

HETERO DOXY

ARTICLES AND ANIMADVERSIONS ON POLITICAL CORRECTNESS AND OTHER FOLLIES



MODERN MATA HARI

Near where I live in New Jersey there are numerous retirement communities, all requiring that potential residents be 52 years of age or over. Hard to believe, but next year Bianca Jagger will be eligible to buy a home in Leisure Village or, perhaps, Holiday City. It's tough to imagine Bianca behind the wheel of a four-door Oldsmobile, waving to the guard as she pulls onto Route 70 for a trip to Home Depot or perhaps the A&P especially when you consider that

this is a woman whose charms are so great that they once made her an effective agent of the Sandinista regime as ambassador of the boudoir to certain U.S. politicians, and more recently, led to a restructuring of the CIA in a way that could gut our country's intelligence-gathering capabilities.

But perhaps she's not 51 after all. Perhaps she wasn't born in 1945 as one biography, a rather old one, says. Perhaps she was born in 1950, as the more recent articles about her state, such as a 1995 article from *The New York Times Magazine*. That article was all about her and beau of the '90s, Robert Torricelli, who was then a congressman from a district in northern New Jersey. The 1950 birth date would make sense: it would make her just a year older than Torricelli. But six years older? That would make Torricelli look a bit foolish, like a man who was being manipulated by a woman far more



savvy and experienced than he.

This is a feeling that many men have had, one would imagine. And Mick Jagger is only the most famous of these men, not the first. Before him, there was the British actor Michael Caine, who helped introduce the ingenue from Managua to the jet set. After Mick, there was the Sandinista enforcer Tomas Borge and then 2/535ths of the United States Congress—first Connecticut Senator Christopher Dodd and then Torricelli.

Frankly, those of us who live here in Jersey were a bit shocked by that last move. None more than a friend of mine who lives near me but who, for various reasons, I cannot name. This friend by coincidence knew Bianca way back when. He used to have a job working for the Rolling Stones in the early '70s, when they were in tax exile in the south of France. He recalls the day Mick first returned from Paris with Bianca on his arm. "She was a nice enough girl," he says. "She had a lot of charm." But Mick Jagger was at that moment the world's most eligible bachelor, and no one in the Stones' entourage could quite figure out why he decided to marry an otherwise unremarkable woman from a backwater like Nicaragua—aside from the obvious fact that she was pregnant.

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FALSE RAPE OUTRAGE AT THE UNIVERSITY OF HAWAII A LAMB TO THE SLAUGHTER?

By K.L. Billingsley

When Ramdas Lamb opened the envelope, he found it contained no letter, only a scary pun on his name—a photo showing the bloody, severed head of a lamb on a plate. Another anonymous mailing yielded a clipping showing a hanged monkey, with the words "resign," "reform" and "cemetery" circled in the text, with arrows pointing to the monkey. Similar messages also came over the phone and in assorted graffiti warning "Beware Lamb."

Ramdas Lamb was once a popular professor of religion at the University of Hawaii, but became a pariah after being charged as a "serial rapist" who had abused his authority to force a married graduate student into no less than 16 sexual encounters in one month back in 1992. Lamb said none of it ever happened and,

in addition to the death threats, found himself staring down the barrel of lawsuits and facing the end of his career. Since its eruption almost four years ago, the case—yet to be fully resolved—has drawn sharp fault lines on the islands and disgorged a paper trail of more than a thousand pages. Nothing in Lamb's background had prepared him for this ordeal, which in a backhanded way confirmed the adage that a teacher is really the only one who learns.

Lamb has been on something of a quest all his adult life, although he had no idea that it would deposit him in such a precarious spot. He was born in Detroit in 1945 to a Jewish father, who worked in construction, and an Italian mother, who worked as a domestic. When he was a child, the family moved to Watts in Los Angeles, a tough 'hood even then. When Ramdas was 11, one of his friends took a bullet in the face, and that prompted his parents to move to more peaceful Orange County. A brief stint in the Marines convinced Lamb

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COMMUNIQUÉS

DÉJÀ VOO-DOO

I had to write in order to congratulate *Heterodoxy* for having published the article "DÉJÀ VOO-DOO" by K.L. Billingsley in your December 1996 issue. So far as I know, no other media outlet has dared to reveal the truth about the "CIA/Contra drug smuggling" story as told by the *San Jose Mercury News* and its (I hesitate to use the word) "reporter," Gary Webb, and its origins with the leftist front group, the Christie Institute.

I first heard this story six years ago on a computer hobbyist's network called Fidonet. At that time, the only difference between the tale told then and the reshaped version related by the *Mercury News* was that at the time, the person relating the story (a brain-dead communist who, at last report, is now living in Cuba) had no hesitation to tell that these claims originated solely with the Christie Institute, as opposed to some convicted L.A. drug dealer, as in the recycled version. When this story broke (again) a month or so ago, I could only laugh at how credulous the mainstream media, as well as many politicians, were in reacting to this silly piece of leftist disinformation. Thanks for getting the truth out. Frankly, I had wondered when, or if, anyone ever would,

Kenneth P. Myers
Hockley, TX

We all seem paralyzed at comprehending the illegal drug business in this country. The article "DÉJÀ VOO-DOO" by K.L. Billingsley pointed fingers in some useful directions, but never ended with a useful conclusion.

Let's just step back and observe that every year hundreds of billions of dollars of profits are made in the U.S. from the sale of illegal drugs. This means there are several American billionaires on the receiving end of this largesse.

Now come multiple agencies of the federal government. Even with the most sophisticated and intrusive spying means available in history, no agency has yet spotted any of these American billionaires. Not the CIA, nor the DEA, nor the FBI, nor the NSA, nor the IRS, nor Defense, nor Customs, nor HHS, nor Coast Guard, nor State, nor Justice. Even the present "drug czar," Barry McCaffrey, and the previous one, William Bennett, could not come up with a Top 10 Wanted list.

Isn't there something suspicious about all this unanimous failure? Is there a conspiracy? It's hard to believe that nobody can do in the 1990s what Eliot Ness was able to do in the 1930s. The only difference is that in the 1990s there are many more billions of dollars at stake.

Carl Olson
State Department Watch
Washington, D.C.

MAKE WAR

I wish to commend you on your article, "IT'S A WAR, STUPID!" in the November issue. Frankly, I feel it is nothing short of brilliant.

Your distinction between the left and liberalism, I believe, is on the mark. I say this as a one-time liberal, but never a leftist. This is a distinction—applied to the current cultural wars—I had not read before, and I believe, therefore, it is original on your part. Likewise, as to your suggestions on how best to confront and parry the left, and that like it or not we are indeed engaged in a war and we need to act and react accordingly.

My only question concerning the positions and conclusions assumed by you in the article is one of process. You make it (the left's infiltration and takeover of liberalism) seem so terribly conspiratorial. That could be true, of course, but I rather think that instead of being planned or coordinated, it just happened. Still, that hardly matters. It did happen, the left has infiltrated and subverted liberalism, and conservatives (and traditional liberals for that matter) are now faced with the truly monstrous task of killing the beast before it reaches out to destroy all of society and civic order as we have

known it.

Again, I congratulate you on what I would hope will be seen as a seminal piece that could light the way for more effective political encounters in the future.

Arthur S. Bay
Oklahoma City, OK

I requested and got a copy of *Heterodoxy* (Vol. 4, No. 9) with the lead article "IT'S A WAR, STUPID!" I am for public freedom with responsibility and private privacy. The above article could, in my opinion, be more appropriately called "KGB BAD! GESTAPO GOOD!!!"

I have just read a history of the Spanish Inquisition. If ever there was a war against heterodoxy, that was it! It lasted for hundreds of years and was WON! The Inquisition in France, Italy, and Germany were similar but less effective due to political and cultural differences.

"We" have won the Cold War but while doing so, "we" have destroyed the Constitution that I thought we were fighting for during WWII and the Cold War. The most important but not the only example of this destruction is the ability of the government to confiscate property, either:

a) when related to a criminal prosecution, the fiction that the confiscation is NOT a part of the punishment for the conviction, or

b) when NO criminal charge is brought, the fiction that the property has the ability to be involved in criminal activity and thus can be "arrested" without regard to ownership.

Albert Waltnier
Portland, OR

PILOT B

I once supervised a (female) U.S. Air Force engineer who failed promotion to major and was forced

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WRITE TO US
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out in short order; not a soul came to her defense in the name of feminist affirmative action, though her (professional) talents were undeniable. Perhaps she wasn't politically correct enough to excite Leftish sympathy—Norwich graduate, out-swearing most sailors, enthusiastic shooter, passionate defender of the Second Amendment, open in her contempt for the "touchy-feely" invasion of the military. Her formal bureaucratic attempts to have flabby performance reports nullified got nowhere, and her "graders" suffered not a bit. Thus, we not only "improve" the lot for females in the armed forces, we do it for politically correct ones (and the males who defer to them).

Dean Spraggins
Bellevue, NE

In his article "Feminists Kill at War with the Navy: The Question of Pilot B," K.L. Billingsley presented an outstanding, timely, and hard-hitting exposé of one of the most distressing episodes ever to hit our Armed Forces—double (lower) standards applied to women; double standards affecting our war-fighting capabilities; the operation of war machines and the

safety of war-fighting comrades.

Elaine Donnelly, president of the Center for Military Readiness and target of a vengeful lawsuit by Lt. Carey Lohrenz (aka Pilot B), has been doing a superb service to our country, educating us on serious readiness problems in the military. Her attackers are attempting to silence this dedicated patriot.

Most members of the military never bought into the purported goal of career advancement for women as even a remotely valid reason to send us to a surer death than men, or to certain sexual abuse after capture by the enemy. Of all of the social experiments this administration has foisted upon the military, this one has to be the most abusive of women and of the fighting forces.

You would greatly serve this cause by publishing information on Mrs. Donnelly's Legal Defense Fund. She must NOT be silenced, and financial support for her defense will allow her to devote her energies to her crucial research.

Colonel Nahida C. Sherman
U.S. Air Force Reserve, Retired
New Hampshire

ED NOTE: Those wishing to support Elaine Donnelly's legal defense can make a contribution to the Center for Military Readiness Legal Defense Fund, P.O. Box 51600, Livonia MI 48151.

SCHOOL DAZE

I just wanted to write to compliment you on the interesting articles that I have enjoyed reading in your publication. As a high school teacher/department chair, I was particularly drawn to the two book reviews under the title "School Daze." E.D. Hirsch, Jr., is absolutely ignored in the education community. His voice of reason is certainly not wanted by those who have "owned" education for decades and who perpetrate their well-intentioned but worthless ideas on each new generation of teachers. I do not know how to break the stronghold that liberals have on education, but it certainly needs to be done soon or our nation will be overflowing with functional illiterates who can barely read or do simple math, much less struggle with the pressing problems of the day. My own 13-year-old son is an eighth grader in middle school (actually "muddle" school would be more appropriate), and he has yet to have any grammar taught to him, a spelling test, or a vocabulary test. He has read no classic piece of literature to my knowledge; however, he has been subjected to many PC works of dubious value and unrecognizable authors. But they are all '60s-style liberals, of that you can be sure.

At any rate, I think Dr. Hirsch is right on target, even as far as his claiming that the roots of the "progressive" philosophy go back to the 18th- and 19th-century Romantics. As one who possesses a master's degree in French literature, I have read Rousseau and his ideas about the education of children, and I can see the connection. Good review and good book, one that I shall certainly purchase.

Felicia Schreiber

LOVE LETTERS

I am delighted to report that I can not only enjoy the wit and wisdom of Judith Schumann Weizner in *Heterodoxy*, but also in her frequent comments on the homegrown absurdities in the letters section of the *N.Y. Post*. I love her! Please forward to her that if she is a babe, then I am single!

Ray McClure
Glen Oaks, NY

Correction: In "Justice Denied: The Fate of Prop 209," in the December issue, Mark Rosenbaum was misquoted. The quote should have read, "I think the government had a race card yanked from his deck."

—Eds.

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REDUCTIO AD ABSURDUM

THE BERKELEY PARKATARIAT: After a contentious 1991 decision to try to make Peoples' Park somewhat less scary by spending more than \$1 million to build a volleyball court there, the *bien pensant* leftists who run Berkeley have now decided to tear it down, at a cost of another \$50,000. "Park activists" (in Berkeley there actually are people who so denominate themselves) were never happy with the \$1 million decision. For them, Peoples' Park was holy ground they believed should be enjoyed primarily by the downtrodden, a social category that, in 1991, consisted primarily of dead-beats, panhandlers, and heavy hitters who made walking through the Park of a summer evening a sort of real life experience of Dungeons and Dragons. Once control of the Park, by contractual agreement, at last passed from the University of California, which owned the land but was never quite able to abase itself enough to satisfy the parkatariat, to the city, the volleyball court was doomed. One of the Park activists, Eric Robinson, said that the Park's basketball courts were okay because basketball is an inner-city game. But volleyball, on the other hand, is "kind of an upper-class game and that's why it offended a lot of people." But there was more than class struggle involved. The whole point of removing the volleyball court, said Frances Townes, founder of the Berkeley Ecumenical Chaplaincy to the Homeless, is "to make the park a place for everybody."

IMPOSSIBLE DREAMS: It was a busy year tilting at windmills for the left-wing Quixotic Center of Hyattsville, Maryland. During 1996, the group filed an anti-censorship lawsuit against National Public Radio for halting the commentaries of convicted cop-killer Mumia Abu Jamal. The group, birthplace of the Christic Institute, also joined other conspiracy theorists pushing for a probe of the CIA's role in Contra drug smuggling. The Quixotes' "Priests for Equality" worked to construct "inclusive scriptures" along the lines of the Center's Inclusive New Testament, seven painstaking years in the making, a translation in "non-sexist, non-racist, non-classist language" that previews the upcoming "Inclusive Hebrew Scriptures" project. But it wasn't all politics at La Mancha, U.S.A. On the arts front, the Center now boasts 10-foot, 800-pound metal sculptures of Don Quixote, Sancho Panza, and a third, female, figure. Dulcinea? Nope. It is the first known statue of Doña Quixote, shown riding a unicorn and included for purposes of "evoking gender equity." Miguel de Cervantes, call your office.

JOY TO OTHER WORLDS: Students in their first year at Dartmouth College looking to fulfill their "freshman seminar" requirement have some interesting choices for the spring semester. Those who opt for "Medieval Movies: Popular Culture and Historical Imagination," will be treated to showings of *Robin Hood: Prince of Thieves*, and *Monty Python and the Holy Grail*. Those of a more intellectual bent might prefer the seminar entitled "Exploring Strange New

Worlds: A Sociology of *Star Trek*," which promises to "critically examine the structures, values, and practices of military, family, political, economic, and cultural institutions as depicted in such *Star Trek* societies as Earth, Vulcan, Klingon, Q, Ferengi, and Borg." Appropriately enough, the course will also explore the concept of "alienness." Other seminars offered this year include "Crossing Lines: Women's Interracial Friendships," "Performing Aids," and "Offensive Art: Text, Image, and Performance

interpretation and documentation of the same-sex choices of women and men who resisted heteronormativity in their sexual and affective bonds during the period we have come to call the 'Middle Ages.' We seek to expand knowledge of resistance to compulsory heterosexuality in a wide range of the globe's cultural areas, such as the Arab and Islamic worlds, China, and the pre-colonial Americas—The conference aims to articulate the reasons why the Middle Ages have remained separate from far-reaching inquiries in

lesbian/gay/bisexual/transgender studies. While queer studies have made significant impact in the study of the early modern period, the Middle Ages have only sporadically been the object of 'queering,' as well as documenting, lives shaped by same-sex desire. This period plays a potentially critical role in current debates over the historical parameters of the construction of homosexuality, offering counterpoint to theories which deny the possibility of its existence before the modern age. The particularities of same-sex, non-heteronormative behaviors in the Middle Ages also provide rich material for a better understanding of many aspects of gendered identities—"Aargh!

CHUNKS OF ART: Ontario College of Art and Design student Jubal Brown, 22, believes the world's artistic masterpieces are oppressive and he is on a mission to "liberate individuals and living creatures" from them by vomiting on three famous works, each time puking in a different primary color. His targets to date include *Composition in Red, White and Blue* by Dutch master Piet Mondrian at the New York Museum of Modern Art, which Brown sprayed with ejecta of blue gelatin and cake icing. Brown believes his act of puking on painting itself constitutes an objet d'art, a concept officials at the Art Gallery of Ontario failed to grasp when they cleaned his red upchuck from Raoul Dufy's *Harbour at Le Havre*. When questioned by museum officials in New York, Brown explained his vomit performances, but officials declined to press charges or publicize the incident lest they inspire "copycat attacks," apparently fearing legions of puking *artistes manques*.

BLOOD SISTAHs: The current issue of NOMMO, which bills itself "UCLA's Pan-African Newsmagazine," is dubbed "The Sistahs Issue." Amidst Afro-feminist poetry and an article by exiled cop-killer Assata Shakur, a column entitled "Blood Sistahs" offers some advice on how to make menstruation less uncomfortable. Before offering practical tips on diet, exercise, and hygiene, author Nosizwe Chimurenga-Kayise of Nzingha Family Service identifies the real source of women's suffering: "Some researchers argue that excessive bleeding during menstruation is a result of patriarchy where women have an inferior status, are relegated to sexual slaves and are subjected to oppression and exploitation." We await with interest her explanation for the causes of dan-druff.

of the Avant-Garde." But one recent episode indicated that while Dartmouth takes pains to provide Kirk and Spock places of honor on its Ivy League campus, it is less than welcoming to other, more worthy figures. As the Dartmouth Glee Club prepared for its annual Christmas concert at the campus tree-lighting ceremony, it was told by the college's Office of Public Affairs that unless it removed religious carols from its song list it would not be allowed to perform. A Christmas concert which included Christian songs might make non-Christians uncomfortable, the administrators explained. When the Glee Club refused to capitulate, Dartmouth administrators replaced it with a co-ed capella group which agreed to keep songs like "Joy to the World" out of the program.

QUEER CHAUCER: An item on the Internet recently announced that the Society for the Study of Homosexuality in the Middle Ages (SSHMA) is holding an "interdisciplinary conference" entitled Queer Middle Ages on November 5-7, 1998, at the Graduate Center, City University of New York. It gets better: "This conference is dedicated to 'queering' the Middle Ages: to the pursuit of methodologies of

LUNA BEACH By Carl Moore



Treason of the Heart

By David Horowitz

On February 10, The Free Press will publish David Horowitz's autobiography, *Radical Son*. This "generational odyssey" chronicles Horowitz's beginnings in the communist ghetto of his parents' political faith, his pivotal role in the feverish rise and fall of the New Left, and the doubts and reevaluations that led him to turn his back on his radical commitments and to "come home" to America. The following excerpt discusses two moments in the 1960s when Horowitz was offered the opportunity to commit the "treason of the heart" which was the cornerstone of the politics of that troubled era.

In 1965, I was living in London when *The Free World Colossus* (my book holding the United States responsible for the Cold War) was finally published. About that time, I received a phone call from a man with a thick Russian accent who said he was with the Novosti Press Agency and wanted to have lunch. I remember clearly that his first name was Lev because I immediately associated it with Trotsky. Later on, after the experience was over, I discovered that Lev was the third man in the Soviet embassy, a post usually reserved for officers of the KGB.

Lev wore the badly tailored black suits favored by Soviet officials and was a man of medium height with thin white hair and a pasty Slavic complexion. In the months that followed, he insisted always on calling me from a pay phone—a precaution I accepted as natural. This was not because I presumed from the outset that he was a spy, but because it was normal in the left to assume that phones were tapped and that "sensitive" political matters should be discussed in person. The fact that Lev was a Soviet official merely made the discretion seem particularly prudent.

Our meetings took place in London's more expensive restaurants, like *Prunier's*, where I first sampled *Coquilles St. Jacques* and other elegant cuisine courtesy of the Soviet Union. My reaction to this treatment was a mixture of enjoyment and guilt. It seemed rude to bring up to my host, nor did I want to lose an opportunity to present my views to an influential official, but in my private thoughts I deplored the way the Soviet government was ready to squander wealth that properly belonged to Soviet workers on such luxuries. My host routinely ordered a bottle of wine, which I did not hold well, so that by the middle of the meal I was always a little tipsy.

The topics of our discussions were wide-ranging and I did most of the talking. I took it as my mission to convert Lev to New Left ways of thinking. I advised him that it was important to publish Trotsky's writings in the Soviet Union and tried to persuade him that it was counter-productive to incarcerate dissidents in psychiatric institutions, the current Soviet practice. Repressive methods may have been necessary, I suggested, during the period of "primitive accumulation" when the Soviet Union was catching up with the industrial powers. But now that Russia was a superpower, the controls could be relaxed.

The focus of our discussions often shifted to the subject of Bertrand Russell, for whom I was working at that time, and his secretary, Ralph Schoenman. Lev wanted to know the answer to the question on everyone's mind. How influential was Schoenman in shaping the philosopher's political stands? Russell had made some public statements the Russians didn't like. Did they reflect his views or Ralph's? Later, I discussed these conversations with Ralph and he gave me some background to Lev's curiosity. The Johnson Administration had recently begun bombing military targets in North

Vietnam. At Ralph's prompting, Russell issued a public appeal to Moscow to supply MIGs to the North Vietnamese so they could shoot down the American planes. The Soviet Consul General had summoned Ralph to a meeting. After explaining to him that sending Russian planes would mean war with the United States, the Consul warned: "Mr. Schoenman, people who advocate World War III are either crazy or working for the CIA, and they get into trouble."

When Lev was not asking me questions about Russell and Schoenman, I lectured him on how the Soviet future could be reshaped. He didn't try to discourage me from the belief that I was making an impression. At the end of the second or third session he gave me a Parker fountain pen. It was still in the store box and wasn't wrapped like a

instructor at the American army base outside of London) and asked me if I would be willing to obtain information about NATO for him. We were standing in the middle of the street, but I screamed at him: You're crazy. I'm not going to spy for you or anyone else. Get the fuck away from me and don't ever contact me again. I walked away and never saw him again.

I was not the only radical courted by Lev. I had seen him with a Marxist economics tutor at the LSE [London School of Economics]. I had discussed him in a veiled manner with the editor of *Views*, who had also been having lunches with him. Members of the New Left Review crowd knew him, as did activists I recognized from the Labour Party left. How many had failed to reject him as I did? How many had become suppliers of information to the KGB?

After my stint in London, I returned to the United States to join *Ramparts* magazine. Beginning in 1966, a series of sensational *Ramparts* stories drew a national spotlight and expanded circulation to 100,000 readers, making it the largest publication of the left. The stories featured the CIA and its global intrigues. The first had come to *Ramparts* courtesy of an obscure assistant professor of economics at Michigan State, named Stanley Sheinbaum, who had participated in a CIA-funded program to train police in South Vietnam. Sheinbaum's story provided an explosive link between the campus and the war. When a student came to *Ramparts* with information that the CIA was funneling secret funds into the National Students Association, a further connection was established. This scoop led to revelations about the Congress for Cultural Freedom and other liberal institutions that had been created to oppose the Communist offensive. In the hands of *Ramparts*' editors, a moral equivalence between Russia's police state and America's democracy was established. In the absence of similar stories about KGB operations among the organizations of the left or of links between the anti-war movement and the Communist forces in Vietnam, the *Ramparts* articles seemed to confirm the New Left view of the world.

One of the writers who worked on these stories was Sol Stern, whom I had met and gotten to know in Berkeley in the late '50s. In 1968, *Ramparts* sent Sol to Bratislava, along with Tom Hayden and an SDS delegation, to meet Madame Binh and other leaders of the National Liberation Front. For the radicals attending, this was not just a fact-finding mission. The organizers allowed Sol to be present only after *Ramparts* agreed that he would not report on the "sensitive" political discussions taking place. Long afterwards, Sol told me what these were: "The SDSers held a seminar with the Communists on how to conduct their psychological warfare campaign against the United States." According to Sol, Hayden was particularly vocal in making suggestions on how to sabotage the American war effort. He also tried to get the group to publicly endorse the Communist line on the war, but Sol and the sociologist Christopher Jencks, who was also present, objected and



Horowitz (right) at news conference with Peter Collier (far left) and former NSA agent Winslow Peck.

present. I didn't know how to refuse it without insulting him. The next time we had lunch it was raining and I was wearing my trench coat. As we walked into the street at the end of the meal, he stuffed a thick white envelope into my left pocket.

I knew instinctively what it was, but was so frightened that I didn't dare remove it until I reached home. Without taking off my coat, I went into the bedroom and closed the door, laying the envelope out on the bed. Inside, there were 150 one dollar bills. I was not so much surprised as dumbfounded. How could these people be so stupid in their own interest and so reckless with mine? *The Free World Colossus* was the first left-wing history of the Cold War that could not be tainted as the work of a Soviet apologist. It had taken me years to develop this perspective which was far more effective in persuading readers that America was responsible for the Cold War and far more valuable to the Soviets, if they wanted to look at it that way, than any information I might be able to obtain as an intelligence asset. Yet they thought nothing of putting my work in jeopardy by attempting to recruit me as an agent. The thought enraged me.

I returned the envelope at our next meeting and told him never to give me another. He was disappointed but not discouraged, especially since I agreed to go on with our lunches. But a few sessions later, it became apparent that my rejection of the money had prompted a more drastic test. When we left the restaurant, he brought up my teaching job (I was at that time working as an

Hayden's proposal was voted down.

Their dissent had consequences. Following the Bratislava meeting, members of the group were scheduled to go to North Vietnam. Hayden had already been there, publicly proclaiming that he had seen "rice roots democracy" at work. As a consequence, he enjoyed the confidence of the Communist rulers and had become one of their gatekeepers, screening American radicals for his hosts. To punish Sol and Jencks, Hayden saw to it they were denied permission to go on with the others to Hanoi.

Hundreds, maybe even thousands of similar contacts and arrangements were made with the Communist enemy during the Sixties and after. Yet only a handful of New Leftists have ever written or talked about them. Few had the high-level contacts of Hayden, and only one, Carl Oglesby, was able to tell his story and remain a leftist in good standing. Others, like Phillip Abbot Luce and Larry Grathewold, made their revelations as "renegades," and were attacked as "government agents," a stigma that warned anyone else not to follow their example. Even after the collapse of Communism made its evils difficult to ignore, the cover-up by veterans of the New Left continued. Memoirs and historical monographs by New Left historians painted a virginal portrait of radical protesters, rewriting the history of the period on a scale that would have seemed impossible outside the Communist bloc. In his own memoir, Hayden includes pages of excerpts from his FBI file, interspersed with disingenuous presentations of his political career that keep his readers in the dark about many of the far from innocent activities he was actually engaged in. The effect is to make the FBI's surveillance seem both gratuitous and malign at the same time.

In the summer of 1972, Hayden paid a visit to the *Ramparts* offices. He told us he had been to Paris to meet with the National Liberation Front and representatives from Hanoi, and he wanted us to publish an article he intended to write on the military situation. It was called "The Prospects of the Vietnamese Offensive" and was a detailed account of the battlefield in Vietnam and the political situation in America. He dictated all 13,000 words of the article into a tape recorder in one sitting in the office, referring only to some notes he had brought with him. It was an impressive demonstration of his intellectual powers. The article concluded: "Vietnam, country of countless My Lais will be liberated. May we speed the time."

I knew that Hayden's article was Communist war propaganda. Peace negotiations had begun in Paris and the terms of any treaty would be critical to the war aims of both combatants. If the situation could be stabilized to preserve the regime in the South, the United States would have prevailed in the war. If the conditions facilitated a Communist "liberation," the other side would win.

The Nixon Administration wanted a truce signed before the November election. It had launched a dramatic gambit to pressure the Communists into a stabilizing peace. After more than two decades of quarantine, Nixon recognized the Communist regime in China and, with Secretary of State Henry Kissinger, made visits to Moscow and Peking. They hoped to persuade the Communist rulers to pressure Hanoi into a settlement on unfavorable terms. Hanoi responded with its own strategy, which was to launch an offensive in South Vietnam to alter the facts on the ground. The role of Hayden and other New Left radicals was to intensify the divisions in America, behind enemy lines.

I listened to Hayden's request with an anxious feeling. There was a "gut check" present whenever Hayden asked for a political favor. Once, he had summoned me to his Bateman Street house. When I got there, he asked me if I would hide a

Black Panther in the shack behind my own house. It occurred to me that the Panther might be wanted for an actual crime. But I ignored the thought for the same reason that everyone did—the Panthers were a vanguard under attack. Even more important was my desire to impress Hayden with the fact that I was not just an intellectual strategist, but ready to put myself on the line when the need was there.

The same consideration underlay my readiness to serve Hayden's purposes now. Because I had acquired a reputation for being critical of the Communists, I even emphasized the point. I told him that I admired the way he was willing to offer his pen in their service, because it would also serve the Vietnamese people. At the same time, I stressed my own task as one of remaining independent of any party line. Hayden eyed me with a cynical



Tom Hayden: "He self-consciously served the Communists in Vietnam."

squint. I felt I had to warn him—since he was working directly with the Communists—that I was going to write an article in the same issue that would be critical of Hanoi's Communist allies in Moscow and Peking. By welcoming Nixon to their capitals, the Russians and Chinese were playing into his hands. Hayden refused to admit that there might be any conflict of interest between the Communist forces. Whether he actually believed this or was just playing the political role he had assigned himself as a spokesman for Hanoi, I didn't know and never found out.

My piece was much shorter than Hayden's and was called "Nixon's Vietnam Strategy: How It Was Launched with the Aid of Brezhnev and Mao and How the Vietnamese Intend to Defeat It." The *Los Angeles Times* ran a long article on its editorial page attacking what I wrote under the heading "Bloodthirsty New Left Wants The War To Continue." One *Times* reader wrote a letter to the editor saying that an NBC reporter, also named David Horowitz, should be fired for expressing such views.

Neither my piece nor Hayden's was the most explosive feature of the August 1972 issue of *Ramparts*, however. This honor belonged to an unsigned article by a man who called himself Winslow Peck. It was titled "U.S. Electronic Espionage: A Memoir" and, as we soon discovered, publishing it would violate a section of the Espionage Act of 1918.

The article had literally come over the transom of our Berkeley office. It was passed on to me

as *Ramparts'* expert on national security subjects. At first, I dismissed it as the work of a crank. The author claimed to know about top secret military intelligence matters and included capitalized words like COMINT, ELINT, RADINT and SWAMP. I had no way of assessing these claims and was inclined to discard the manuscript without further thought. But before doing so I gave it to Bob Fitch, a writer who had replaced Jan Austin when she left our staff to become a full-time member of the Red Family.

After reading the article, Fitch came back looking pale and frightened. It turned out that he was an ex-military man and had served as an intelligence operative in the 82nd Airborne Division during the Cuban Missile Crisis. As a result of his training, he recognized secret military codes in the text of the article—codes that he was under oath never to repeat. If we printed them, he said, we would all go to jail. Fitch had authenticated the document. Peter Collier and I arranged a meeting with Peck at a local Berkeley cafe. We learned that he had been employed by a top secret branch of intelligence called the National Security Agency, which encompassed 80% of U.S. intelligence but was unknown at the time. How unknown was indicated by an anecdote Peck told us. He was present at a briefing session with Vice President Hubert Humphrey in 1967 when Humphrey "asked a couple of pretty dumb questions that showed he didn't have the foggiest notion of what NSA was and what it did."

Peck's most sensational claim was that the NSA had cracked the Soviet intelligence code. This meant that U.S. intelligence could read Soviet electronic communications at will:

As far as the Soviet Union is concerned, we know the whereabouts at any given time of all its aircraft, exclusive of small private planes, and its naval forces, including its missile-firing submarines . . . We know where their submarines are, what every one of their VIPs is doing and, generally their capabilities and the disposition of all their forces.

Peck himself was stationed at a base in Turkey and had listened to the last conversation between Soviet Premier Kosygin and a Soviet cosmonaut who had burned up in space. He also claimed to have intercepted and read the message to the front from Israeli headquarters in Tel Aviv recalling General Moshe Dayan during the 1967 war.

I was struck by what I thought were the momentous ramifications of Peck's disclosures. If we knew where every Soviet missile and tank was, there could be no surprise attacks or false "missile gaps" based on erroneous estimates, such as had underwritten Kennedy's arms buildup in the Sixties. To print Peck's article would strike a blow against the war machine. It would promote peace on all sides. Or so I deluded myself in the emotion of the moment. In fact, as I realized after the deed was done, what we had revealed was the most carefully guarded intelligence information of all: the knowledge that we had penetrated the Soviet code. Agents were killed to prevent the other side from knowing what their own side knew.

When I realized what we had done, I became uncertain. There was no one-time breaking of a code. The other side would always respond by creating a new one. By revealing to the Soviets that their security had been breached, we had merely alerted them that they needed to replace it. Even if I had understood the real significance of publishing Peck's claims, I might have agreed to print his story anyway. For me, the overriding justification was one that weighed heavily on all the political decisions I made: It was important that America should lose the war. I did not believe that an NLF victory would mean "rice roots" democracy, as Hayden had written, but I was convinced that America's loss would be Vietnam's gain. An American defeat would weaken oppression everywhere.

When Peter and I told Fitch that we were going to run Peck's article, he panicked. We would all be tried for treason and go to jail, he whined, or even worse. We brushed his fears aside, practically laughing in his face. Where was his revolutionary spine? Where was his commitment to the cause? When we refused to reconsider our decision, Fitch announced he was quitting the magazine. He was not about to go down in flames with us. We enjoyed seeing this rhetorical maximalist exposed as a coward, but his departure caused a lurch nonetheless. What if he was right? Both of us had families. Were we ready to jeopardize their futures even for a grand gesture like this? We began to sense that we might be out of our depths.

Taking a step back, we decided to defer a final decision until we could consult a lawyer. I thought of contacting the defense team for Daniel Ellsberg, the former Pentagon official who was then on trial in Los Angeles for leaking a classified report on American policy in Vietnam. We had just completed a *Ramparts* cover feature on his case. I put in a call to Los Angeles and was soon talking to Harvard law professor Charles Nesson, a member of the Ellsberg team. After I had outlined the situation, Nesson explained the law. Technically, he said, we would be violating the Espionage Act. But the act had been written in a peculiar way to apply to classified papers removed from government offices or material copied from government files. The government was able to indict Ellsberg because he had xeroxed actual papers. It was important for us, in insulating ourselves from possible prosecution, not to acknowledge that any papers existed. If we took his advice, Nesson suggested, we might get away with publishing the article. To make its case in a court of law, the government would have to establish that we had indeed damaged national security. To do so, it would be necessary to reveal more than the government might want the other side to know. In fact, the legal process would certainly force more information to light than the government would want anybody to know. On balance, there was a good chance that we would not be prosecuted. I had just been given advice by a famous constitutional law professor on how to commit treason and get away with it.

We published the article and it became our first journalistic coup, receiving front page coverage in *The New York Times*. But the *Times* story was disappointing to me because it did not even mention my notion that the NSA's technology made surprise attacks impossible. Instead, it focused on the more pertinent question of whether Peck's claim that American agents had broken the Soviet code was accurate. Experts were quoted by the *Times* to the effect that it was not. The account also revealed that the real name of the man we knew as Winslow Peck was Perry Fellwock, a fact that could only have been learned from intelligence sources. The press conference we held in the *Ramparts* offices, after the *Times* story appeared was attended by an impressive media cohort. We decided that one particular reporter was the CIA "plant" because he kept asking us whether we had any written documents. But we held to the strategy that Nesson had devised and said there were none.

Thinking about these events, I have asked myself in retrospect whether there was any practical difference between my actions and those of radicals like Tom Hayden, who self-consciously served the Communist rulers in Vietnam. When Hayden and Jane Fonda went to North Vietnam and urged American troops to defect, it made me as uncomfortable as had Ralph Schoenman's broadcasts over radio Hanoi during my days with Bertrand Russell. Remembering my parents' experience as members of the American Communist Party, when they were forced to become apologists for murder, I had long before resolved that I would never commit myself to any regime or party that

did not reflect my own political values. Yet war does not leave room for fine discriminations or intermediate stands. Looking back at what I actually did, my "critical independence" seems to me now a distinction without much of a practical difference. The same, moreover, can be said for all those anti-war demonstrators who might have been critical of Communism but were willing to march behind slogans that called for the withdrawal of American troops "now"—a policy that could only result in a Communist victory. They did not see Communism as a superior way of life the way Hayden did. But in regarding it as the lesser of two evils, they helped the enemy to win all the same.

That same summer, there were reports of a bloodbath in Indochina. The Khmer Rouge had swept through Cambodia leaving killing fields in their wake. From Vietnam itself had come reports of a hundred thousand summary executions, a million and a half refugees and more than a million

ed" zones in South Vietnam to make a propaganda film. It was called *Introduction to the Enemy*, and attempted to persuade viewers that the Communists were going to create a new society in the South. Equality and justice awaited its inhabitants if only America would cut off support for the Saigon regime.

Assisted by radical legislators like Ron Dellums and Bella Abzug, Hayden set up a caucus in the Capitol building where he lectured congressional staffers on the need to end American aid. He directed his attention to Cambodia, as well, lobbying for an accommodation with the Khmer Rouge guerrillas. When Nixon resigned over Watergate, it provided all the leverage Hayden and his activists needed. The Democrats won the midterm elections, bringing to Washington a new group of legislators who were determined to undermine the settlement that Nixon and Kissinger had achieved. The aid was cut, the

Saigon regime fell, and the Khmer Rouge marched into the Cambodian capital. In the two years that followed, more Indochinese were killed by the victorious Communists than had been killed on both sides in all thirteen years of the anti-Communist war.

It was the bloodbath that our opponents, the defenders of the American presence in Southeast Asia, had predicted. But for the left there would be no looking back. Baez' appeal proved the furthest it was possible for them to go, which was not very far. The appeal did not begin to suggest that "anti-war" activists needed to reassess the role they had played in making these tragedies inevitable. Ironically, it was Hayden who eventually came closest to such self-recognition: "What continues to batter my sense of morality and judgment," he wrote in *Reunion*, "is that I could not even imagine that the worst stereotype of revolutionary madness was becoming a reality Pol Pot and the Khmer Rouge became the Stalins and Hitlers of my lifetime, killing hundreds of thousands of people for being 'educated' or 'urban,' for attracting the paranoid attention of a secret police who saw conspiracies behind every failure of the grand plan to be achieved. Most Western estimates settle on 1.5

million killed" But having acknowledged these facts and his confusion over them, he could go no further. The terrible result, which he had worked so hard to make possible, failed to prompt a reassessment of the policies he had opposed: "None of this persuades me that Nixon and Kissinger were right"

I had been having my own thoughts about the end of the war, attempting to place it in historical context as a way of judging what had happened. As a student at Columbia, I had read Euripides' tragedy *The Trojan Women*, which was inspired by his countrymen's conquest of the small island of Melos. Euripides intended his play to arouse the moral sense of his fellow Athenians about the war they had conducted and the suffering they had inflicted. When the Athenians saw Euripides' play, they wept for the people of Melos. In the eyes of my professor, Moses Hadas, this show of conscience was a tribute to Athenian civilization. How much greater, I thought, was the civilized response of America's democracy to the tragedy in Vietnam. I could not think of another historical instance where a nation had retreated from a field of battle it had dominated, because the conscience of its people had been touched. And yet, America had withdrawn for precisely that reason. The left believed that American policy was controlled by giant corporations, and that the war was being prosecuted for their imperial interests, which they would not relinquish. But the left had been proven wrong. American democracy was not the "sham" we had said it was. When the American people turned against the war, there was no greater power to make it continue.



Horowitz and Ronald Radosh at Marx's tomb in 1966.

people imprisoned in "re-education camps" and gulags in the South. These events produced a shock of recognition in some quarters of the left. Joan Baez took out a full page ad in *The New York Times* for an "Appeal to the Conscience of North Vietnam." She enlisted a number of former "anti-war" activists to sign her call to the Communists to show more humanity in their treatment of their opponents. As soon as her statement appeared, however, Baez was attacked by Tom Hayden and Jane Fonda as a tool of the CIA. A counter-ad was organized by Cora Weiss, who had traveled to Hanoi and collaborated with the regime in its torture of American POWs. The Weiss ad praised the Communists for their moderation in administering the peace.

The significance of this conflict derived from the role the left had played in the tragedies themselves. In 1973, Nixon and Kissinger negotiated a peace treaty that was designed to keep the South Vietnamese regime in place and remove America's military presence. I knew that the outcome was not going to be the "liberation" we had promised. But with American forces out of the picture, I saw no compelling reason to remain politically in the fray.

But Hayden and others like him did. After the anti-draft movement disintegrated in 1970, Hayden and Fonda organized an "Indo-China Peace Campaign" to cut off remaining American support for the regimes in Cambodia and South Vietnam. For the next few years, the Campaign worked tirelessly to ensure the victory of the North Vietnamese Communists and the Khmer Rouge. Accompanied by a camera team, Hayden and Fonda traveled to Hanoi and then to the "liberat-

Mata Hari, continued from page 1

If the *New York Times* bio is right, Bianca was then just 21. Impossible, said my friend. "When I met her, even then, she was no spring chicken," he told me. "I'm 54 now, so she's got to be at least 55."

Whatever. Even given all the miles on her clock, she still seemed to be a bit above a mere congressman from one of the sleazier parts of North Jersey. "I think she lowered herself to go to Torricelli," was my friend's assessment. Mine too. I recently listened to a tape of an interview that the writer Ronald Radosh had with Jagger, in 1983, in the same hotel room where she had been receiving as a nightly visitor the Marxist thug Borge, who would leave her suite every morning in the cloud of dust created by his small army of bodyguards and lackeys. As I turned on the tape, I expected to listen to Jagger pour forth a load of Marxist drivel. Actually, though, she seemed rather rational for a Nicaraguan in that era, and her command of English was quite impressive. She has never pretended to be anything other than a Nicaraguan leftist with strong anti-American leanings and so, at least, you can't call her a hypocrite.

You can, however, wonder why an American congressman would even shake her hand, much less jump into bed with her. And why he would take her advice on a crucial international issue involving highly classified Central Intelligence Agency information is a question that I can't pretend to answer.

Around the time Bianca was becoming pregnant by and marrying Mick, both Torricelli and I were students at Rutgers University in New Jersey. I was a student at Livingston College, which was founded in 1969 and was "progressive." I liked it. There were no grades, so I could spend my time doing what I wanted to do, which mainly consisted of traveling, with some studying thrown in for diversion.

Torricelli was a student at Rutgers College, which was founded in 1766 and was more traditional. There is much to be said for traditional education, but at the time we Livingston students looked down on the Rutgers crew as a bunch of kiss-asses. Torricelli was, by all accounts, the kiss-ass of kiss-asses, one of those straight-A students who is always running for class president and whose goal in life is to go to law school and be a big success.

I have nothing against ambition, but there is something wrong with those brilliant students who have their lives planned out at age 20. This is especially true if those plans include law school and politics. It is one thing to try to make a Promethean bargain for genius and knowledge at that age, and quite another to want power over others. To have an urge for power before one has had a chance to acquire wisdom—that is a character flaw, as Bill and Hillary Clinton have proven rather decisively.

Still, as someone who was a poor student with no great ambitions, I certainly can't claim any great moral authority on this or any question. I spent much of my college years ignoring my studies so that I could go surfing in as many places as I could possibly get to, both in the United States and overseas. When I wrote about this for *Heterodoxy* some time ago, one reader accused me of hedonism, as I recall. There's some truth to that, but the one piece of wisdom I took away from being in various second- and third-world countries as a surfer was just how lucky we are to be born Americans. It's not just that as Americans we can, with relative ease, put together the money to travel anywhere we want. It's more that we seem to be almost unique in our capacity to enjoy and exercise freedom. I always suspected that these brilliant student/politicians, like Torricelli and Hillary, have never had that feeling. Early on in life, they attach themselves to the American power structure. It is a

great power structure, indeed, the most potent on earth. And this makes them feel guilt as well as exhilaration. So for them, being an American is an alloyed experience. They are always looking around the corner to see if that power, to which they have attached themselves so fecklessly, is doing something bad.

That is, I suppose, a charitable way of looking at the curious affair by which the actions of Bianca Jagger—through Robert Torricelli and Bill Clinton—ended up recently by a restructuring of the CIA. It was a remarkable event, something that would have been unthinkable for most of the history of our republic but which, in the Clinton

affair with Michael Caine and quite a lively run through the Paris social whirl into the brief space before 1971, when at the alleged age of 21, she grabbed a hold of Mick.

The marriage was, like disco, a '70s thing. By the '80s, Bianca was divorced and spending a lot of time back in Managua indulging herself, along with the gathering of American sandalistas, in the hip pursuit of the '80s' revolutionary politics. Around the time that the London rock group The Clash was releasing its album "Sandinista!" Bianca, in fact, was spending a lot of time with the most odious of the Sandinistas, Tomas Borge. Borge, of course, was the Lavrenti Beria of the regime, who ran the notorious secret police network that kept an eye on every house on every block in Nicaragua.

I once came around a corner of a restaurant in Managua and found myself face-to-face with Borge. I will never forget his grin, though I went straight to a bar and started drinking in an attempt to do so. The grin betrayed a mixture of sycophancy and malice. He must have grinned at me because he assumed that any American in Managua was a Sandinista supporter. But that was not the case; I was no fan. I had spent the day previous interviewing a human rights official about the arbitrary arrests and tortures being inflicted by the Interior Ministry that Borge headed.

The scariest thing about Borge's grin was not the Eichmann-like aspect of it, but the reflexive belief that I was a co-conspirator, that all Americans were so ambivalent that they could easily be recruited into an enterprise such as his. One American for whom this would be true, to bring this story of intrigue and subversion up to date, was Jennifer Harbury. She fit the sandalista mold so well as to be a virtual stereotype: Harvard Law School grad looking for a mission in life who drifts to Central America and is enthralled by the romance of the revolutionary. Feeling a desperate urge to educate those benighted Americans who for some reason didn't appreciate the idea of a Marxist takeover of neighboring states, Harbury decided to write a book about revolutionaries. But not just any revolutionaries. Women revolutionaries.

By the time she got involved in this enterprise, it was very late in the game for the world socialist movement. The Berlin Wall had fallen and even the most thickheaded of revolutionaries must have begun to realize the jig was up. A few short years before, it still seemed likely that El Salvador and Guatemala would, like Nicaragua to the south, go Marxist. But by now the guerrilla movements in those countries were doomed and isolated.

But Harbury hadn't heard the news and traveled to El Salvador in 1990. She met a guerrilla leader named Efraim Bamaca Velasquez. Bamaca was a leader in a group called ORPA, which roughly translates as "Revolutionary Organization of the People in Arms." To give credit where it's due, ORPA was by far the most commonsensical of the Guatemalan guerrilla groups, and it tended to focus not so much on murder as on intimidating farmowners into paying higher wages.

Harbury found Bamaca to be a charming fellow. The next year, Bamaca sneaked over the border into Texas. Harbury says that they held a Mayan wedding ceremony, which she claims made them legally married under Texas law. This may have been a bit of a stretch, but Harbury began using it to advantage when Bamaca disappeared in battle in 1992. She began holding hunger strikes in Guatemala City and in Washington, D.C., to force officials to disclose what happened to her "husband." By way of comparison, in 1985 the journalist Nick Blake disappeared in Guatemala while trying to link up with and interview guerrillas. Blake's family began a campaign to find out what happened to him. They argued that the U.S. government should take a more aggressive role in finding out what happened to him.

I went to the site in Guatemala from



Bianca's Latest Flame

era, went largely unnoticed in the media. This curious affair I am referring to had its roots in the '80s, the decade when anti-Americanism reached its peak, at least among Americans. Thousands of leftist Americans flew to Nicaragua and other spots in Central America to help the Marxists beat back the capitalist, imperialist forces of Ronald Reagan. To be charitable, let's assume that few of these Americans understood they were helping the Cubans and Soviets gain bases on the North American continent. For most, it was more the political equivalent of a fashion statement.

Part of the uniform for these people involve those big, clunky sandals made by Birkenstock in Sweden. Anyone who wore these things was almost certainly a foreigner who had come to Managua to aid the Sandinistas. The locals, therefore, jokingly called these people "sandalistas," and the name stuck.

I will concede that there is a certain utilitarian aspect to Birkenstocks and that it would seem to make sense to wear such sandals in the tropical heat. But their ubiquity among the Americans made it obvious that they were employed more as part of a uniform than as simple footwear. This impression is reinforced by the fact that no Nicaraguan, rich or poor, capitalist or communist, would have been caught dead in the things, least of all Bianca Jagger.

Latin Americans, even the honest ones, tend to embellish the truth almost by force of habit, and it is therefore unlikely that anyone but Bianca knows the circumstances of her arrival as a young woman in Paris. Her version seems to be that she arrived there in her teens to study political science. If so, she must have been a quick study, since she had packed not only her studies but her

which he disappeared, a cold and forbidding spot in the mountains, where both the guerrillas and the army played for keeps. It was difficult, if not impossible, to get any useful information about Blake's disappearance from the villagers, though they did offer many tales about how the guerrillas had marched into town and put town officials up against the wall. So I was somewhat sympathetic to U.S. government officials who told me they were doing their best, but that it is not the business of the American government to babysit every American who decides to hike off into a place the guerrillas called "Ho Chi Minh Front."

Blake was an American citizen and non-combatant. But Bamaca? He was an armed guerrilla who would have, if he could have managed it, killed every soldier in the Guatemalan Army. If they got him first, what business was it of Washington's?

For a couple of years, Harbury carried on her hunger strikes to no great effect. Within the old sandalista network, however, Harbury became the center of a conspiracy theory. The theory revolved around the idea that the CIA was propping up the Guatemalan Army despite an order by President Bush cutting off military aid in 1991. That order came because of the 1990 murder by Guatemalan Army troops of an American who ran a hotel in Guatemala. The American, Michael DeVine, was slain by six soldiers who were questioning him. The United States was not satisfied with the progress of the investigation and therefore aid was cut off.

This aid cutoff seems to have been justifiable. I didn't know DeVine, but I know some people in Guatemala who knew him. Mike Shawcross, an affable Englishman who owns a bookstore in Guatemala, told me that DeVine was not only a nice guy but thoroughly apolitical. Whatever bungling led to his death should have been more harshly prosecuted by the Guatemalan government, Shawcross said. The Guatemalan army was wrong. But once the conspiracy theorists got hold of it, the whole affair took on an even more sinister air than that of a murder which was sinister enough. It was claimed that DeVine had been killed because he had knowledge of a drug-smuggling operation run by the local army commander. And the conspiracy theorists also claimed that the CIA was secretly propping up the Guatemalan military (and defying U.S. policy) with under-the-table payments that made up for the aid cutoff. They also put together a number of other related tales, all as imaginative as one would expect when one combines Guatemalan exaggeration with the general cluelessness of American leftists.

Most if not all of this story was nonsense, but it was good enough for Bianca Jagger, who brought all the disparate elements of this story into harmonic convergence. She met with Jennifer Harbury and, after hearing her story, relayed her concerns to her congressman du jour. Robert Torricelli began to look into the case. A White House official by the name of Richard Nuccio, who had once been a staffer on a committee led by Torricelli, gave Torricelli classified information that suggested that the CIA was withholding crucial information about the Harbury and DeVine cases. Torricelli drafted a letter to President Clinton in which he charged that the CIA was withholding the information because a Guatemalan Army colonel on the CIA payroll had been responsible for the killings of both Bamaca and DeVine. If that had been all Torricelli did, he would have been within his rights and the subsequent inquiry might have done no harm and could even have done some good. But Torricelli also released the letter to *New York Times* reporter Tim Weiner. The letter contained not just general allegations but specific information about the colonel, including his name: Julio Roberto Alpirez.

Until this point in American history, the only people in the employ of the U.S. government who had revealed the identity of CIA sources were spies and turncoats. Torricelli was the first con-

gressman. There is a good reason other congressmen have never revealed such information (though simple patriotism should suffice): All congressmen take an oath not to reveal classified secrets. Torricelli, who was a member of the House Intelligence Subcommittee, had also taken an oath in keeping with his duties as a member of that committee. But after the article appeared in the *Times*, with Alpirez's identity as a CIA source unmasked, Torricelli appeared before the National Press Club on May 2, 1995. The event is instructive not just because it shows not only how left wing the Washington press corps is, but how incompetent. Not a single journalist there asked a single tough question of Torricelli, and few seemed to have the most basic understanding of the enormity of his act.

The transcript is fascinating in that it shows Torricelli basically bought the entire conspiracy theory without bothering to check it out.



Anti-CIA Activist Jennifer Harbury

Fortunately, his revelations caused President Clinton to order his Intelligence Oversight Board to review the entire affair. That panel released its report on June 28, 1996. Though this is an oversight board working for a Democratic president, it seems to have done an impartial job of digging out the facts. The result was that Torricelli's rationale for leaking the information—a rogue CIA—was refuted on every point. There was no conspiracy.

Torricelli had stated at his appearance before the National Press Club, "When the president of the United States learns through the newspaper that the United States government has a secret foreign aid program to the Guatemalan military, no one can contend that the intelligence community is under sufficient civilian control." Great quote; no wonder the newspapers ate it up. However, President Clinton's Oversight Board concluded the following: "Contrary to public allegations, CIA did not increase covert funding for Guatemala to compensate for the cutoff of military aid in 1990."

Another example: Torricelli maintained at the press conference that despite the oaths he took not to reveal classified information, he had a duty as an American citizen to reveal criminal activity when he became aware of it. But in this case, according to the Oversight Board, there was no criminal activity to be exposed. "With respect to criminal liability concerning these CIA nondisclosures, we have found no adequate basis to conclude that the conduct of any of the relevant CIA officials violated any criminal statute."

At the press conference, Torricelli also stated the CIA "maintained Colonel Alpirez on the payroll, continued financial payments to him, and did nothing to bring him to justice, although

they knew he killed an American." But the Oversight Board concluded, "The widely publicized October 1991 allegation that DeVine was killed on Colonel Alpirez's base and that Alpirez was present runs counter to the substantial evidence gathered by Carl West and by the Department of Justice."

This last conclusion is perhaps the most damaging to the Torricelli/Jagger side of the argument. The Carl West mentioned in the quote is an American, a private investigator who has lived in Guatemala for more than 15 years and who has made a career out of getting other Americans out of tough spots, such as kidnappings. He was hired in 1990 by DeVine's widow, Carol, to look into the killing. I first spoke to him ten years ago, when he did some work on the Blake case. Recently, I gave him another call.

West informed me that though the DeVine case did indeed involve a brutal and senseless murder, it was a murder that had been solved long before Bianca Jagger and Bob Torricelli decided to stick their noses into it. Six soldiers and one officer (not Alpirez had been convicted of the killing in a Guatemalan court. The only connector that Alpirez had to the killing was that the soldiers were staying at his base at the time of the killing. They were not under his command, but were staying there simply because they needed a place to stay while in the area. "The investigation into the death of Michael DeVine had been long terminated well before Torricelli came out with any thing," West told me. "These fellows [the killers] in the DeVine case had already been put away. Torricelli's revelations had absolutely no effect on the DeVine case and still haven't as far as I know."

Torricelli purported to be exposing a cover-up of DeVine's murder, but West said there was no evidence of any such cover-up. "I would be hard-pressed to believe that any U.S. government agency covered up important knowledge concerning the death of Michael DeVine. I promise I never ever had any inkling or even a slight idea that any U.S. agency had any meaningful information regarding the death."

The reason the CIA lacked such information goes to the heart of the problem with all the leftist conspiracy theorists. In their minds, the CIA is both omnipotent and omniscient in the Third World, pulling strings to manipulate the outcome of even the tiniest events. The Third World would no doubt function a lot better if that were true. But it's not. The CIA is, when all is said and done, just another government agency, one with limited funds and limited personnel. To quote the Oversight report "Embassy officers state that Mrs. DeVine has access, through her private investigator, to more detailed information than did the embassy, and hence information more often flowed from her to the embassy than in the other direction."

The Oversight report also contained this sentence: "Our intelligence services are not all knowing." Good point. You and I have no way of knowing how many agents the United States has in Guatemala and how much is spent. But Torricelli had access to that information if he desired it. Only a fool could believe that, with its limited resources the CIA somehow was running a shadow operation that was propping up the Guatemalan military after the U.S. fund cutoff.

I use the term "fool" advisedly because it is one of Torricelli's favorites. That's what he called me in the one and only phone conversation we had on the subject. I had called him in my capacity as a columnist for *The Star-Ledger*, New Jersey's largest newspaper, to explore some contradictions. New Jersey has the second-largest Cuban émigré population in America and as a congressman Torricelli has carved out a reputation as one of Fidel Castro's toughest critics in Congress. (Although this came only after he acquired this anti-Castro constituency.) But he also has consistently pandered to the loony left on Central America. I'd never seen any politician get votes from both the left and the right in Latin America. I called him to find out how he

pulled off this rather difficult trick.

Before long, I found myself asking Torricelli just what he meant when he said he had made the accusations against the CIA because he needed to uncover criminal activity. "Okay," I said. "But what was the law that was broken? Was it an American law or a Guatemalan law?" Torricelli had no answer. This was nine months after he'd made the revelation, yet I was apparently the first journalist to ask that question.

"You are a fool!" Torricelli screamed at me.

"You could just answer the question," I offered helpfully.

"I'll speak to your editor!" he shouted as he hung up. That conversation took place early last year, and since then I've reported on all the various revelations concerning the case as, little by little, it has become more apparent how off-base his initial assumptions were. But I haven't been able to ask key questions like the following. How much of a role did Bianca play in your decision? Don't you feel you and Bianca have done irreparable harm to our intelligence-gathering apparatus? And most important: Don't you remember the Iran hostage crisis? That was, I'd remind him, when a Democratic president, having crippled the CIA with idealistic but nonsensical demands, was taken by surprise by a group of Mideast madmen. Couldn't it happen again because of what has become known as "the Torricelli Principle"?

The Torricelli Principle was first cited in an article in *U.S. News & World Report*. The article said that as a result of Torricelli's revelations about Alpirez, CIA agents have been directed not to recruit foreign sources who may be involved in civil rights violations. The article quoted disgruntled CIA officials as saying the new policy "has effectively put a halt to most human-intelligence-gathering operations around the globe."

After I read the article, I called a highly placed intelligence source in Washington. "This is a really dumb set of guidelines," he told me. "It says you can't recruit as a spy anyone who is not a nice person. What this does is to say to your case officer he's supposed to find out what's going on in Lebanon, and it's fine for him to recruit sources in churches and PTAs, but he can't recruit anyone in Hezbollah because everyone in Hezbollah is a rights violator."

The irony in all this is that while we Americans occupy ourselves with manufactured conspiracies about the CIA, there are plenty of enemies of America occupying themselves with real conspiracies. Eventually, one of those conspiracies may surprise Bill Clinton, the way the 1979 embassy takeover surprised Jimmy Carter. Of course, we can always hope we penetrate that conspiracy despite the Torricelli Principle. It certainly makes sense to require that actual CIA agents observe human-rights guidelines. But sources are not agents. They are people who are paid to talk. Fidel Castro's No. 2 man, for example, is certainly a human-rights violator of the worst sort. But if he'd talk, the CIA should certainly be allowed to pay to listen. John Deutch, the CIA director who promulgated these guidelines, was said to be widely despised for caving in to Torricelli on the Harbury case. He demoted or otherwise disciplined a number of agents in Guatemala, but only one was guilty of any violation of agency rules, according to my well-placed intelligence source. The others were sacrificed to please *The New York Times*. After announcing the disciplinary action to a collection of officers, Deutch then called a plenary-type meeting in which he said he wanted everyone to know that he didn't intend this to discourage other agents from taking risks. "The whole auditorium laughed out loud," the source said. After the session ended, all the agents walked out without waiting for Deutch to leave, "a terrible insult," according to the source because, until then, it had been customary for all officers to stand up whenever the Director of Intelligence entered or left the room. Deutch abolished that custom rather than see it continually violated because of scorn for himself, the source said.

Deutch is gone now and Clinton has named as his successor Anthony Lake, who recently gained some notoriety by testifying that he was unsure whether Alger Hiss was a spy. The confir-

mation hearings may be interesting. Perhaps the next CIA director will come to his senses and quietly drop the Torricelli Principle. There will still remain the problem that from now on, every CIA source in the world will have to think about the possibility that his name might someday appear on the front page of *The New York Times*.

When I first started working on this story, I naively assumed that the Clinton people were secretly mad at Torricelli but keeping their outrage to themselves. This turns out not to have been the case. The House Ethics Committee whitewashed the allegations against him, and the White House never said a word. Torricelli had Bill Clinton's full endorsement in his successful bid last year to move up to the Senate. I seem to be the only one who thinks anything's amiss.

Meanwhile, the Inside the Beltway crowd used the Jagger/Torricelli incident as yet another chance to prove the CIA is obsolete. To this end, they repeatedly cite the example of Aldrich Ames and the other turncoats with the agency. But what did these guys do? They gave away the names of CIA sources. Torricelli did the same, and he's their hero.

Congress has always been full of people on the make; the difference is that for prior generations the rules were clear. There were a lot of scoundrels among the congressmen who served after World War II, for example, and many of these no doubt had girlfriends. But it would have been unconceivable for them as a congressman in 1955 to give away CIA secrets in part to cozy up to a girlfriend who owed allegiance to a foreign power.

Perhaps the greatest irony in this case, however, lies in the fate that befell Bamaca. The Guatemalan army's first reaction to the publicity generated by Jennifer Harbury's hunger strikes was to lie and say Bamaca had been killed. When

Harbury persisted and brought the case into the full glare of public opinion, army officials decided to make this lie retroactively true.

Harbury's defenders would no doubt state that she did the right thing and was only trying to help the Guatemalan people. This is total nonsense. She was meddling where she had no business. If Harbury had wanted to help Guatemalans, there are any number of peaceful programs by which she could have done so. My friend Shawcross, for example, has for years run a private charity that helps Mayan villagers build low-tech but very effective water systems. This program does much good and hurts no one. Harbury could have joined it. Moreover, if she had done so and kept her nose out of the guerrilla war, there is a good likelihood Bamaca would have been held with other prisoners till the end of the civil war and then released with them. He might be alive and a free man, now that a ceasefire has been implemented.

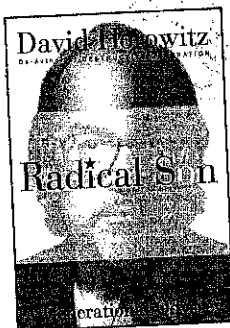
Instead, she attached herself to men who had little to do with good works and everything to do with power. In this, she was the quintessential sandalista. The sandalistas were rich kids from the best schools. They had enough money so they fell for a more direct temptation—power. They migrated to Latin America because that is where the lust for power has been developed into a fine art.

As for Torricelli, that such a man could be so nicely manipulated by Bianca Jagger should not be surprising. Her sole talent in life seems to be her ability to latch onto power-hungry men and lead them around by the nose. A congressman-on-the-make from New Jersey must have been almost no challenge at all, and she has since moved on. Which leaves us with a sobering lesson: Marxism may be dead, but megalomania will always be with us.

Paul Mulshine is a columnist at the *Star-Bedger of Newark, NJ*.

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False Rape Charges, continued from page 1

that military life was not for him and in 1966 he moved to Hawaii, where he worked as a carpenter and, like many of his generation, got involved in the anti-war movement. In 1969, Lamb began to travel abroad, visiting Turkey and Egypt, but finding India most to his liking. He converted to Hinduism, changed his name from Ronald to Ramdas, and learned to speak Hindi. As a Hindu monk, Lamb ministered to untouchables, a task that provided flashes of insight. But at the time, he never imagined that one day he would become a kind of untouchable himself.

In 1977, Lamb returned to Hawaii, married a Hawaiian of Japanese descent, and enrolled at the University of Hawaii, where he completed his bachelor's and master's and then went to University of California at Santa Barbara for a doctorate in religious studies. University of Hawaii religion department head George Tanabe found Lamb "a stimulating teacher" and in 1991 the department hired him as a professor.

By all accounts, Lamb was as pacific as his name. His wife, Susan, worked as a flight attendant, often leaving him to handle their eight-year-old son and 13-year-old daughter. Lamb served as a coach and referee for a youth soccer league and spent time counseling inmates at Halaawa Prison. Politically, Lamb remained a liberal, holding membership in the Spark Matsunaga Institute for Peace, but some developments on the Honolulu campus troubled him. "I didn't buy the 'C' rhetoric," he says. "They promote special treatment for certain people."

In his first two years, Lamb nearly tripled the number of religion majors. He maintained an open-door policy, giving students free rein to forage in his book-lined office. His lively classroom discussions proved popular with students, to the point that there were waiting lists for Lamb's upper-level classes. Many students told the professor, who also served as an academic adviser, that they would be interested in a class showing the relationship between religious thought and current social issues. When the department redesigned its curriculum in 1992, Lamb added Religion 348, "Religion, Politics and Society," an upper-level course dealing with such explosive issues as abortion, gun control, animal rights, gay marriage, homelessness and sexual harassment.

Lamb told students up front that the controversial and divisive nature of these issues demanded that they respect each other's opinion. He told students that "if anyone has a problem dealing with and listening to other points of view, then maybe this is not the class for you." Seven males and 15 females signed up for the course featuring the text *Current Issues and Enduring Questions*, published by St. Martin's Press. When the professor dealt with abortion, he brought the perspective of both pro-lifers and Planned Parenthood and likewise explored all the facets of the difficult questions.

Lamb's custom was to assign three readings before class. The selections for the February 25, 1993, class on date rape and sexual harassment were from Ellen Goodman's *The Reasonable Woman*, an article called "Date Rape Hysteria," and Katherine Makena's "Sex and Violence, a Perspective." According to the thousands of pages of testimony his "case" has generated, Lamb expressed the view that Muslims would have trouble with such a concept. This comment troubled student Tania Mortensen, who claimed that "rape is rape" and that women never lie about these issues. Classmate Shannon Bangan disagreed, citing the case of her brother, whose girlfriend falsely accused him of rape after he broke up with her. Other students shared Bangan's views, but Mortensen, with backing from friends Bonita Rai and Michelle Gretzinger, cut them off and domi-

nated the discussion. After class, five students, four of them female, came to Lamb's office to tell him they had been afraid to speak out during the heated session. One of them, Rebecca Ozaki, said that with Rai, Mortensen, and Gretzinger it wouldn't have mattered what the teacher said, and told him that the trio would "firebomb his office." Asked about this during the trial, Ozaki said it was "a figure of speech," meaning, "I thought that they would retaliate somehow, that they were that angry."

After the flare-up, Lamb tried to lower the rhetorical temperature by showing the Bill Moyers film *Beyond Hate*, an appeal for tolerance and diversity. But this did not dampen the still smoldering feminist faction, whose participation and attendance in the class dropped off. This decision had consequences, since Lamb had made it clear that one quarter of the grade was based on such participation. Michelle Gretzinger got a C,

**Faux Rape Charge Victim Ramdas Lamb**

which threatened the sparkling 4.0 GPA she had been counting on to gain scholarships for advanced study. In early April, within a week of getting their grades, the three filed a complaint, charging that professor Lamb had created a hostile atmosphere in class and had called them "man haters" for defending women who report rape. More seriously, they charged that he used tuition waivers and scholarships to extort sex from students.

The bizarre ordeal of Ramdas Lamb had begun.

Mie Watanabe, the campus equal opportunity and affirmative action officer, told the trio that they would have to sign and file their complaints, which would then, according to procedure, be shown to the accused. That technicality disturbed the three who, after consultations with other campus officials, withdrew the complaints. With the accusers unwilling to openly confront the accused, the issue should have ended there. But, as on many an American college campus, the accusations took on a life of their own, thanks to an informal feminist network heavily invested in their success.

Mie Watanabe immediately took it upon herself to continue the trio's complaint, convincing department head George Tanabe that he, not Lamb, should conduct student evaluations and relieve Lamb of grading papers. This pressure tactic worked. In trial testimony, Tanabe said he graded a paper of Michelle Gretzinger that was

"highly argumentative, very ideological, very much unbalanced, in terms of what I would consider to be academic objectivity or fairness." But he nevertheless gave it an A because "we were dealing with an emotional situation. There were charges made against Professor Lamb, there were questions about fairness, and I thought that the best way of handling that was to at least remove the area of grading from the circumstances, and did that by giving it an A."

As summarized by Thomas Angelo, an arbitrator who ultimately ruled on the Lamb case: "Ms. Watanabe elected to treat the students' complaints as valid notwithstanding the fact that they were not supported by written statements. She then provided her own 'summary' of allegations in lieu of the students' statements even though such a substitution is not contemplated by the regulations. Finally, she merged the three complaints into a single 'class action' although the procedures do not allow the joinder of claims."

But Watanabe did not act alone.

Each of her actions was taken with the concurrence of the "student advocate" for sexual harassment, a key player in the island drama. This was Susan Hippenstele, hired by the university in 1991 after winning a sexual harassment case of her own. She claimed that psychology professor David Watson, her grad school academic adviser, bothered her with sexual suggestions and that he once kissed her on the forehead. This case not only became part of Hippenstele's qualifications for getting the job but helped establish the new sexual harassment policies that Hippenstele came to enforce.

As her title implied, Hippenstele's role was to aid and advise students who believed they had been harassed, but she also laid down the law to staff and faculty. In fact, she was the law. University of Hawaii Dean of Students Thomas Gething later confirmed her free-rein status when he testified that there was nobody in administration who supervised Hippenstele's activities on a daily basis.

After the three student feminists complained about professor Lamb, Hippenstele responded with an hour-and-a-half seminar on sexual harassment in the religion department. Those present recall that Hippenstele came on aggressively, taking care to remind the mostly male group that she had a Ph.D.

As graduate assistant Julia Sopianski testified—bringing with her to court notes she had taken at the time—Hippenstele said that telling a student she had submitted a fantastic paper could be sexual harassment. When someone asked about intention, she snapped "That does not matter. Your intent does not matter one iota." If a woman said she had been harassed, she was, and that was it. Hippenstele cited two basic types of sexual harassers, the predatory "public type," who hung out with students and the "private type," more formal and subtle, but both equally dangerous "perpetrators."

Hippenstele told the professors that a person could be found guilty of harassment without having a chance to confront his accuser. She further wanted to publish a list of all people who had been accused of sexual harassment, shrugging off objections that this would equate someone who had told a joke to someone accused of rape. In other words, in the *Welianschauung* of student-advocate Hippenstele, accusation equaled guilt.

Professor Fritz Seifort, born in German in 1931, had seen this movie before. "My gosh, this is like Hitler," he told colleagues, daring to complain of Hippenstele's "fascist" tactics. Khalil Spencer of the geology department recalled that during another Hippenstele seminar, someone asked her if she treated the complaints with any distance or objectivity. Her response, which he wrote down, was "Well, I have no objectivity." Not surprisingly,

Hippenstele's angry monomania became the ideological steroids that bloated Michelle Gretzinger's charges against Ramdas Lamb.

On June 18, 1993, Gretzinger tipped the ante by filing a "detailed statement of sexual aspects of complaint," charging "direct physical overtures and sexual contact" by Lamb. The professor, she wrote, compelled her to submit by warning her of "violent acts" he had previously committed and because he outweighed her by 60-80 pounds. "I complied with Lamb's sexual demands out of fear of violence and damage to my future."

The statement detailed seven incidents, ranging from "Lamb tried to kiss me" to "he began touching me, kissing me, massaging my back. He tried to lay on top of me," to "rubbing my breasts and buttocks." On Monday, September 7, 1992, the statement said, he drove her home after class, tricked her into lying down then "climbed on top of me" penetrated her, "had an orgasm quickly and rolled off me." On Friday, September 11, he again came to her apartment. "He guided me into the bedroom, pulled his pants down and forced me to perform fellatio, then turned me around, bent me over and entered me from behind." Further, the professor "appeared to think he had 'sexual access rights' to me" and "pushed for sex generally twice a week until about the first week in October." All told "we had intercourse approximately 16 times. Every occurrence was during the day, Monday through Friday" and Gretzinger claimed to be suffering "extreme duress" from the incidents of "repetitive coercive sexual assault."

Lamb was not notified about the sexual charges until late in April, and the experience gave him "new insight" into Kafka. "No investigation had taken place but they decided I was guilty," he says. And he saw that his identity and his future—both as a teacher and as a person—was threatened: "To call somebody a sexual harasser is bad enough. To call somebody a rapist is worse. And then to have an attorney get up and call me a serial rapist and have the papers publish it, I don't think you can call anybody anything worse. I'd rather be called a murderer."

The professor sought and received counsel from his faculty union, which provided him with an attorney despite pressure from political science professor Kathy Ferguson not to support Lamb. Soon the rumors were flying and anti-Lamb graffiti was appearing on campus, including the women's restrooms of Hemenway Hall, where Gretzinger wrote that Ramdas Lamb was a sexual harasser, leaving the name and number of Susan Hippenstele for reference.

Lamb's department, faculty union, and assorted students and professors stood behind him. But much of the campus followed the new math of Hippenstele's ideology: accusation equals guilt.

In January 1994, University of Hawaii Vice President Madeleine Goodman dismissed Bonita Rai's complaint against Lamb and, in April, Executive Vice Chancellor Paul Yuen did likewise with the charges of Tania Mortensen. After a six-month investigation, Gretzinger's complaint landed with a panel of a professor, a dean, and a graduate student, whose Solomonik ruling concluded that Gretzinger was more credible but that Lamb did not intentionally create a hostile environment. But Vice Chancellor Paul Yuen rejected the panel's findings and conducted his own five-month investigation. In April 1994, he exonerated Lamb, citing lack of evidence and inconsistencies in Gretzinger's account, catching a blast of criticism from those who had already pronounced Lamb guilty.

Lamb then filed a grievance, charging that the University of Hawaii's sexual harassment

policy had denied him his rights. The parties agreed to arbitration under labor arbitrator Thomas Angelo, experienced in handling sexual harassment complaints. In July 1994, after lengthy hearings, Angelo concluded that Susan Hippenstele's training and educational activities were "inconsistent with University policy, incompatible with the nature of an educational setting, and incorrect as a matter of law." He further cited "a wealth of objective, reliable evidence to demonstrate that Dr. Hippenstele regularly used her status as a student advocate to advance her personal philosophies regarding the issue of sexual harassment." As evidence of her distaste for facts, he cited this exchange:

Angelo: With regard to this September 7th date, did you go down and look at your calendar and consider whether this thing could have even occurred as alleged?



Accuser Michelle Gretzinger

Hippenstele: No, I did not.

Angelo: I take it, then, that you did not go over [the complainant's statement] with a fine-tooth comb to determine whether it made sense or not in light of the rest of the evidence in the case?

Hippenstele: That's correct.

"There is no doubt Dr. Hippenstele would pursue a case which was factually indefensible," arbitrator Angelo's award noted. During testimony, Hippenstele declined to answer many simple questions on advice of counsel and, when her biases and investigatory lapses were pointed out, complained, "I'm essentially feeling harassed."

Angelo wrote that Mie Watanabe "failed to satisfy the basic obligations imposed on her by the regulations," denying Lamb information to the point that "his right to a fair and prompt hearing was denied." Angelo also ruled that "Ms. Watanabe's administrative abilities have not translated into investigative skills," noting that Watanabe could not explain why some of her statements were in error by two months. As for Lamb, he had to wait "an unconscionable amount of time to be cleared of wrongdoing, all the while wondering what was to become of his name and career."

Angelo's award called for major reforms of the complaint process, and required the University of Hawaii to publish a statement that

Lamb "has been cleared of all charges of sexual harassment." But the sexual inquisition continued, with the fault lines deepening.

Gretzinger claimed to be suffering from the process, but her "emotional rollercoaster" did not prevent her from giving television interviews and telling other university classes about Lamb's alleged misconduct. "The one thing that has kept me going," she told reporters, "is knowing that I am telling the truth and I'm doing the right thing."

Campus feminists rallied around her. Two days after the arbitration award in his favor, Lamb started getting death threats and was still taking a beating in the press. News coverage tilted toward the accuser, recycling press releases from Gretzinger's lawyer and blowing up lurid quotes from Lamb's accusers, such as "afterwards, I felt dirty, disgusted." Letters to the editor assumed the professor's guilt. But the arbitration ruling now gave Lamb solid grounds to bring a case against Gretzinger for filing false charges. But she decided to strike first.

In September 1995, Gretzinger filed a federal lawsuit seeking \$4.5 million in damages and charging Ramdas Lamb, the faculty union, and the university with sexual harassment. Before it came to trial, the university agreed to pay Gretzinger \$175,000, but that still left the action against Lamb. This was a serious threat to his future, but it did have a positive dimension in that Lamb's attorney Tony Gill would at last be able to pose the tough questions of Gretzinger, under oath, that Watanabe and Hippenstele, with their cosseting partiality, had neglected to ask.

Finally, in August 1996, more than three years after the original charges, the *Gretzinger v. Lamb* case came to trial before magistrate Barry Kurren. It quickly emerged that Gretzinger was an active member of doctrinaire feminist groups CORE (Creating Options for a Rape-Free Environment) and SHARP (Sexual Harassment Prevention), both operating on the Hippenstele doctrine that all men are essentially guilty and that women never lie about harassment. And it quickly became clear how closely Gretzinger had worked with Susan Hippenstele, the accuser's most ardent advocate, who found the student's accusations plausible even though, subsequent to the incidents described in her

charges, Gretzinger continued to take classes from Lamb and even wrote a letter to the Golden Key honor society praising the professor as a "dynamic" lecturer always willing to listen to questions from students, whom he treated as persons, not numbers. "The Golden Key Manoa Chapter is certainly lucky to have a dedicated advisor like Dr. Ramdas Lamb," she wrote.

In the time lapse between her first, "hostile environment," complaint and the later sexualized version, Gretzinger admitted, she read such textbooks of the sexual harassment industry as *The Lecherous Professor*, *Ivory Power*, and *Academic and Workplace Sexual Harassment*. Her final statement, in addition to lurid sexual detail, brimmed with the requisite buzzwords: "fear of violence," "extreme duress," "Lamb could either make or break my career at the University."

Gretzinger also admitted that part of her purpose in filing the charge was to protect others from Lamb, a gentle way of saying she wanted to get him fired. She was well aware that he was not yet tenured and thus vulnerable, although the original charge of creating a hostile environment might not be enough to do the trick. She contrived some tales that rival Anita Hill's comments about pubic hair in Cokes and Long Dong Silver. For example, Gretzinger charged that Lamb was mentally unstable, and that he had claimed a Hindu monkey god could speak through him—a charge that found its way into news stories. She

had also said he had given a name to his penis and that he had told her about beating people senseless as a member of a youth gang and watching as a six-year-old girl was raped. The accusers also made much of an affair that Lamb admitted to before he became a professor.

But opening up past behavior turned out to be a double-edged sword. Lamb's attorneys pointed out that during Rape Awareness Week, Gretzinger had written an article in *Ka Leo*, the student paper, about a rape she had suffered as an undergraduate at the University of the Pacific in Stockton. In the article she charged that the attacker wielded a weapon, hid in a bathroom, and left her in a state of severe distress. But Theodore Montes of the Stockton police testified that, at the time of the incident, she mentioned no weapon, nor the attacker hiding in a bathroom. And when the officer developed photos taken by the alleged attacker, he testified that he found no evidence of emotional distress but rather a smiling Michelle posing completely nude, *Playboy*-style.

It also emerged that, shortly after her marriage in 1991, Gretzinger had engaged in an affair. Further, her marriage had broken up not because of the alleged harassment, but because she had fallen in love with another woman, with whom she was now in a "warm relationship," according to her lawyer.

Gretzinger claimed that Lamb's actions had inflicted such suffering that she needed to seek therapy, which would help her deal with the rehashing of painful episodes. But it became clear in testimony that her trauma came when she realized that for the first time she would have to face, under oath, tough questions about the facts in her charges from clear-headed lawyers who believed in the presumption of innocence. Unlike feminist theory, which thrives in that fact-free ozone layer beyond empirical verification, this material could be checked for veracity.

According to Gretzinger's testimony, it was on September 7, 1992, that, after class, Lamb took her home and "penetrated me." That day, however, was Labor Day, and there were no classes. Lamb spent the holiday at a picnic with his family and friends. The seventh incident she mentioned, when Lamb supposedly forced her to perform fellatio then "entered me from behind," took place, she said, on September 11. That day, however, Hurricane Iniki slammed into the Hawaiian islands. The university and all the schools were closed, and everybody, including Lamb, was at home preparing for the worst.

Back in November 1993, when university officials questioned Gretzinger about this incident she changed the date from the 11th to the 18th, and said she was sure about it. But that spin only raised another problem. From the 17th to the 20th Lamb, his family and several friends were on the "big island" of Hawaii to visit Tyagi Ji, a Hindu monk from India, for whom the Hindi-speaking Lamb served as interpreter. In addition to witnesses, Lamb showed airline, video and car-rental receipts to prove where he had been.

Every one of the 16 incidents, Gretzinger said, was during the day, Monday through Friday, never on weekends and never on Wednesday. By her own estimation, that did not leave enough days for all the incidents to take place. At one point she changed her story to "ten to sixteen" incidents and said they might have happened in a different order. Then there was the weight discrepancy.

Gretzinger, who did not respond to interview requests for this story, claimed that Lamb used

his 60-80-lb. weight advantage to terrorize her. But Lamb is a slight, ascetic looking man who has weighed 140 pounds for decades, and Gretzinger weighed in at about 130. It was obvious to those who knew the pair that they were about the same size.

The marathon testimony also revealed that Lamb had not called any student a "man-hater" and had never lost control in class. Unlike Gretzinger, he had never changed his story. When it came time for closing statements, both sides were battle weary but marshaled their forces for a final charge. Lamb's attorney Tony Gill went right for the Hippensteels doctrine.

"All right, folks, I'm here to tell you that, if it talks, it can lie." As for Gretzinger, "Okay, so here we've got a lady who will embroider where necessary, she'll write fiction where necessary, she will invent facts where necessary, to make the story better." Gretzinger, "lied because the inves-

sweep for Lamb." After further deliberations, they awarded the professor \$132,750 in damages.

"I've known the truth since day one," a relieved Lamb said after the verdict came in. "My family and I have suffered a great deal—more than anyone can imagine."

Gretzinger left the court without comment. But one of her supporters, women's studies professor Meda Chesney-Lind, who had led campus rallies against Lamb, cited the verdict as more evidence that "women are not believed," as in the Anita Hill case.

Lamb and his family showed up at the university's faculty union to express his gratitude for their support. But as Lamb thanked his colleagues some women faculty walked out. There were no retractions from those who had written Op-Ed pieces assuming Lamb's guilt. Feminist professors none of whom had sat in on the trial, still attacked him in class, claiming that the jury was biased.

"Feminists were upset that I was found innocent because that would make it harder for women to come forward," says Lamb, still the campus untouchable. "I was more reviled because I proved one of them wrong. I am a male, and must be guilty." Michelle Gretzinger has found little trouble in locating high-powered lawyers who share that belief. On December 24 Robin Dal Soglio of the Los Angeles firm of Latham and Watkins filed an appeal of last year's verdict with the Ninth Circuit. And as many feared the episode, along with the general PC climate, has had a chilling effect on the classroom. Ramdas Lamb, for obvious reasons, no longer maintains an open-door policy and has dropped Religion 348.

Reasonable observers might be justified in believing that a case in which an unqualified zealot used a rigged, unfair process to damage an innocent party, poisoning relations on campus and chilling academic freedom while wasting thousands of hours and countless dollars along the way, would call for some corrective measures. But while the jury that found for Lamb may have tried to send a message that trumping up false charges to silence someone is not acceptable nobody in the upper reaches of the Honolulu campus seemed to hear it.

There were no discipline cases or dismissals over the Lamb case. Worse, says a faculty member who asked not to be identified, "They are trying to promote the people who have screwed up the most." Susan Hippensteel not only retains the student advocate position, but is being considered for tenure, a move which will allow her to ride herd with more power and impunity. Mi Watanabe not only remains in place, but the university has surrounded her with assistants. In effect, those most responsible for the inquiries were rewarded. (Both women, citing an ongoing legal action against the University of Hawaii by Lamb, declined to be interviewed.) But, although he was exonerated and they were shown to be wrong, things will never be the same for Ramdas Lamb. The man who once ministered to despised untouchables has found his own untouchable status to be something of a permanent caste.

"Richard Jewell [falsely accused Olympian bomber] only had to go through it for 90 days," he says. "I identified with him. I'll never be cleared. They can never give me my reputation back. That's exactly what I feel. Even the fact I have been found innocent is irrelevant to a lot of people. Campuses have become a surrealistic, perverted place. If I didn't have a mortgage, I would walk away."



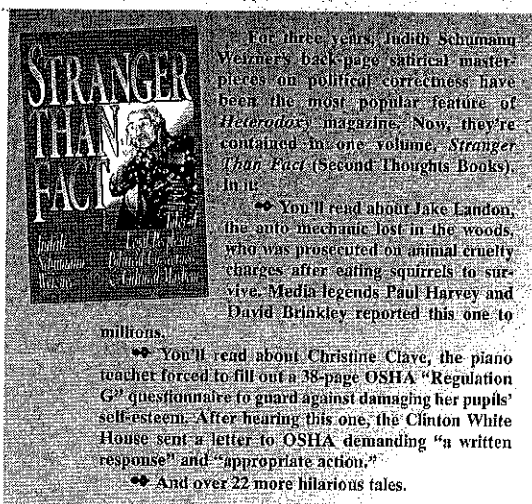
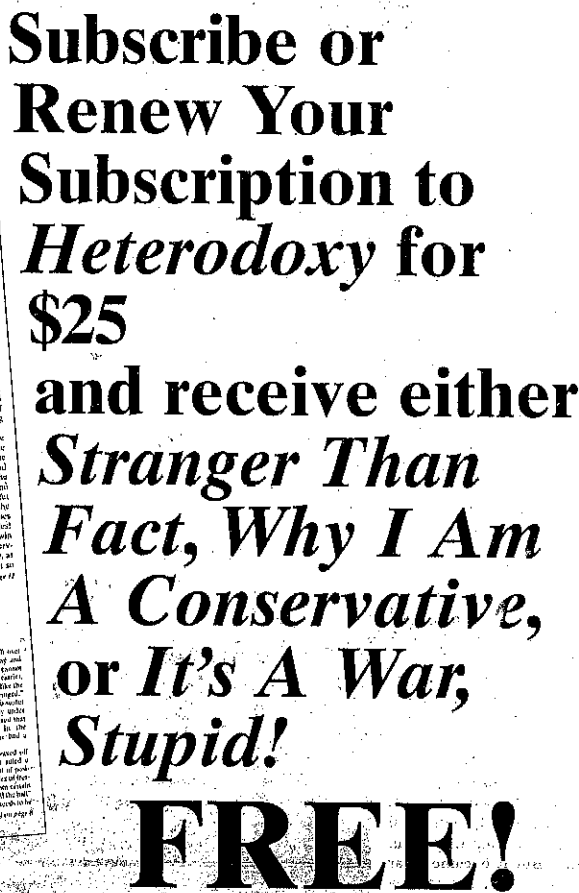
Susan Hippensteel: In spite of it all—considered for tenure

titatory system at the University of Hawaii made it so easy, and she thought nobody would notice."

After further summary of the evidence, Lamb's other attorney John Komeiji asked "for an award that sends a message to other ideologues out there, the Tania Mortensens, the Susan Hippensteels, a message that says you cannot do this; we are allowed to speak freely, and should be allowed to speak freely about the issues, and you cannot trump up false charges to try and silence someone. We ask that you send a message to them. People who are not even in this court, but people who are watching this case. To tell them, you cannot do that. That the people of Hawaii, under our constitution of the state, the Constitution of the United States, will not stand for that. That is not the type of society that we want."

Gretzinger's attorney Clayton Ikei got in the last word, bookending his initial charge that Lamb was a "serial rapist" with the specter of what, during testimony, he had called "mentor rape." That is, "the kind of rape that occurs when a person in authority, a person that has a position of prestige, and a person with control over a woman's future, abuses that control and compels the woman to submit." Michelle Gretzinger had come forward "because she, too, wanted the truth to be known, and wanted to ensure that no other woman is subjected to harm."

On August 23, 1996, after brief deliberations, the four-woman, four-man jury took some ten minutes to take a single 8-0 vote against Michelle Gretzinger. Tony Gill called it a "clean



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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REVIEWS

The Empire Strikes Out



The Opening of the American Mind
by Lawrence Levine
Beacon Press, 1996. \$20, 212 pp.

REVIEWED BY JOHN ELLIS

A few weeks ago, Tom Reed of *USA Radio Daily* (a network with some fifty affiliates) phoned to ask me to take part in an hour-long debate with Lawrence Levine about his new book *The Opening of the American Mind*. As its title suggests, the book aims to be the definitive answer to Allan Bloom's best-selling *The Closing of the American Mind*, and its appearance has given new hope to a campus left that is always on the lookout for something that might manage to repair its tarnished public image. According to Levine, what conservatives regard as the PC campus has actually given us "a flowering of ideas and scholarly innovation unmatched in our history." Multiculturalists like Stanley Katz, president of the American Council of Learned Societies, found Levine's news to be exhilarating. "This is the book we have been waiting for," he said. "It should put an end to the 'culture war' talk." But encouraging as this may seem, I am sad to report that one rather important figure seems not to share this confidence in Levine's book: its author.

I agreed to do the debate, but a few days later Reed phoned back to say that Levine had refused. Instead, he wanted to debate Michael Berube. I read the blurb written by Berube on the dust cover of the book. ("Wonderfully lucid . . . a book of uncommon importance.") After we had stopped laughing, we marveled at Levine's naivete—or was it chutzpah? It's not uncommon for authors to rig debates by setting up soft opposition, but neither of us had ever seen anyone try to get away with having his opponent be the young man who had written a fawning gush for the dust cover.

This was not the first time this had happened. Anyone who received the preliminary program of the January 1997 meeting of the American Association of Universities and Colleges had read that the main feature of the program was to be a debate between Lawrence Levine and four people among whom were two formidable opponents: Brad Wilson, Executive Director of the National Association of Scholars, and Elizabeth Fox-Genovese, author of *Feminism Is Not the Story of My Life*. Again, when Levine saw the caliber of his opposition he backed out and the conference's main panel was canceled. The problem here is not just cowardice; it reeks also of the closed-minded betrayal of academic inquiry common on the politically correct campus that Levine wants us to believe is a figment of our imagination. It certainly does not fit well with the title of his book.

Open Levine's book and you will soon see why he is worried about subjecting his ideas to trial by fire. The two major deficiencies of *The Opening of the American Mind* are immediately obvious. First, it contains very little about the campus conditions that Levine is supposed to be discussing; second, there is not a single argument in it that is not found in earlier books defending the PC campus—even the straw men he attacks are the same ones that his predecessors invented.

A book that aspires to be the definitive defense of the current postmodern/multicultural regime on college campuses, for instance, ought to have a good deal to say about campus feminism and women's studies programs—the driving force in the new campus order. But feminism gets barely a passing mention. There is not a word on the main figures—no exposition of their arguments, no assessment of their importance, and nothing about their critics. No mention of Catharine MacKinnon and her drastic redefinition of rape to include consensual sex; not a word about women's ways of knowing and such figures as Peggy McIntosh (men are vertical thinkers, women lateral thinkers) or Carol Gilligan (daughters are brainwashed by their mothers); nothing on the silly feminist science of Sandra Harding (Newton's rape manual: *The Principia*) or Donna Haraway (science is male macho). Nothing about the elaborate patriarchy theories of such as Gerda Lerner, or the naive Rousseauism of the "Goddess" fantasies of Marija Gimbutas and others; nothing about the virulent anti-family rhetoric especially of campus lesbians; and, of course, not a trace of the major critiques of campus feminism by Christina Sommers, Camille Paglia, Elizabeth Fox-Genovese, or Daphne Patai and Noretta Koertge.

A book about the campus culture wars without any discussion of radical feminism is truly Italian cooking without the pasta. But there is also nothing about the state of Black or Chicano studies programs either. Not a word about Leonard Jeffries or Molefi Asante, nothing about the absurdities of the infamous and very influential Portland "baseline" essays—and of course not a word about Mary Lefkowitz's critique of Afrocentrism. Nothing about speech codes and campus inquisitions of the late '80s; nothing about the kind of wasteland created at CCNY by the politically correct policy of open admissions (even though Levine refers proudly to his own undergraduate education there); nothing about the kind of postmodern "science studies" that

provoked Alan Sokal to write the spoof that the editors of *Science Text* (the main journal in that field) printed without being able to tell the difference between a caricature and the real thing.

The only topics covered in this book are: the canon; multiculturalism as a better model for America than the "melting pot"; and immigration policy. But even here, Levine stays well clear of hard questions raised by critics. He does not mention powerful critiques of multicultural social policy by Thomas Sowell and Shelby Steele, and so has no answer to obvious counter-arguments such as that multiculturalism leads to Bosnia, or that unrestricted immigration is hard on the black underclass, depressing its wages and restricting its employment opportunities. Levine just ploughs on with the simplistic arguments that we have all heard a dozen times as if nobody had ever questioned them. A telling fact is that he never once cites anything in *Academic Questions*, the most important journal of his opponents. He quotes with approval a study by the Modern Language Association which tried to show that traditional books (Shakespeare, etc.), are still the staples of college literature courses, as if that study has never been questioned. But *Academic Questions* carried a devastating critique of "The MLA's Deceptive Survey."

What is a chapter on immigration policy doing in a book about the campus culture wars when so much that is more relevant is omitted? The answer is evidently that (with the exception of his discussion of the canon) Levine sticks to the area of his own academic specialty—race in America. He did not do the work needed to prepare him to write a book on the campus culture wars, appears to know little of the debate even on his own side, and can not rebut arguments against his position because he does not know them. Levine was too lazy even to set out the argument of his main antagonist—Alan Bloom. His summary takes up exactly three sentences on page six (two of which elaborate an analogy to Nazi Germany) and he only returns to Bloom on points of detail a few times later on.

The press kit that comes with review copies of the book has a sheet entitled "A Brief Chronology of the Culture Wars." There are two columns: On the Left and On the Right. In the right-hand column are seven books, by Bloom, Roger Kimball, Dinesh D'Souza, William Bennett, Arthur Schlesinger Jr., Richard Bernstein, and Lynne Cheney, with their dates, running from 1987 to 1995. The left-hand column has empty space (no Stanley Fish, Gerard Graff, Henry Louis Gates, Paul Berman, Todd Gitlin, etc.), until we get to 1996 and . . . Lawrence Levine. At long last, enter our lone hero!

Is this deceit, or ignorance? Perhaps some combination, for although he may not know their works in detail, Levine borrows all his main arguments from his predecessors:

1. The canon has always changed, Levine says, and there have always been disputes about those changes, e.g., the dispute between classicists and modernists over whether English literature should be included. But this has always been a standard argument for the defense. The most developed version is by Gerald Graff, but though Levine repeats some of Graff's historical material, he does not cite the work itself. In any case, every professor of literature knows that the canon has changed and is still changing. What is at issue here is the kind of change now being made (shallow moralizing preferred to intellectual content), the reasons for it (identity politics), and the character of the attack on the existing canon (it is racist and sexist). Levine evades all of these issues. I wonder whether he would defend the inclusion of Alice Walker's *Am I Blue*, one long whine about the nastiness of white males towards women, minorities, and animals?

2. Criticism is due to the political motives of partisan conservatives.

Again, a standard PC counter-argument used by Wilson, Graff, Fish, and others. But among the "conservatives" cited by Levine are Arthur Schlesinger Jr., a Kennedy liberal, and Page Smith, a populist left-winger who supported Jesse Jackson for President. Other leftists who have recently expressed concern about the works of the campus left are Todd Gitlin and Alan Sokal.

3. Critics of the new campus order are fearful of change. Once more, a universal—and ques-

REVIEWS

tion-begging—argument of race-gender-class scholars. Is all change good and all fear of change bad? Then Levine has no way of criticizing, say, the rise of National Socialism in 1930s Germany, or of Gingrich republicanism in 1990s America. Is only some change good? Then it will have to be evaluated in each case by specific arguments, not by a blanket condemnation of all resistance to each and any new development.

4. New constituencies of students require a new composition of the canon. Again, a standard multicultural argument. It never occurs to Levine that the conclusion has not much to do with the premise. For example, one might as plausibly argue that the sudden influx of millions of Hispanics in California requires more courses in American history, institutions, and culture, not less—and for their benefit.

Even the straw men that Levine argues against are familiar to readers of earlier anti-anti-PC books. For example, according to Levine, his opponents believe that truth is fixed and finite; that America is a fixed entity; that its academic history has been "a long happy voyage in a stable vessel characterized by blissful consensus"; and that there is "a protected galaxy of universal truths."

So the people who want you to read Plato, David Hume, and Voltaire think the truth is fixed? Hardly. Levine has it exactly backwards: it is people who want you to read Marx or MacKinnon who insist that they know what the truth is. In his book *Zealotry and Academic Freedom*, Neil Hamilton shows that during the last century and a half the academy has experienced waves of zealotry at regular intervals. The academy's performance thus varies over time, sometimes better, sometimes worse, and it is therefore nonsense to suggest that anyone who sees a deterioration during the last twenty years must believe in a formerly perfect university.

Some issues in recent years have been particularly troubling to the general public: the use of the classroom for open and insistent advocacy of an instructor's political beliefs; the denigration of the aim of objectivity in inquiry; the intimidation of students; and the use of elephantine jargon. Levine's mode of defense is the evasiveness that was perfected by PC apologists long before his book appeared. It is to state the matter in each case so generally that no distinction is left between the PC classroom and academic business as usual. Thus: all professors advocate something (Levine's examples include hard work and the scientific method!); politics is always involved in some way in the curriculum of the day; students are always intimidated by their professors; academic fields always use their own special language.

But this is essentially the Nixon defense: all politicians lie... so why impeach me? To which the answer is: if you insist that everyone is the same in kind, then we shall have to pay increased attention to differences in degree. Some lies are more important than others, some liars more habitual than others; some intrusions of politics into the curriculum are more destructive than others; some kinds of advocacy are less destructive of free inquiry in the classroom than others; some kinds of jargon are necessary, others are obscurantist; and intimidation of students is not always of the same intensity or the same character.

Levine's stratagem of generalizing things away leaves him unable to make judgments about unacceptable levels of intimidation, or of political interference. I wonder what he would say if he were transported to a classroom in a German university in the '30s: would that be just the politics of the time reflected in the curriculum too? Or whether he really thinks that there is no difference between the iron grip of politics on the academy in communist regimes and its far less pervasive influence in liberal democracies?

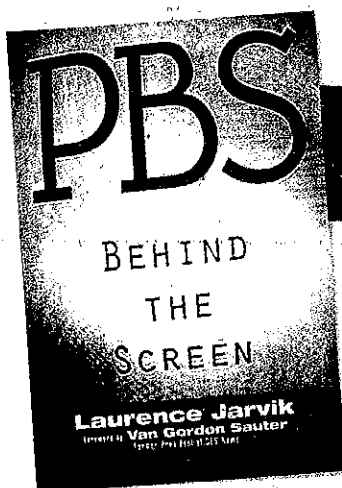
There is one recurring note in this book that is distinctively Levine's own: its obsessive self-congratulation, and the sanctimonious lectures that he delivers to those who disagree with him. Critics of the campus left need "the courage to live with the complexities of a deeper understanding," Levine tells them condescendingly. He also believes that "for some critics the complications are too much to bear"; and that what he offers is "a

much less comfortable way to explain and understand our society"; or that his "new perceptions are not particularly easy to grasp or to live with." Right. And neither a borrower nor a lender be.... With this combination of pompous irrelevance and blindness to the rottenness surrounding him, Levine runs Polonius a close second.

Levine's constant complaint is that critics of campus PC lack a sense of historical context. But it's more than a little absurd to say that distinguished historians like Arthur Schlesinger and Page Smith lack a sense of history. Once more, Levine begs the question: whose sense of history? The kind of history on display recently at the Smithsonian, distorted to conform to the animus of leftists against their own society—or another kind? For Levine, having a historical sense means facing the uncomfortable truths that the history of America includes slavery and racial prejudice, and that the Western tradition is only one among others. But there is a different historical sense that I would recommend to him. According to this sense of history, the West is leading the world slowly away from racism and sexism, and that means that Levine and his kind deceive themselves about their relation to the Western tradition. In so far as they demand racial and sexual justice (though not in the academic thuggery they embrace) they are

impatient and ruthless enforcers of the Western ethic—Western extremists.

We are still witnessing the playing out of the great cultural revolution known as the European Enlightenment, which replaced the formerly ubiquitous tribalism with a sense of universal kinship, and so set in motion forces that have already drastically reduced slavery, genocide, torture—all practices that were worldwide, but now survive only where the spirit of the Enlightenment has not yet penetrated. Europeans did indeed practice slavery, as virtually all other peoples did, but their unique role here was to take the lead in its abolition. Because this world cultural revolution has taken two hundred years to reach its present still incomplete state, today's morality can not be used to judge people of even a hundred years ago, when oppressor groups differed from oppressed not by their ethical standards, but by their success. Judging colonialism by modern (thus Western) standards is an anachronism. And precisely because of Western leadership in the Enlightenment cultural revolution, Western morality and thought, Western styles of government, and Western technology are spreading throughout the world. They are therefore not one way among others—they are modernity itself.



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STRANGER THAN FACT

Plumber Facing Trial for Child Neglect

By Judith Schumann Weizner

The trial of Thomas Kinder, accused of child neglect and abandonment following an incident last May in which he left his two children, ages eighteen months and three years, in the back seat of his car, begins tomorrow in Superior Court. Child welfare advocates will be following the case with great interest as they seek to gauge the effect of recent legislation designed to improve the lot of America's children.

Kinder, a twenty-nine-year-old plumber, told police he was driving on Lower Beaver Street in Maple Grove when he saw flames shooting from the roof of a house. Leaving his children secured in their safety seats, he ran to the house to see if anyone was inside. Police credited him with saving the lives of three members of the Bambini family, whom he dragged into the front yard after finding them unconscious in a second-floor bedroom.

Later, after reviewing a televised broadcast in which Kinder told a reporter at the scene that he had no time to give a statement because he had left his children alone in the back seat of the car, the police arrested him.

Charlotte Childress, the Child Welfare Agent assigned to the case, told the judge that Kinder was arrested in his home as he and his wife were tucking the children into bed at nine thirty-two p.m., even though both children are under the age of four. (Under the new guidelines, the recommended bedtime for children under the age of four is eight o'clock.) Ms. Childress noted that Mr. Kinder's explanation that his activities at the scene of the fire had altered the family's schedule seemed unconvincing in light of the fact that he had returned home at six forty-five, which would have given the Kinders plenty of time to put the children to bed by eight o'clock. Kinder was subsequently granted bail on condition that he have no contact with his children pending a Level One investigation by the Office of Child Welfare.

Although interviews with neighbors failed to produce evidence of regular late-night activity involving the Kinder children, Mr. Kinder's barber told investigators that his client had more than once remarked that the children's demands for extra bedtime stories made it impossible for him to see *Law and Order* with any regularity. In Maple Grove, *Law and Order* airs at nine, and this

was prima facie evidence that the children were often kept up late at night, according to Ms. Childress, who sought and received authorization to conduct a Level Two investigation.

The family's medical records revealed no injuries in which abuse was suspected, although Ms. Childress did inquire into the cause of multiple bruises sustained by the three-year-old some months earlier. According to the file on that investigation, Mrs. Kinder had been placing the child in his safety seat but had not yet secured the harness when her parked car had been hit by a pick-up truck. Failing a test in which she was asked to

Previously, such a detailed investigation as the one which established the Kinders' guilt would not have been possible in the absence of strong evidence of physical abuse. Several headline-generating cases in New York City spurred creation of the program because presidential advisors felt that the government was not involved actively enough in protecting children.

The NAP Guidelines, developed with input from the First Lady, various teachers' groups, the United States Association of Youth Psychologists, the Children's Protection League and other groups with expertise in child rearing, give parents invaluable help in determining what is best for their children at all levels of development.

When a survey of grade-school teachers showed that a majority of them felt that children were coming to school without having had sufficient rest, suggested bedtimes for children of different ages were included in the program's guidelines. Dietary guidelines stress the consumption of fresh fruit and vegetables, although some parents report difficulties in getting their children to eat broccoli, and there have been several instances of overly strict enforcement of the dietary guidelines, including one in which two children were forbidden to attend their town's Diversity Play Group unless they ate their black-eyed peas. Their problems reportedly came to light when the Group Leader visited the parents to ascertain the reason for the children's absence. Using conflict resolution techniques, the Group Leader suggested that the children bring their peas to Play Group to be eaten at snack time, thus defusing the situation and instructing the parents in proper con-

lict resolution at the same time.

When the New Awareness Program was first created, child advocates were alarmed at the surge in the number of abuse cases, but as parents have become accustomed to referring to the Guidelines for answers to their questions regarding the upbringing of their children, the number of abuse reports has tapered off, and experts are confident that they will soon see a return to their former level.

If Kinder is convicted of the charges against him, he faces a mandatory ten-year jail sentence, but in the interest of maintaining the stability of the family, he would still be allowed to attend graduations, school plays, dance or piano recitals, and Little League playoff games.

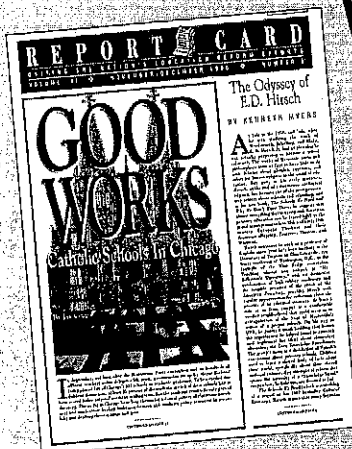


Thomas Kinder

secure a dummy in a child safety seat within the recommended ninety seconds, Mrs. Kinder was ordered to attend a course in child safety, and, upon completion of this course, provisional charges of negligence had been dropped.

Similarly, provisional negligence charges had been dismissed after an investigation into treatment of the younger child for food poisoning revealed that the baby's food had actually been contaminated at the packing plant, where tests proved that Mrs. Kinder could not have been aware that the food had been spoiled, since it had not had any unusual color or taste.

This latest investigation into the Kinder family has been cited as an example of the increased level of vigilance anticipated under the President's New Awareness Program (NAP).



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