedes and driving it into the Thames. Guess? Jeans, meantime, made its mark in the ’80s with beautifully photographed print campaigns in which breasty young women looked to be on the brink of rape or battery. And, who knows, maybe even as we go to press, the Chef is composing a clever jingle in which the Rapist/Batterer will be switching his brand-loyalty to Tommy Hill.

It is Calvin Klein, of course, who generally is credited with launching a trend that other designers have taken to the outer limits of decency. His more recent opuses have displayed the anorexic-looking Kate Moss posing, suggestively naked, with a large dog, as well as clutching her hand over her mouth as if she had just been slapped.

Rightwing conspiracy theorists hold that such offerings are the part of some grand plan to undermine society, in which a “gay agenda” supposedly figures prominently. Calvin undoubtedly

did devote several years of his bachelorhood to sampling the delights of the New York gay scene. And feeding this rumor mill are what many men—gay and straight—inter-

pret as homosexual themes in his commercials. In the TV spots for the 1995 campaign, a young man stood alone as an off-camera male voice purred, “You got a real nice look. How old are you? Are you strong? You think you could rip that shirt off you? . . .”

Moreover, there is the anti-woman thing. When Calvin’s campaigns feature women, it often is with a pansexual ambiguity, such as the ads for his fragrance, *Obsession*, in which three naked female models were shown with their limbs entangled. His use of the stick-thin Kate Moss has convinced some radical feminists that he “hates women.”

In fact, however, as my co-author Steven Gaines and I pointed out in our biography of him, Calvin dated women as well as men in the interlude between his first and second marriages. And as for Calvin touting gay rights, dream on. Early homosexual activists told us that he was impervious to their pleas for funding for an early AIDS education effort, this at a time when friends of his were dying from the disease. Whatever his sexuality, the last thing any young designer intent on making his first few million wants is to have his name associated with people whom middle America believes are “perverts.” (Benetton’s AIDS ad is said to have succeeded in repulsing many straight as well as homosexual consumers.)

The fact is that, while some of Calvin’s ads undoubtedly have reflected his personal eroticization of the male body, the only “agenda” they appear to have ever pitched is a burning desire to make a profit by using the lure of the forbidden. “This is part of a long, long history. It used to be that if a book was banned in Boston, sales would go up,” as William Wells, an advertising expert who is a former executive with the DDB Needham Worldwide agency, has observed of such in-your-face posturing. Says another expert, “The problem with the tactic is that you have to constantly up the ante, to ensure you are one up on the competition.”

Once you understand that this is all supposed to be about capitalism at its most pure and unfettered, it’s interesting to examine why so many fashion ads and, increasingly, ads for other products (like liquor and even fast food), show young people fearlessly breaking all of society’s taboos. The reason, we are told, is that it takes a lot to shock this most feckless of age groups. We live, after all, in an era when drug abuse, juvenile crime, suicide, child abuse and even such “turn-ons” as Kate Moss looking as if she is about to be ravaged by a hound (albeit one that probably mistook her for a bone, given her trendy emaciation) are familiar even to students of snooty prep schools who ostensibly live a world away from Phillip Moore.

Last year, when Calvin Klein withdrew his “child porn” campaign after his company was swamped with complaints, there was speculation that Madison Avenue would decide enough was enough. “Will Calvin Klein’s retreat redraw the lines of taste?” asked a headline in the advertising column of the *New York Times*. The article quoted one ad expert as stating, “Calvin Klein has made a career of stepping over the line, shocking consumers to create word of mouth. This time he vaulted over the line and beyond the pale—and even he has discovered there are places you dare not go.”

Almost a year to a day after article ran, the *New York Post* reported that Klein “appears to be promoting drug abuse in his latest campaign,” this one for cK be, his new scent. One model in the ads “appears to have tracks on his arms,” charged *The Post*.

Unconvinced by the usual Orwellian obfuscations (denying any link to drugs, a Klein spokesman said that “the concept behind the cK be campaign is to communicate the values and

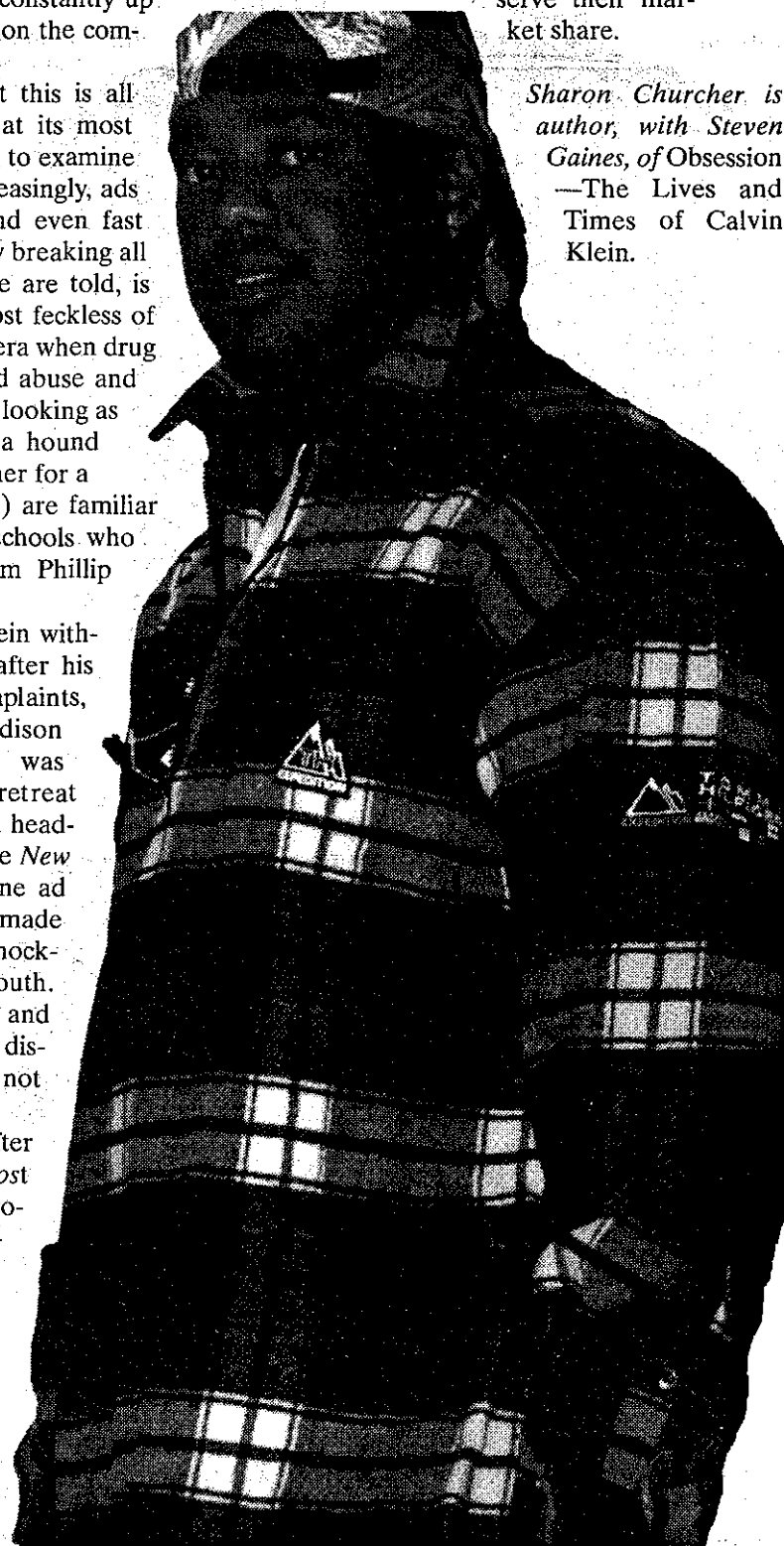
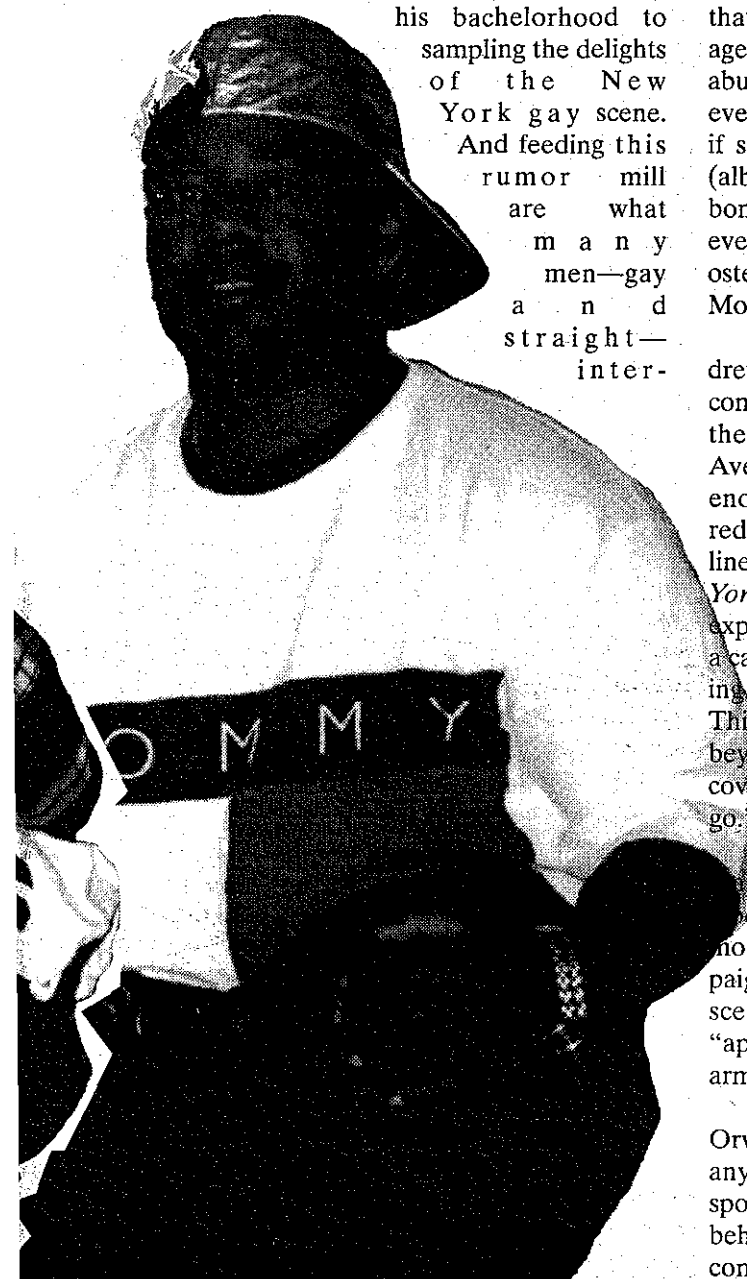
emotions of real people and the generation we believe is interested in that product”), conservatives and their feminist strange bedfellows think they have the answer to the increasingly sickening imagery. They want consumers to boycott offending advertisers, in the same way that they have advocated shunning producers of “depraved” entertainment. As any parent will tell you, however, you might as well write “buy me” across any product that adults would like off the market. When Snoop Doggy Dogg was arraigned on the drive-by charges, his first album went triple-platinum, selling nearly five million copies to kids who wanted to find out just how bad the allegedly baddest rapper sounded.

One alternative—similar to that suggested by Senator Paul Simon when there was talk of government censorship of the record industry—is self-censorship by the media. Editors don’t have to do business with advertisers who sexualize children and treat violence and self-destruction as just one more means of titillation.

Ultimately, however, it is cold, hard math that should persuade Seventh Avenue’s doyens of decadence that their efforts are self-defeating. Assuming that at least some of the messages touting their gear, intentionally or not, are taken seriously by teens—whose brains, Lord knows, already are scrambled with enough other psychological and physiological static—then their marketplace is growing at somewhat less than the desirable exponential clip. The more teens who ditch themselves in rivers or dope themselves into penury or maybe even are found guilty of those droll little drive-bys by jurors who’ve finally had enough of all the dumb excuses, the fewer teens there will be around to buy Pepe jeans or cK be or Hilfiger sportswear. Tommy Hill and all his comrades in the rag trade ought to clean up their

act if only to preserve their market share.

Sharon Churcher is author, with Steven Gaines, of *Obsession*—The Lives and Times of Calvin Klein.



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HETERODOXY

ARTICLES AND ANIMADVERSIONS ON POLITICAL CORRECTNESS AND OTHER FOLLIES

IT'S A WAR, STUPID!

The good news is that the election of 1996 was a vindication of conservative principles—smaller government and greater individual responsibility. The bad news is that Republicans so bungled the political battle—that the electorate didn't trust them before and during the campaign—that the electoral college didn't trust a conservative to preside over conservative programs. And so, instead of a satisfying victory, the best conservatives can look forward to is four years of *schadenfreude* as the Clinton Administration attempts to cope with a national inquiry into its vulgar venality and penny-ante larceny.

It should have been otherwise. Instead of an ambiguous interregnum, these should have been the best of times for the conservative movement. After something close to a two hundred years' war with the Left, the Right has won a verdict so complete that (with the exception of some hermetically sealed offices of the American university) Marxism has disappeared as a political, economic and even intellectual rival of free market individualism. With the exception of Havana, Pyongyang, and a few other blighted precincts around the globe, the principles of private property, individual rights and the economic market—cornerstones of the conservative worldview—are everywhere triumphant, in principle if not always in practice.

Conservatism is so clearly victorious in the battle of ideas that the only frisson of interest in liberal circles is how to plagiarize conservative policies and still present what seems to be a choice rather than an echo. So discredited are the programs of the Left that its candidates compete, as if in a *Saturday Night Live* routine, for the title of who is least on the criminals' content electorally only by posing as tough on the criminals' orthodoxy views as socially oppressed rather than personally glibly, faithful in defending the nuclear family they would like to implode.

Conservative ideas are calling the tune so insistently on the basic issues of our civic and political life that even the hard-core liberals have no choice but to do the dance. Yet instead of the dance of the dead, the left-wing corpse does the macarena. The skeleton smiles!

And this raises the question: How does the Left appear to win battle after battle even though its war is lost? Why do conservatives so often feel like losers even though they've won? Or, as the old Bessie Smith song asks, what did we ever do to get so black and blue?

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God & Man at Princeton
Female Journalist Problems

FEMINISTS STILL AT WAR WITH THE NAVY

THE QUESTION OF PILOT B

By K.L. Billingsley

On March 7, 1994, Lt. Carey Lorenz, known in the voluminous documentation of what is now called her "case" as Pilot B, took off from Miramar Naval Air Station in San Diego at the controls of an F-14 Tomcat, a formidable fighting machine. The \$38 million twin-engine jet is capable of Mach 2 speeds, altitudes above 50,000 feet, and can track 24 targets and shoot down six at once with its Phoenix AIM 54A missiles and Vulcan 20 mm cannon. During the 1980s, U.S. pilots flying this plane splashed two Libyan MIGs without breaking stride and easily chased down the *Achille Lauro* hijacker, who ran but could not hide. For obvious reasons, not everybody gets to fly this awesome package, and its pilot seat has not, until recently, been considered a venue for affirmative action.

Navy pilots land the F-14 on carriers all over the world, in all kinds of weather and seas, day and night, during wartime and in peace. Those who cannot land the plane on "the boat," as aviators call the carrier, are of no use to the Navy. And this plane is not like the nimble trainers in which new pilots get "winged." Veteran F-14 pilots attest that the \$4,000 lb two-seater is the Harley Davidson of fighters, tough to fly under the best circumstances, as Lt. Lorenz discovered that March evening in field landing practice. In the euphoric words of her own instructor, she had a "rough night."

The Landing Signal Officer (LSO) waved off three of her first four passes, one of them taking a "CLARA," meaning that Lorenz flew so out of position she could not even see the "ball," the series of fringed lenses on the landing strip only visible from certain angles on the runway. The landing F-14 must "call the ball" position in the air. The landing F-14 must be in the "ball" position before final approach. "She is not where she needs to be before final approach."

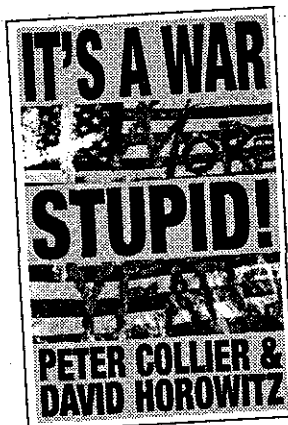
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For three years, Judith Schumann Weizner's back-page satirical masterpieces on political correctness have been the most popular feature of *Heterodoxy* magazine. Now, they're contained in one volume, *Stranger Than Fact* (Second Thoughts Books). In it:

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- ◆ You'll read about Christine Clave, the piano teacher forced to fill out a 38-page OSHA "Regulation G" questionnaire to guard against damaging her pupils' self-esteem. After hearing this one, the Clinton White House sent a letter to OSHA demanding "a written response" and "appropriate action."
- ◆ And over 22 more hilarious tales.



After the recent election, Republican chairman Haley Barbour declared the ideological Cold War over: "The 1996 campaign is living proof; the Left had thrown in the towel." Nice try Haley, but look again. While conservatives may have won the ideological war, they are still losing the political battles. Bill Clinton is in the White House; the welfare state is alive and well; the liberal courts have taken over the country, and conservative complacency is largely to blame. It's *A War, Stupid!* is must reading for any American concerned about the fate of their country.

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- ◆ Why God is a Republican, and Santa Claus is a Democrat.



*originally appearing in *Rolling Stone* magazine

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Deja Voo-Doo, continued from page 1

rupted testimony with screams of "Cover-up!"

What had prompted these bizarre scenarios was "Dark Alliance: The Story Behind the Crack Explosion," a series of articles by Gary Webb that appeared in the *San Jose Mercury News* last August in which Ricky Ross was portrayed as a pawn in a larger scheme by the CIA to fund the Nicaraguan Contras by targeting the black inner cities for destruction through drugs. This was no subtle investigative report but rather a full court propaganda press. The *Mercury* promoted the series on its Web page with graphics of a figure smoking crack superimposed on the CIA seal.

Rather than an occasion for reflection, Webb's story was the catalyst for a harmonic convergence of rage and paranoia. Louis Farrakhan's *Final Call* turned the series into a cover story. Before the *Mercury's* ink had dried, the Rev. Jesse Jackson rushed to the barricades, and Maxine Waters called for congressional investigations. The question of whether or not the story was true got lost in the shuffle. In fact, the *New York Times*, *Washington Post* and *Los Angeles Times* launched careful investigations of their own and found that the *Mercury News* had failed to make the case. But for many the story was true despite what the facts said. The *Mercury* had offered a no-fault "explanation" for the disturbing phenomenon of self-destructiveness expressed in drug use. Webb's story allowed black leaders to say, in effect, we have seen the enemy and he is not us. As in the old Flip Wilson routine, "The devil made us do it."

Not since Janet Cooke's sham journalism at the *Washington Post* won her a sham Pulitzer has there been a hoax of this proportion perpetrated by an American daily. Yet, in the face of criticism from his betters, *Mercury News* editor Jerry Ceppos continued to insist that "not for one second" did he have any regrets about going with the story. A more intriguing question, one that the press investigations which discredited Webb's findings failed even to explore, was whether the story even qualified as "news." Here Ceppos conceded a point, when he blurted out in something approaching a Freudian slip, "We have advanced a 10-year-old story that is clearly of great interest to the American people." (emphasis added)

To understand the provenance of this decade-old paranoid fantasy, it is necessary to remember the glory days of the Christic Institute, a self-described "nonprofit, interfaith center for law and national policy in the public interest" which began its existence in the early 1980s under the auspices of the Quixote Center, a left-wing Catholic group in Brentwood, Maryland.

The Christics soon slipped the bonds of their religious origins and struck out on their own under prime mover and President Daniel Sheehan, a Harvard-trained lawyer who had made his name defending nuclear martyr Karen Silkwood. Sheehan and Christic Executive Director Sara Nelson believed that Marxist dictatorships could liberate their peoples and establish social justice. As the Cold War turned hot in the western hemisphere, they turned their attention to helping Nicaragua's Marxist Sandinista junta, primarily by attacking those who supported the resistance forces, dubbed "Contras." Said Nelson, "These guys behind the friendly face of Ronald Reagan are fascists. There isn't any other word for them, and they're murderers just like the Nazis were."

One of these so accused was U.S. Gen. John Singlaub, who actually fought Nazis by parachuting into Nazi-occupied France to supply the Resistance. But the decorated hero of three wars, a supporter of the Nicaraguan anti-communist resistance, found himself under attack in the legal system by the Christics in what his lawyer Thomas Spencer called "courthouse terrorism," adding, "the Weathermen just went to law school."

In May 1986, the combative Sheehan filed a lawsuit under the RICO (Racketeer Influenced and Corrupt Organizations) statute, a 1970 anti-Mafia law allowing citizens to go to court to prove patterns of criminal conspiracy. The Christics' suit

charged that a "secret team" of former military and CIA officers, Singlaub among them, were running U.S. foreign policy. The idea was not a new one. In 1973, former Air Force officer L. Fletcher Prouty authored *The Secret Team: The CIA and Its Allies in Control of the United States and the World*, which charged that Jews held excessive control over U.S. policies. Prouty was adviser for Oliver Stone's *JFK*, in which he is named "Col. X" and played by Donald Sutherland, whose monologue in the film practically recites the Christic philosophy.

In the Christic vision, U.S. policy from the late 1950s was a massive anti-communist plot, funded by profits from drug dealing. CIA-man Ted Shackley and Gen. Richard Secord were alleged to be part of a "shooter team" assigned to kill Fidel Castro. In the plan, Shackley also ran a mercenary army in Southeast Asia that teamed up with Secord and Gen. Singlaub to work with opium-growing tribesmen in Laos, where Singlaub, the Christics charged, personally killed 100,000 people. As the suit had it, a Marine named Oliver North joined them in the Laos drug operation, which was only the beginning. It was Shackley, the suit said, who mounted the 1973 military coup against Allende in Chile before helping the Shah's Savak in mid-'70s Iran, as well as other dirty work in Libya, South Korea, Taiwan, and now Central America.

The same omnipresent secret team, the Christics charged, was helping the Nicaraguan Contras and financing its dirty work by trafficking in cocaine. The suit further charged that the secret team hired a terrorist known as Amac Galil, masquerading as a Danish journalist named Per Anker Hansen, to bomb a 1984 press conference along the Costa Rican border. The bomb killed eight journalists, including one American, and wounded resistance-leader Eden Pastora ("Comandante Zero") and 27 others, including American cameraman Tony Avirgan. Avirgan and his wife, Martha Honey, were among the plaintiffs seeking \$23 million in compensation and punitive damages.

In the mid-'80s, as the Contra war escalated, Danny Sheehan hit the talk-show circuit and quickly became a national figure, courted by liberal Democrats such as Sen. John Kerry. Besides their Washington headquarters, the Christics boasted regional offices in Los Angeles, Portland, San Francisco, and North Carolina. On July 9, 1987, Christic supporters got into the Senate Caucus room and disrupted the testimony of Oliver North by unfurling a banner reading "ASK ABOUT COCAINE."

Both the lawsuit and conspiracy theory played well in Hollywood. There Sheehan hung out with Ed Asner, Mike Farrell, Martin Sheen, Darryl Hannah, Jane Fonda, and others, who helped him stuff his war chest with an estimated \$3 million—much of it raised at \$100-a-plate fundraisers and benefit concerts with Kris Kristofferson, David Crosby, Graham Nash, Bonnie Raitt, Bruce Springsteen, and Jackson Browne. The Harvard lawyer even packaged some deals. The Christic conspiracy provided the story line for episodes of *Miami Vice* and *Wiseguy*, and was also discussed on an episode of *Cagney and Lacey*. Taxpayer-funded Pacifica radio stations broadcast a weekly Christic report, and public broadcasting icon and former presidential aide Bill Moyers championed the Christic cause in *The Secret Government*, a PBS special later turned into a book that the Christics peddled for \$9.95 as a resource in their "Tools For Truth" catalogue.

While Sheehan was becoming a political celebrity, the pre-trial maneuverings of the Christic lawsuit were bankrupting the defendants, one of their intended effects. But ultimately the law-school Weathermen would also have to go to court, where their charges would be weighed in the balances.

On June 23, 1988, U.S. District Court Judge James Lawrence King dismissed the suit and all charges, even against defendants who had not moved for dismissal. Citing "deceptive" affidavits and "fabricated testimony," King ordered the Christics to disclose the names of 79 anonymous individuals, many of whom recanted state-

ments, denied ever having made them, or said that words had been put in their mouths. Beside this legal fraud, wrote the judge, the Christics had advanced no direct evidence nor made a showing of a genuine issue of material fact with respect to their allegations.

King's judgment provided cover for critics in the liberal press which had previously held their fire about the Christics. The liberal *Boston Globe* described the Christic Institute as a "far-left, celebrity-fueled conspiracy boutique" and even in the left-wing *Nation* magazine, Jonathan Kwitny wrote that "For a year, I have repeatedly asked Sheehan to provide sources or documents to corroborate his contentions . . . he has always backed out." In *Mother Jones*, James Traub wrote that the Christic lawsuit was a "gorgeous tapestry . . . woven of rumor and half-truth and wish fulfillment" and that Sheehan was a man "in whom passion has overcome reason."

Even the Congressional Democrats sympathetic to both the Christics and the Sandinistas had to conclude that the vision of a "secret team" of intelligence operatives using drug trafficking and other violent measures to further their anti-communist ends was a fantasy. Congressional investigator Robert Bermingham noted that hundreds of interviews, reams of documents, including files of the Departments of State, Defense, and Justice, FBI, CIA, DEA, NSA, and Customs had uncovered no evidence of Contra drug trafficking, nor evidence indicating any U.S. government agency condoned drug trafficking by Contras or anyone else. Michard Messick, an investigator during the 1980s for the Senate Foreign Relations Committee, says "We were unable to find any credible source" for the allegations. In July 1987, the House Select Committee on Narcotics held closed-door hearings in which Sheehan was one of the witnesses. Reporters eagerly waited for the scoop of the secret team but Rep. Charles Rangel, one of the staunchest critics of the Contras, told the press that "None of the witnesses gave any evidence that would show that the Contra leadership was involved in the trafficking of drugs."

The Christics used Sen. John Kerry's name in their fund-raising appeals, but the congressional subcommittee headed by Kerry released a 1989 report concluding that there was no evidence that the CIA participated in cocaine trade, nor any evidence that Adolfo Calero's FDN Contra group made money from drugs. Jack Blum, chief investigator for the panel, supports that conclusion today. Kerry eventually distanced himself from the Christics, writing two letters asking that his name be removed from their materials.

On January 13, 1992, the U.S. Supreme Court ruled that the Christic Institute had to pay \$1,218,000 in compensation to the victims of their bogus lawsuit. The Christics went out of business and Danny Sheehan blew town and is currently holed up near Santa Barbara, where he doesn't return phone calls even though his weird theories have gotten life after death in the *Mercury News*.

"Cocaine—a drug that was virtually unobtainable in black neighborhoods before members of the CIA's army started bringing it into South Central in the 1980s at bargain basement prices," reads the lead piece of Gary Webb's "Dark Alliance" series. The purple-hued articles purport to expose "One of the most bizarre alliances in modern history: the union of a U.S.-backed army attempting to overthrow a revolutionary socialist government and the Uzi-toting 'gangstas' of Compton and South Central." While this war is now barely a memory, "black America is still dealing with its poisonous side effects."

The Christics charged that the drugs came in through the Mena airport in Arkansas, then governed by Bill Clinton. In Webb's version, the stuff was flown from El Salvador to a U.S. Air Force base in Texas, a charge that Nicaraguan anti-Somoza revolutionary Terner MacRenato, a former U.S. Marine, says is "right out of the X-Files." MacRenato is one of many who see no empirical evidence for Webb's writing. But as in the '80s, activists raised the decibel level, politicians demanded investigations, and radical Pacifica stations turned the story into a marathon.

It is not clear that Gary Webb is on the same wavelength as the radicals who have exploited his pieces. According to former colleagues at the *Cleveland Plain Dealer*, Webb is not a doctrinaire leftist but a dogged journalist. His former partner there, Walt Bogdanich, won a Pulitzer and now works for *60 Minutes* as a producer. Webb himself wanted to bag an award, but his efforts sometimes backfired. Promoters for the Cleveland Grand Prix auto race sued the *Plain Dealer* for libel over articles Webb had written from 1984-86 accusing them of cutting sweetheart deals and profiteering over their efforts. A jury awarded the plaintiffs \$13.6 million. While the award was ultimately overturned, Webb cost the paper a lot of money.

Webb's bulldog style played better at the *Mercury News*, a liberal-left Bay Area daily with a growing reputation for recklessness. (On April 27, for instance, the *Mercury News* ran a story that the rival *San Francisco Examiner* would fold "in about a week," touching off wild rumors and prompting mayor Willie Brown to call the Justice Department. The story was wrong and the paper is still in business.) Webb told me that he came across the Contra-CIA conspiracy while working on an article dealing with asset forfeiture. He doubtless saw this tale as his ticket to the big-time, asked for room to run and got it. Webb says he interviewed "dozens and dozens" of people for his story, but declined to reveal who they were. One of them, however, was conspiracy-monger Martha Honey, who was present at the 1984 press conference bombing on the Costa Rican border. Now working in the "peace and security" program at the Institute for Policy Studies, the Pentagon of the American Left, Honey tells anyone who will listen about "Guatemalan hit teams" operating stateside.

Webb studied Honey's book *Hostile Acts: U.S. Policy in Costa Rica in the 1980s*, now listed as a resource on the paper's web page. "Thank goodness there are still papers where they let you dig for information," says Honey, who applauds Webb's series and credits him for showing what the CIA-Contra axis did with the cocaine, making it into crack for the ghetto.

Webb says he knew about the Christic case during the 1980s but had never been associated with the group. What did he make of their charges? He told me that for a "reportedly false" case, it sure had stirred things up in government. When pressed as to which parts of the case were true, he failed to respond, but in recent public statements he left no doubt where he was coming from.

"The cocaine that was used to make the crack that flooded into L.A. in the early '80s came from the CIA's army," Webb said on a radio talk-show. "Now we know what CIA really stands for, Crack in America." Thousands of African Americans were in jail, Webb said, "for selling a drug that was never even available in black America before the CIA's army started bringing this stuff in." To those who said he had not provided proof, Webb scoffed, "that's like saying there's no proof of General Motors' involvement in making Chevrolets."

Investigative writers at the *Washington Post*, *New York Times* and *Los Angeles Times* dug deep to examine Webb's charge that "millions" in drug profits went to the "CIA's army." But after scouring reams of documents and conducting hundreds of interviews and investigations—not just in this country but in Central America (reaching even into Nicaraguan prisons)—the press investigations found that a couple of convicted drug dealers might have funneled no more than \$50,000 plus maybe a pickup truck or two back to the Contras, chump change compared to the total of \$195 million in aid the U.S. government provided the Resistance in Nicaragua from 1981 to 1988, not to speak of \$43 million raised from foreign governments.

Further, the press investigations noted that Nicaraguans were bit players in the drug trade,

which was dominated by Colombians, Mexicans, Jamaicans, and Americans. The *Post* found that Ricky Ross had been selling crack long before he met Danilo Blandon, the Nicaraguan Webb described as "the Johnny Appleseed of crack."

The investigations by other newspapers not only torpedoed Webb's conclusions, but also shed light on Webb's techniques, and his relationship with Alan Fenster, attorney for Ricky Ross. Webb fed Fenster leading questions for Blandon, a man not known for truthfulness, at the Ross trial and then used the very Blandon testimony Fenster had elicited to support his thesis of CIA involvement. And then Fenster, in what became a legal-journalistic circle jerk, cited the *Mercury News* articles as a

uncover some fascinating information about Gary Webb.

A New York literary agent offered Ricky Ross a deal for "dramatic rights to his story." The agent sent his letters to Ross in care of Gary Webb and the deal it described proved identical to one Webb has accepted. As the *Los Angeles Times* reported, deputies concluded that Webb had grown too close to the defendant to be considered reliable. Said a federal prosecutor in San Diego: "It is now clear that the pretense of Gary Webb being a detached journalistic observer has been dropped and that there is now no doubt that he was an active participant in the Ross defense team."

The *Mercury News* is still hyping the series and peddling reprints while its star scribe is being rewarded for his efforts. Webb boasts that he has briefed members of Congress and says he expects to "assist the congressional investigators." The Bay Area's Society of Professional Journalists named him "Reporter of the Year" and bigger prizes are doubtless in store. Following the footsteps of Joe Eszterhas, another former *Plain Dealer* reporter known for wild stories, he has already

SAN JOSE MERCURY NEWS

America's 'Crack' Plague Has Roots in Nicaragua War

Colombia-San Francisco Bay-Area Helped Finance CIA-backed Contras

By Gary Webb, Mercury News Staff Writer

basis to overturn Ross' conviction on grounds of government misconduct. This was ventriloquism, not journalism.

Webb's charges also fail the test of reason and common sense. Other cities, such as New York, had crack problems with no hint of CIA-Contra involvement. Moreover, Los Angeles' drug problems started long before the Nicaraguan conflict began and the crack problem has long outlasted it, growing worse with each passing year. But the test of reason was not one Webb wanted to take.

On a recent television show in Los Angeles, he said the *Washington Post* and *New York Times* had only "allegedly disproved," his story. He was, among other things, protecting what could become a high-concept entertainment product and indeed what might well have been this from the beginning. In a book proposal circulating among New York publishers, Webb said that the CIA dumped tons of cheap cocaine into the black neighborhoods of Los Angeles, "sparking the worst drug plague in the nation's history and financing the rise of the Crips and Bloods." (So now even gangs were the work of the CIA.) Further, Webb says he will prove that "the Contra was war not a real war at all. It was a charade, a smoke screen . . . to provide cover for a massive drug operation" by criminal CIA agents. (So: the entire history of Central America in the mid-'80s, an epic of revolution and counterrevolution, was only the pretext for a drug deal.)

Amidst the smoke of sensationalism, one conclusion stands clear: Gary Webb and the *Mercury News* took a 10-year-old piece of left-wing disinformation to regions where no Christic crackpot had gone before. Professional ethnics and the congressional Left picked up that story, shrieked it through a megaphone, and Washington caved in typically craven style, creating the spectacle of then-CIA head John Deutch's absurd performance in Los Angeles. Arlen Specter even allowed Maxine Waters, probably the most left-wing member of Congress and not a member of his Senate Intelligence Committee, to question Nicaraguan resistance leaders Eden Pastora and Adolfo Calero. Specter also refused to eject demonstrators crying "cover-up!"

Los Angeles County Sheriff Sherman Block did a little better, assigning seven full-time investigators to the CIA-Contra rumors. On December 10, Block released results of a 3,500 page investigation which found no evidence of government involvement in the L.A. activities of Blandon and Ross. But the investigators did

sold a film project to Disney's Touchstone Pictures. But while the newly minted celebrity counts his money, other observers are calculating the fallout from the story.

"It has caused a lot of people pain," says black author Shelby Steele. "To come forward with something like that in the racial atmosphere of our times seems irresponsible. The function of conspiracy theories is that they remove blame and create the shroud of victimization. It's not our fault if our kids are shooting each other. Someone brought in the guns. They put crack here. It's dusting over culpability." Steele, a former professor at San Jose State, says that the story "calls for a mea culpa, like in 'Jimmy's World,'" a reference to Janet Cooke's bogus *Washington Post* story.

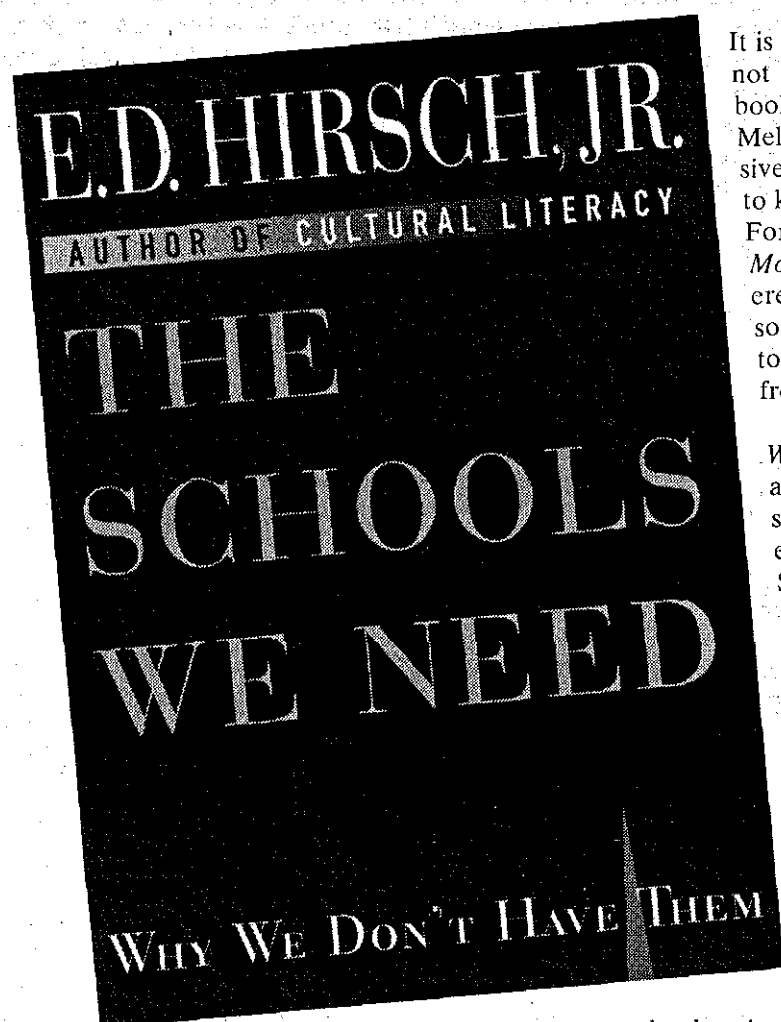
"In the black community today, a small and embattled but growing number of religious leaders are saying that victimization is dead-ended and that takes courage," says Richard John Neuhaus, now a Catholic priest, who served as Lutheran pastor in a black neighborhood of Brooklyn and worked with the Rev. Martin Luther King in the Civil Rights Movement. "Then for them to be undercut by people outside the community, to simply indulge their Oliver Stone-like fantasies at the expense of poor people, is unconscionable." Besides reinforcing the CIA demonology, Webb's tale serves as a kind of fog obscuring the real and largely untold story of the drug epidemic that continues to devastate the black community.

It serves also to cloud the international routes that bring drugs into the U.S. While it is PC to blame the Contras, the press looks the other way when left-wing movements and regimes are implicated. Yet Roger Miranda, former chief of the Sandinista Defense Ministry, confirms that during the mid-1980s the Sandinistas trafficked in cocaine, collaborating with both the Medellin cartel and the Cuban communist regime of Fidel Castro. Peru's *Sendero Luminoso* controlled key areas of coca production and used the profits to finance their terrorism. And, like the FSLN, the Sendero and rival Tupac Amaru movement supported the flooding of America with drugs as a way to fund their revolution and weaken the "yanqui enemy of mankind."

How many tons of cocaine from the Sandinistas, Fidel Castro, the Sendero, and Mexico made its way to South Central Los Angeles? What happened to the profits? What are the "poisonous side effects" today? Will Gary Webb hop on this story as his next big exposé?

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School Daze



A SCHOLAR'S BOLD ENTERPRISE

The Schools We Need, And Why We Don't Have Them by E.D. Hirsch Jr.

Doubleday, 1996, 317 pp., \$24.95

REVIEWED BY PAUL A. CANTOR

The latest *Star Trek* movie, *First Contact*, is unfortunately based on a hackneyed time-travel premise, but it does produce one interesting confrontation, when a woman from the 21st century tries to convince a newly testosteroneed Captain Jean-Luc Picard from the 24th century to abandon his obsessive attempt to save his beloved starship *Enterprise*. When all other efforts to curb Picard's uncharacteristic machismo fail, the woman reproaches him with behaving just like the mad Captain Ahab of *Moby-Dick*. "You do still have books in the 24th century, don't you?" she challenges. This shock tactic works, restoring Picard to his normal scholarly temperament and indeed provoking him into reciting from memory a passage from Melville's novel. The puzzled look on the woman's face reveals that she herself has never read *Moby-Dick*, but by then the fate of the *Enterprise* is already sealed—Picard has decided to initiate its auto-destruct sequence.

The makers of *Star Trek*, who can hardly be accused of being backward-looking, are suggesting that cultural literacy will remain important even in the era of intergalactic space travel. If people are to communicate—especially across warps in the space-time continuum—they must be able to refer to a common body of knowledge, a shared vocabulary of facts and stories. *First Contact* suggests that no advance in technology can obviate the need for two people to have a common frame of reference in order to communicate effectively. This futuristic parable illustrates perfectly what E.D. Hirsch Jr. has been trying to teach America for the past decade. The movie goes even further in validating Hirsch by making the simple point that many readers of his book *Cultural Literacy* had a hard time grasping.

It is better to have read *Moby-Dick* than not to have, but if one has not read the book, it is better at least to know that Melville tells the story of Ahab's obsessive quest for the White Whale than not to know anything about the novel at all. For even if one knows only the gist of *Moby-Dick*, one can understand a reference to the book, or, in this case, go so far as to make an effective reference to it oneself and thereby save the earth from a Borg invasion.

In his latest book, *The Schools We Need*, Hirsch continues what has, alas, often seemed like a quixotic crusade, his effort to restore sanity to the educational system in the United States. The book is a systematic, thoroughgoing, and devastating critique of the so-called progressive educational theories that, as Hirsch demonstrates, exercise a stranglehold on the teaching of children in grades K-12 in our country. Many explanations have been offered for the continuing failure of our schools to educate our children adequately. The chief culprit is usually said to be a lack of funds, as if throwing money at the problem were the way to solve it. But if

the theories on which our children are being educated are unsound, then simply increasing the funding for education will do no good. There are many problems with the way in which the federal government runs its space program and one might legitimately question the wisdom of spending billions of dollars to indulge NASA scientists in their quest to find life on Mars, but at least their projects are based on the Copernican theory of the solar system. But as for the American educational establishment, Hirsch shows that it is operating with what amounts to a Ptolemaic theory of pedagogy, one contradicted by decades of scientific research and classroom experience.

What is sad about this situation is that, unlike Ptolemaic astronomy, progressive educational theory does not even have common sense on its side. The triumph of Hirsch's book is its sober and straightforward pragmatism. Time and again, he shows that a common sense approach to educating our children is in fact the right one. It can be very frustrating for a parent to hear a professional educator proclaim that children do not need to learn the facts of history and geography, and add that the latest scientific research backs up his claim. If you have ever wondered about such pronouncements, then Hirsch's book is for you. He continually shows how the proponents of progressive education are extremely selective in the scientific data they invoke, usually confining themselves to studies coming out of education schools themselves, while ignoring the more objective and scientifically scrutinized research carried out in psychology departments and other independent sources of investigation into the learning process.

For example, one of the fundamental principles of many so-called educational reformers is that standardized tests are unfair to certain students, and serve no legitimate pedagogical purpose. These theorists argue that students should be evaluated on the basis of what is referred to in the jargon as "performance-based assessment," written essays, say, rather than multiple-choice tests. But have you ever suspected that the grading of written essays might be a trifle more subjective than that of multiple-choice tests? Hirsch shows that a 1961 study confirms this suspicion: "When 300 student papers were graded by fifty-three graders (a total of 15,900 readings), more than one third of the papers received every possible grade. That is, 101 of the 300 papers received all nine grades: A, A-, B+, B-, C+, C, C-, and D." Moreover, "no essay

received less than five different grades." Evidently non-standardized testing does indeed produce non-standardized results. But in that sense "performance-based assessment" is in fact less fair to students than the much-maligned multiple-choice testing.

And fairness is Hirsch's chief concern in looking at the problem of education. When he stresses the importance of our schools' teaching basic information, including vocabulary as well as geographical and historical facts, he is above all thinking of the needs of the very minority students the education establishment claims to be championing. As Hirsch puts it, "in order to enhance the knowledge of those who come from underprivileged homes, it is necessary to teach all students in a focused and direct way the knowledge which the children of privilege gain indirectly by constant exposure and repetition at home." The reason Hirsch stresses this point is that he views one of America's socioeconomic problems as at root an educational problem:

Only in very recent years have social scientists begun to refine their analyses of the puzzling halt in black-white wage equality after three decades of progress. It turns out that the disparity (at least 16 percent lower wages for blacks of the same grade level completed) is owing to the fact that blacks have been on average less well educated by the schools. Most of the existing wage disparity, that is, some 12 out of 16 percent, can be explained by a disparity in actual educational attainment. After matching black and white earners by their actual educational level rather than by nominal grade level, the black-white wage disparity drops to less than 5 percent.

This is an excellent example of how Hirsch intelligently draws upon the best data available to redefine the problems confronting America today. He challenges liberals and radicals to face the facts and admit that their well-meaning but ill-conceived educational policies are chiefly responsible for the economic inequality they vehemently deplore.

Hirsch offers a good summary of the principles of progressive education:

the identification of correct pedagogy with liberal, democratic American ideals; . . . the insistence upon the individuality of the child and the autonomy of the teacher; the disparagement of mere subject matter and of other nations' educational methods; the admonition to teach children rather than subjects; the claim that knowledge is changing so fast that no specific subject matter should be required in the curriculum; the attack on rote learning; the attack on tests and even report cards; . . . the idea that a new method free from the trammels of traditional knowledge could encompass the whole sphere of education by merging subject matter into the process of pedagogy.

These principles of progressive education were completely formulated as early as the 1920s, and have proved to be ineffective when put into practice ever since. One of the most valuable services Hirsch performs is to trace the slick maneuvers by which the professional educational establishment has managed to evade facing the consequences of its repeated failure to deliver on its promises. The educational establishment simply keeps renaming its pedagogical panaceas, so that it can repeatedly present old, outworn, and refuted proposals as new, promising, and untried reforms. One of the most useful sections of Hirsch's book is the "Critical Guide to Educational Terms and Practices," a glossary that translates the often obfuscating and always self-serving jargon of educationists into plain English.

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Hirsch shows, for example, how the original idea of the "project method," first formulated in 1918, has been recycled since then in one form after another like the trash it is: "discovery learning," "hands-on learning," "holistic learning," "learning by doing," and "thematic learning."

One of Hirsch's chief aims in *The Schools We Need* is to provide a genealogy of the ideas that govern education in contemporary America. He hopes that by tracing the road by which we got to where we are today, and recalling the paths not taken, he can at least open up thinking about educational alternatives. He shows how Teacher's College at Columbia, and especially a professor named William Heard Kilpatrick, played a central role in shaping the attitudes of American educators. The deadening uniformity of thought in education schools today can in part be explained by the Columbia pedigree shared by so many pedagogical theorists. Hirsch is particularly interested in the deeper philosophical roots of progressive theories of education. Here his status as a pre-eminent literary scholar, particularly of European Romanticism, stands him in good stead, for what Hirsch shows is that the widespread hostility to structured pedagogy can be traced back to late 18th- and early 19th-century Romantic attitudes in Germany and England. Wordsworth's optimistic faith in the untutored wisdom of the child, and, more generally, the Romantic premium on spontaneous and organic development ultimately undergird the progressivist belief in letting students learn at their own pace. This kind of philosophical genealogy is important for developing some kind of critical perspective on today's educational orthodoxies. Perhaps teachers will take a second look at their strategies if they come to realize that ultimately nothing more solid than the effusions of Romantic poets grounds their progressive teaching methods.

Hirsch's genealogical investigations give him a way of attacking one of the most baleful principles of the American educational establishment, what he calls American exceptionalism. Faced with overwhelming evidence that several foreign systems are doing a better job of educating their students, American apologists take refuge in the claim that our schools face problems that foreign schools do not and thus their experience is irrelevant to the United States. For example, defensive educationists argue that the multi-ethnic composition of our classrooms makes it more difficult for our teachers to do their job and thus explains the fact that our students routinely score lower on standardized tests than their European and Asian counterparts.

In fact, Hirsch points out: "With my own eyes I have seen schools in the suburbs of Paris where the ethnic and social diversity is equal to that of the Bronx and Miami. Currently, in the Paris region, the total percentage of nonnaturalized, non-French students is 23.2 percent of the school population." Thus the fact that the French system, with a genuine core curriculum, is better able to educate its children should give American educators pause. As Hirsch shows, their educational theories are ultimately derived from

Europe; anyway, why, then, should they remain in the grip of European attitudes that are two centuries old, rather than opening their minds to contemporary European educational ideas that seem in fact to be working?

Though Hirsch himself does not make the point, it is one of the crowning ironies of the educational scene in America today that just when multiculturalists are demanding that our schools be less ethnocentric, just when everyone seems to be calling for us to be more open to foreign ideas and foreign competition, the educational establishment has erected a protectionist barrier against free trade in pedagogical theories, refusing even to consider that the content-based teaching strategies that work successfully in France or Japan might work in the United States as well.

If any book can succeed in tearing these barriers down and opening up genuine debate on educational policy in this country, it will be Hirsch's. The book is clearly written, and succeeds in laying out its argument and its evidence with a patience and persuasiveness that suggests that Hirsch really does know what he is talking about when discussing how to teach. Compare this book to the turgid, jargon-laden tomes coming out of education schools today and ask yourself: who seems to know better how to teach, Hirsch or the professional educationists? If anything, I find *The Schools We Need* a little too painstaking and repetitive in its exposition, but Hirsch probably knows what he is doing. Given his target audience, which includes public policy makers and professional educationists themselves, he has a lot of convincing to do.

Rhetorical considerations no doubt explain some of the peculiarities of this book, a few of which I find distasteful. As an old-fashioned liberal, Hirsch finds it frustrating to be continually identified as a conservative by his opponents and by the popular press. Thus he goes out of his way to distance himself from anything that might be labeled conservative, with a calculated swipe at Herrnstein's and Murray's *The Bell Curve* and a somewhat disingenuous claim that his Cultural Literacy is "fundamentally opposed" to Allan Bloom's *The Closing of the American Mind* (a claim we did not hear Hirsch making when the two books came out and he was perfectly happy to benefit from the synergistic publicity their near-simultaneous publication generated). At the same time, Hirsch tries as hard as he can to sound politically correct whenever possible. For example, he strains to be as positive as he can when talking about multiculturalism in the schools, even though he knows that it is one of the strongest forces working against the educational reforms he has in mind. Praising multiculturalism on several occasions, Hirsch is quite cagey in his evaluation: "Although continued educational inequity in schools where multiculturalism has been introduced demonstrates that this curricular shift is not sufficient by itself to make much difference in achievement levels, it is a shift that no one has argued against with any cogency when it has been done with balance."

Hirsch might just as well claim that no

one has argued against murder with any cogency when it has been done in self-defense. Of course, no one argues against multiculturalism when it has been done with balance. The principal argument against multiculturalism is precisely that movements like Afrocentrism are quintessentially unbalanced, that they seek to promote African culture at the expense of European.

Given the difficulty of the task Hirsch has set himself—reversing the trend of American education—and given the power of the forces arrayed against him, I am inclined to forgive him his rhetorical tricks if he thinks them necessary to get a fair hearing for his message. I in fact smiled when Hirsch finds a way to enlist no less a darling of the academic left than Antonio Gramsci on his side, quoting the Italian Marxist against progressive education and in favor of a traditional, content-based curriculum. In the end, Hirsch's moderate, balanced, even-tempered, and almost genial critique of the American educational establishment probably has a better chance of succeeding than the militant, take-no-prisoners attacks mounted by real conservatives. Still, like Hirsch, I am a literary scholar by profession, and I cannot help noticing the odd phrasing of the last line of his introduction:

As I near the age of seventy, and begin to fade away like an old soldier, I am less concerned with the prospect of inevitable denunciation than with the responsibility to bear witness—if there is the slightest chance that doing so will help improve the quality and fairness of our schools.

One sees all the best qualities of E.D. Hirsch Jr. in this passage, including the self-effacing dedication to a just cause that has kept him going for over ten years in what must now often seem to him to be the very definition of a thankless task. But one sees something besides the disarming amiability of Hirsch here in the way that, despite all his efforts to distance himself from conservatives, he (unconsciously?) identifies with General Douglas MacArthur. The man who wrote *The Schools We Need* is not a conservative, but he is as toughminded as anyone I know. Hirsch may seem to resemble the scholarly Jean-Luc Picard more closely, but he has something of MacArthur's dogged determination, as well as his genius for attacking his opponents where they least expect it. The educational establishment has thus far managed to fend off Hirsch's attacks, largely by ignoring them, or by perverting any efforts to create Hirsch-like national standards into new exercises in political correctness. We will have to wait to see if *The Schools We Need* does any better in weakening the iron grip the professional educationists maintain on schooling in America. But from what I have seen of Hirsch, if this book does not do the job, his opponents, as culturally illiterate as they tend to be, should be mindful of an equally famous statement by his secret model: "I shall return."

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SAD SITUATIONS

Situations: A Casebook of Virtual Realities for the English Teacher

Betty Jane Wagner and Mark Larson
Boynton/Cook Heinemann, 1995

REVIEWED BY JEFF ZORN

At the beginning of almost every class I offer and public lecture I give, I present facts indicating a great slippage in national school literacy over the past thirty years, and then I press my audience for an explanation. The first responses are predictable. The kids watch too much television; the American family

doesn't provide the support for education that it used to; kids take drugs, join gangs, and listen to bad music.

I probe further. But what about what takes place inside the schools themselves? Well, I hear regularly that standards within schools have fallen, but only as a result of the "youth culture" the kids bring to school with them. One or two people who may criticize specific changes in curriculum, pedagogical style, or administrative procedure, but they are rebutted by others who speak of the "obvious" interaction between what the students bring and what the schools offer, with the former having the undoubted ability to disarm the latter.

Literally no one in these sessions has ever volunteered what I have come to believe is a

major cause of the literacy decline—outright betrayal from within. In fact, betrayal from within is not only a powerful explanation of the dilemma in which we find ourselves, but also a matter over which we educators have direct control. We cannot stop our students from watching *Beavis and Butthead* or their parents from drinking to excess or splitting up their families, but we can put our own house in order and at least provide kids the ability to grow in intellectual directions their "natural" environment would not otherwise take them.

Where did the betrayal start? At the Harvard (1969-1971) and Stanford (1974-1980) graduate schools of education, I watched "open education" and "liberation schooling" gain the upper hand over any form of traditional education. The "language arts" departments at both

REVIEWS

Harvard and Stanford generally denied the regular responsibilities of language education. Some of the dereliction of duty stemmed from a principled refusal to teach anything at all, while some came from the view that Standard English and canonical literature were tools of repression, class bias, patriarchy, and racism. In the coercive atmosphere of these schools, anyone speaking up for ordered, rigorous instruction in literacy and literature was called a "control freak" and assumed to be a tool of the Ruling Class.

At Stanford, syllabi were crammed with readings like "English 101 and the Military-Industrial Complex" and, at the summit of professorial folly, "Students' Right to Their Own Language," a 1972 statement by the National Council of Teachers of English's Conference on College Communication and Composition. To the CCC'sers, teaching a Standard English was forcing white upper class culture on all children. To these people, all dialects are equal and equally good, so black students should naturally prefer the locution "Mary daddy home" to the expression "Mary's daddy is at home," the former being an authentic part of their culture and the latter being a white add-on. Any teacher insisting on the latter form is assaulting black pride, identity, and self-esteem.

In many quarters' the saturation of such thinking is by now near-complete. I see that most clearly in a line of books sent to me each year by the Boynton/Cook Heinemann publishing company. The books are meant for English teachers in the business of training prospective English teachers. Each text I get outdoes the last in advancing political-correctness piffle as sound professional thinking. In setting out the following detailed critique of one of these texts, I mean to suggest throughout how typical its errors and distortions are. I chose it because its authors wrote in (for these books) abnormally clear English, revealing their intellectual cowardice and mush-brained irresponsibility far more openly than others hiding theirs behind walls of semi-literate Marxism and post-structuralist jargon.

The promise of Betty Jane Wagner's and Hark Larson's *Situations* is to lead the prospective high school English teacher through fictional but realistic case-studies. To do this, the authors present a series of "Situations" that might exist in public schools and then give their own sense of the matter in "Perspectives" meant to show what experts like themselves would do if faced with a similar problem.

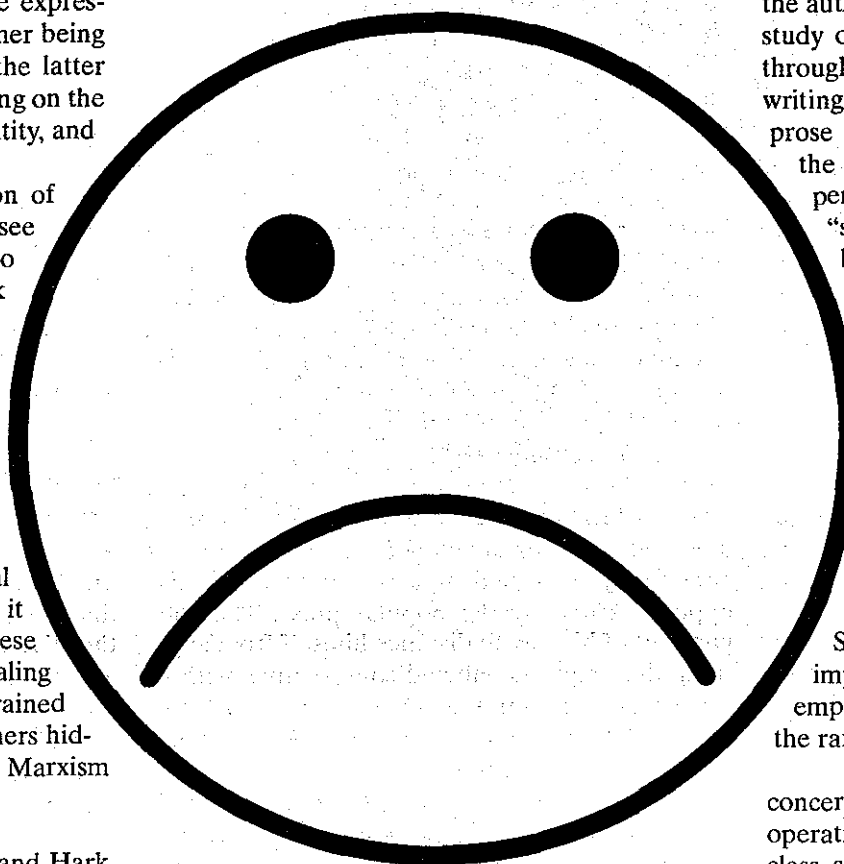
Of the thirty "Situations," about half actually call for the front line wisdom of veteran practitioners. How do you defend a low grade to a disappointed and angry student? What do you say when a coach puts pressure on you to pass a star athlete? How do you respond when students regularly complain about another teacher? All this I would describe as teachers' lore, handy bits of advice for getting along in a school day-by-day.

As good as they are with lore, however, Wagner and Larson are bad and worse with educational theory, vision, and principle. Young teachers who happened to fall under their spell would be so fatuously "progressive" that they would be left with virtually nothing to teach. Take the story of "Max," a teacher in an affluent community who has been seeing high school kids get "more defiant, less involved, unmotivated, meaner, more easily given to anger, and far less capable."

The authors show Max easing up his work load, lowering expectations and standards, and then comment approvingly that Max "may need simply to accede to the reality that homework is not something he can count on." Given the fact that children in the United States today "face overwhelming odds" (divorced parents, etc.), he should give up most of his teaching time to let students do homework assignments in class. In accepting this advice, of course, Max would only add to his students' problems—acquiescing in their being mean, sullen, and unproductive, and

no longer even offering them his own example of advanced literacy and a loftier vision of life. While teaching has gotten harder in many communities, kids having grown meaner and more distracted, of the many possible responses, just "going with the flow" seems the worst.

Another "Situation" portrays "Jessica," a high school junior who cannot detect even the most heavy-handed irony or sarcasm on the printed page. To the authors, Jessica is not "behind" anyone else; she's just "a concrete thinker" whose learning style is "different" from her classmates'. The solution the authors offer for Jessica's penchant for "concrete thinking" is the most common one in the book: stick Jessica in a small group and she'll learn from the other kids. This is an example of "peer tutoring," which at worst is the blind leading the blind and at best is forcing bright students to do the teacher's job, a form of illicit child labor, which spares the teacher not only time and energy involved in teaching, but also the appearance of judging Jessica.



One teacher, "Walt," returns from summer vacation to find a letter from his department chair announcing a new policy of "untracking" students. The authors' clear bias for this policy is defended in these terms: "We can no longer afford to use the classroom to stratify. . . adolescents. Literacy in all its guises—verbal and visual as well as print—must be available to all our clients." Such bizarre language: visual literacy (like some vision of instant insight snatched off the ranks of Blockbuster) to be obtained by clients.

Wagner and Larson show Walt reasoning through the difficulties of teaching an untracked class. They give him a solution to this nagging problem. It is "Independent Literature," in which each student designs his or her own reading program. Walt will make available a very wide sampling of books and contract with each student to read so many per semester. Class time will be devoted entirely to letting the students read by themselves and to individual conferences in which they and Walt discuss "their" book. In his class, you can read *Crime and Punishment* or stumble through teen-trash novelettes for equal credit because they are, in effect, of equal worth. None of the students will feel "they have failed in some way," the authors promise. This, of course, is because the untracked class itself has failed—to uplift, inspire, challenge, or invite possibility not yet considered.

In another "Situation," Linda's best student, Darlene, zips through the exercises in Warriner's *English Composition and Grammar* like a champ. Then Linda gets the first essays back, and Darlene has written: "Every body they warned me about old man Fred. My Moma she send me to ax for that money. Fred he go laughing like he going to choke on hims spit. He turn away like I doan be even existing. Was a bad time."

Linda makes corrections on the piece (a very bad mistake, it turns out) and returns it the next day. Darlene is devastated because her paper looks "all bloodied like you whipped it with a bullwhip."

The "Perspective" offered by Wagner and Larson contends that the teaching of English grammar is useless and worse. Standard English, to them, is "the prescribed usage of the middle and upper classes." Darlene's "Vernacular Black English," on the other hand, has "flavor and style" but happens to be considered by the powers that be an inappropriate dialect choice for a school essay. Linda must help her understand that "one of the realities of school is that it usually rewards the capacity to write in a standard dialect."

As can be seen from this sentence, the authors consider "reality" to be an instrument of class and race domination, and believe that teachers should feel ashamed to be part of the process. But since the curriculum calls for Standard English usage, a young teacher wishing to keep the job has to impart it. The best way to do that, the authors contend, is not through the systematic study of grammar, spelling, and punctuation but through "dialect-translations" of students' own writing. The object is not for teachers to improve prose like Darlene's, but only to restate it using the persona of a middle or upper class white person. Linda should encourage the kids to "sound sophisticated, formal, and educated" by using "conventional" subject-verb agreements and punctuation.

This "Solution" makes the teaching of English again seem a base accommodation to ethnocentrism, snobbery, and cultural exclusion. It would shock the authors to be told that Standard English is the most democratic of languages, open to everyone, capable of transcending all geographical, economic, age, cultural, and social barriers. A "person of color" who has mastered Standard is not a cultural traitor, not an impersonator of rich white people, but an empowered individual unwilling to be limited in the range, grace, and effectiveness of expression.

One more of these dreadful "Situations" concerns Darryl, who is depicted as a totally uncooperative and unproductive student in Sarah's class, shirking all work and lying about it day after day. When Sarah finally calls him on his attitude, he snarls, "Don't believe me cause I'm black, bitch. Ain't that right?" In response, Sarah feels not fear or righteous anger but guilt, reproaching herself in these terms: "All I seem to do is create trouble for him."

The authors agree with Darryl, suggesting that Sarah ought to find some kind of "high-status activity" to boost his confidence. The authors tell Sarah (the bitch) "to back away from his obvious problems with the written language and give him a way to succeed in her class." I too would wish him success, in whatever he does after his expulsion.

So, *Situations* has it all: the empty charges of racism and classism against Standard English, canonical literature, and competency testing; the most obstinate and obnoxious students presented as wounded innocents; the advocacy of blind leading the blind peer-grouping; the general refusal to assert that anything is better than anything else; and the general exemption of minority children from demands to behave and achieve.

I picture the effects of this book on my own students, undergraduate English majors working toward a teaching credential. The message of *Situations* is as clear as it is insidious: "Discard everything you've learned about excellence of expression and the beauties of the language. Understand schooling as basically an instrument of oppression. Lower your expectations as far as necessary to keep everybody happy." These are exactly the last lessons any young aspiring English teacher needs, and I hope against hope that no English education professor will assign *Situations* or any other Boynton/Cook Heinemann textbook, except as a model of how not to think about the role they will soon assume.



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John Jay Rehab Resident Chosen Valedictorian at West Side Med School

By Judith Schumann Weizner

Tony Carcero, the first resident of the John Jay Institute for Rehabilitation ever to finish medical school, gave the valedictory address at yesterday's graduation exercises at the West Side Medical Administration School of Medicine.

Speaking to a crowd of four thousand in an open-air ceremony held in ninety degree heat, Dr. Carcero first thanked all who had helped him realize his ambition. Then, as the crowd listened raptly, he described his journey to this moment via a route that some would call circuitous, but that was actually the result of careful planning and of his single-minded desire to become an emergency room physician.

As Dr. Carcero told it, his odyssey began one week after his fifteenth birthday when, as he sat in the emergency room waiting to have a knife wound stitched up, he saw, suddenly and clearly, where he wanted his life's path to lead. Determined now to become a doctor, he dedicated himself to achieving the highest possible grades and graduated first in his class from high school. Following graduation, he enrolled in night courses at the Brooklyn branch of the City of New York College and did odd jobs during the day to support himself and help his mother, a widowed, unemployed sewing machine operator. Then one day he estimated that at this rate, it would be at least fifteen years before he could begin to practice medicine and get his mother off welfare, as it would take him eight years to finish college and another four years to complete medical school, after which there was still the matter of an internship and a residency. There was also the problem of how he would support himself while meeting the rigorous demands of medical school.

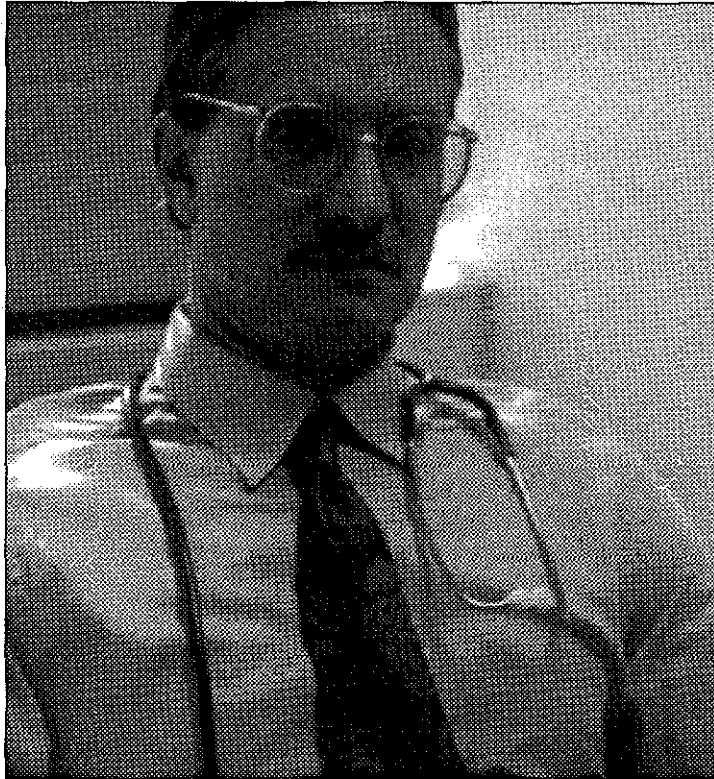
Pondering this very question one night as he rode home from class on the subway, he ran into an old friend from the neighborhood who had just completed a six-month prison term for armed robbery. The friend mentioned that he had taken several college courses while in the penitentiary and that he intended to return as soon as possible to pursue a degree. Something in his old friend's comments resonated with Tony, who had himself narrowly escaped entanglement with the justice system during his formative years.

Later that evening, while studying for his Life Choices in the Twenty-first Century exam, he had what he subsequently came to think of as his second revelation when he stumbled upon information about special programs for juveniles inclined toward violence.

Carcero concocted a plan that would enable him to complete his undergraduate work on

a normal schedule and cut at least two years off the time he needed to become a doctor. He would rob a bank and allow himself to be apprehended without a struggle, thereby ensuring himself of a three-to-six-year sentence, during which time he would be unhampered by the necessity of making a living.

The robbery went off as planned. He was tried and sentenced to six years at the John Jay Institute for Rehabilitation where he was encouraged to pursue his education. He hit the books and did well. But Carcero had failed to take into account one thing—an automatic reduction of his



Tony Carcero

sentence for exceptionally good behavior, and soon he unexpectedly found himself facing release two weeks before his final exam in molecular biology. Not wishing to lose his academic momentum at this critical time, he waited until the day before his scheduled release at which time he slugged a guard, thereby insuring that he would remain long enough to take the exam. He had gotten through this crisis, but by now it was clear that if he were to finish his education without interruption, he would have to make himself eligible for a longer sentence that could not be reduced for good behavior.

A perusal of the penal code gave him the information he sought, and shortly after his release he found himself back in the big house, having earned a five-year sentence for committing a hate crime on the wall of a public housing project. (Not being prejudiced, Tony had been unable to bring himself to scrawl more than a large capital N on the wall before being overcome with remorse, but that had been enough to send him

back for another five years.)

Back inside, Tony completed his undergraduate work within fifteen months, and began his medical studies. Everything went smoothly until it was time for him to begin his clinical rotations. Then he discovered that the gravity of the crime—which made it impossible for him to qualify for time off for good behavior—was regarded as serious enough also to disqualify him for work-release, a necessity if he were to begin making rounds.

When Carcero's application for the prison's medical school work-release program was refused, he made a slight detour into the institution's law library and sued, basing his argument on the precedent set in *Greenberg v. Rolling Hills Correctional Facility* (Federal Decisions, 1995, vol. 6).

Noting that he was studying at an institution that could accurately be described as "inner city" and that fully 92 percent of the population it served was minority, he argued that he could more effectively make reparations to that segment of the population he had offended through his hate crime if he were assigned to work among them, adding that he was sure there was no better way to atone for his deed than to bring them quality medical care. (In *Greenberg v. Rolling Hills*, Allan Greenberg, an inmate of the Rolling Hills Correctional Facility in western Arkansas convicted of a hate crime, had won the right to participate in a work-release program after he argued successfully that his crime, writing an obscenity on the top of his income tax form, could better be expiated if he were forced to work for the very agency he had demeaned, thereby making his attitude adjustment an integral part of his sentence.

Once Greenberg prevailed he was put through an accounting program at public expense and subsequently become an auditor in the Internal Revenue Service.)

Persuaded by the cogency of this precedent and of Carcero's argument, the court ruled in his favor, enabling him to complete his practical rounds on schedule and graduate yesterday with his class. In July, he will begin his internship at the New York City West Side Medical Administration Hospital.

Following yesterday's commencement, in an interview that will be rebroadcast on New York Channel 99's "After School New York" every afternoon this week, Dr. Carcero urged young people to be aware of the blessings of democracy: "If you get in trouble, don't blame the system. You may think the system stinks, but let me tell you, it can really turn things around for you. I've learned that the system will always be there for you if you will only trust it."



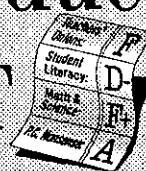
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