

# HETERO DOXY

ARTICLES AND ANIMADVERSIONS ON POLITICAL CORRECTNESS AND OTHER FOLLIES

## DOWNTRODDEN DADS

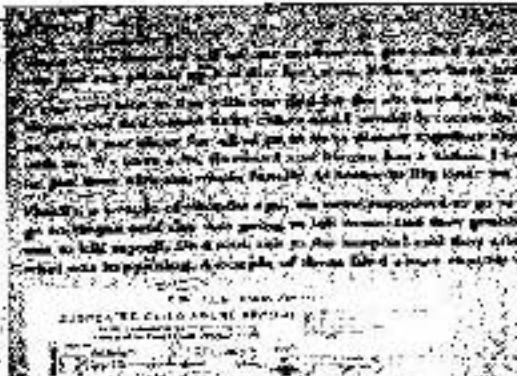
"I do the 'law shucks' routine," Dick Halavais is telling me one warm afternoon at his combination bedroom/kitchenette residential motel room in north San Diego. "I tell the judge, 'I just don't know how this sophisticated legal stuff works.'" This is, of course, a blatant play. Halavais is about as unsophisticated as the spy satellites ("you could read a license plate in Red Square from geosynchronous orbit") he says he designed for the CIA.

So why does he play dumb?

"I get the judge so pissed off that he makes mistakes."

It seems to work. Recently, Halavais says, he filed a motion with a San Diego Family Court judge asking him to remove his children's court-appointed attorney from the child-custody case in which he and his wife are embroiled. Not only did the judge refuse, Halavais smiles, "He told me in open court, 'No judge in San Diego will ever read your pleadings.' That was a big mistake. Based on that comment I have petitioned for a change of venue out of San Diego County." Another huge mistake, says Halavais, was the judge's over-reaction to his son Arthur, then 11, who last summer composed and posted his very own "Child Abuse Homepage" on the Internet for all the world to see.

Few judges had ever encountered this sort of problem before. Arthur's homepage was both childishly poignant ("I have 32 hamsters, an alligator lizard and a bunch of frogs") and candidly blunt ("Our



Arthur's  
Child Abuse Homepage



[ftp://ftp.primenet.com/users/r/rhal/artabuse.htm](http://ftp.primenet.com/users/r/rhal/artabuse.htm)

attorney is a liar"). More disturbing perhaps, Arthur then went on to accuse his mother of throwing dishes, furniture, even apples at him and his nine-year-old sister Megan, leaving them with bruises, and routinely causing so much screaming and wall-pounding that his sister hid under the bed while the neighbors called the cops. Arthur complained in cyberspace that his court-appointed attorney was ignoring his complaints of child abuse and concluded that the whole child-protective system was so "screwed up" the judge ought to be "fired."

Astonished at this combination plea-for-help and in-your-face attack from such an unexpected quarter, the family law judge at first tried to censor the homepage, ordering Arthur's court-appointed attorney to get him the address for the Internet "and I'll shut it down." Then he put a gag order on everyone associated with the case, and even made a futile

attempt to bar one Los Angeles Times columnist who had seen Arthur's web page from mentioning it in print.

The notion that a family court judge in San Diego could somehow censor the Internet makes Halavais laugh. The web site, he says, has been "mirrored" at 5000 other sites around the world. "It's in Finland, New Zealand, South Africa, everywhere. Six million people have seen Arthur's homepage. These [family court judges] don't have a clue. This is a judge who was dumb enough to issue a prior-restraint gag order against the LA Times on an unnoticed ex-parte hearing. We are not dealing with a mental giant here."

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## INSIDE

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Revisionism

## JOHNNIE COCHRAN'S FIRST OJ TRUE LIES

By Christopher Rapp

"We're ready, we're ready, we're ready today," said Johnnie Cochran in his trademark rapid-fire staccato. He was speaking to a supporter outside courtroom 107 at the Los Angeles Criminal Courts Building. "We're going to see if we can do it."

About an hour later, Cochran stood in the front courtyard of the building surrounded by a gaggle of reporters and demonstrators, a dozen microphones and tape recorders capturing his every word. "All people who are interested in justice in this case are disappointed with these proceedings . . . It's outrageous, and nobody has the courage thus far to stand up and say that. But we're going to keep on fighting until he gets out . . . I will not rest until he gets out. No doubt about it." As Cochran ended his remarks, the chanting began. "No Justice, No Peace! No Justice, No Peace! No Justice, No Peace!"

This may sound like an outtake from the OJ

trial, but it's not. Rather, it is part of the continuing saga of Geronimo Pratt, a man who could be called Cochran's first OJ, whose case Cochran lost twenty-four years ago but refuses to let die. The case has all the elements of the Simpson trial: a black man accused of brutally assaulting a white couple; racial and political rhetoric distracting attention from issues of guilt or innocence; overripe insinuations of conspiracy and coverup on the part of law enforcement. And while Cochran's maneuverings back in 1972 were not as silky as they have become, it was with Geronimo Pratt's case that he began to learn the language of radicalism which he used so effectively in Judge [to's] courtroom. Now, using techniques honed over two decades, he is attempting to get his long-time client a new trial.

In addition to the magnetic presence of Cochran himself, the movement to "Free Geronimo" has attracted a strange assortment of 60s nostalgia artists, Black Panther groupies, and leftover lefties whose common

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## COMMUNIQUE

**"Pass The Pipe" Just Doesn't Get It**

After reading your article "Slipping Through the Crack," I would believe that you must have some connections in the narcotic underworld. My question is—Where can I get some good rock to smoke???

Nino Brown  
New York, NY

**Crack: No Problem**

Who is writing your material these days, the ghost of filmmaker Ed Wood? The article, "Slipping Through the Crack" (March 1996) reads like a casting call for a 1950's grade "Z" film: drug addicted zombies on the prowl, sinister pushers, corrupted school children, and (of course) heroic law-enforcers-who-risk-their-lives-on-a-daily-basis-protecting-us-from-drugs. About the only thing you left out was Joe Friday giving his "smoke one reefer and become a heroin addict" speech....

According to U.S. Department of Justice statistics, we find that 15% of convicted criminals surveyed claimed that they committed their crimes in order to get money for drugs (24% for property offenses, 12% for violent offenses)....

We can also look at the percentage of criminals who were under the influence of drugs when they were committing violent crimes. These come out to 8% who were solely under the influence of illegal drugs, 6% under the influence of a combination of alcohol and illegal drugs, and 21% under the influence of alcohol solely. 7% of homicides are drug-related. This is proof that drugs are NOT behind the wave of violence in America....

Granted not all crimes are reported, but even if there were a two to one ratio of unreported to reported crimes, the figures would still tell the same story. I should also note that drug-related crime figures are somewhat inflated by the fact that in the last decade law enforcement has concentrated on drugs to the exclusion of other types of crime. White collar crime, such as fraud, post violations, etc., inflict a far higher dollar value cost on society than street crime (as well as having a considerable impact on human life). For example, the "Daisy Chain" oil scandal of the 1970s said the oil companies defrauded consumers out of \$13 billion. Compare this to the \$25 million or so stolen in all the bank robberies in the United States combined annually....

If "crack" cocaine were really behind the wave of crime in our cities, then we would expect to see a corresponding drop in the crime rates due to current law enforcement policies. Arrests/incarcerations have tripled in the last 15 years (for crime as a whole and drug violations in particular). Yet there is no corresponding drop in crime rates. Aside from the marginal fluctuations normally associated with any statistical analysis, crime rates have remained relatively stable. This indicates that either:

- (1) "tough" law enforcement measures do not work; or
- (2) crack cocaine is not a major cause of crime.

Either way, this indicates the bankruptcy of current policy. Yet, rather than recognizing

ing this bankruptcy, the government insists on a "more of the same" approach, reinforcing all the errors. To use a military analogy, the more resources that are poured into a losing strategy, the greater the disaster in the end.

There are any number of reasons for the violence in American cities. Depending on your political stance, take your pick: lack of opportunity, television violence, substandard social services, alcoholism/drugs, availability of firearms, restrictions on gun ownership for law-abiding citizens, breakdown of the family, discrimination, influx of illegal aliens, police attacks on minorities, whatever. Most politicians are more concerned in using violence as an excuse to make some new activity illegal rather than seriously addressing crime.

The clamor over "crack" is the usual over-reaction to a new drug. We saw a similar reaction to the psychedelics when they became widespread during the 1960s, with the same

lems caused by poverty, not drugs, and will not be solved by putting more people in jail. (For more information on the myth of the "crack babies," I suggest checking out the January/February 1992 issue of NIDA Notes, available at any library with a public affairs section.)

... The crises that we are seeing in our cities is another manifestation of the vast changes in American society as we convert from an industrial to an information economy. The older urban centers are going into decline as the traditional factory basis for the economy is either moved abroad or converted to high-tech industries in the suburbs. With the decline of the urban areas comes crime, poverty, decline in public health, and underground economies (in this case based on drugs). Obviously, none of this is going to be addressed by putting more people in jail, but that seems to be about the only solution. Americans can come up with as we close out the 20th century....

Joseph Miranda  
Northridge, California

P.S. My qualifications to write about all this: I hold a Master of Science in Criminal Justice, have been qualified as an emergency medical technician, and served as an officer in the U.S. Army Military Police Corps.

**Knowing The Enemy**

Found on the Internet under "Advice for liberals" from someone who is apparently one of them:

Read conservative publications, lots of them, and regularly. Don't just shake your head and say "we know what's wrong with that," because I'll bet that you actually don't. You might start with Friedrich von Hayek's *The Road to Serfdom*. Subscribe to *Policy Review*, *Christian*

*America*, and *The Standard*. Read an anthology of P. J. O'Rourke's humor columns and get used to the idea that you are being mocked. When you're ready for the really heavy stuff, read a journal called *Heterodoxy*, which focuses on the academic left. You will feel a powerful temptation to blow these people off as nuts. Resist—what matters is whether the ideas are useful in assembling a new coalition or fragmenting yours. Instead, internalize the arguments, admit to the grains of truth they often contain, and learn not to present such a big target.

FYI,  
JZ

**You Are What You Eat**

I enjoyed the Chomsky piece in the March *Heterodoxy*. MAXIMUMROCKNROLL is a publication started by an individual named Tim Yohannan. He graduated from Rutgers University in 1966 where he was a founding member of Students for a Democratic Society. He also helped publish a hippy rag called All You Can Eat. After a decade of mourning the collapse of Woodstock Nation, he started MAXIMUMROCKNROLL in 1982 in the hope of reinvigorating the lost cause by enlisting a new generation of countercultural fodder. In my opinion he has failed miserably.

John Crawford,  
Beverly Hills, CA

**HETERO DOXY**

ARTICLES OF AMBIGUITY IN POLITICAL CORRECTNESS NO OTHER FOLLIES

With this double issue,  
*Heterodoxy* goes on its annual  
summer break. Expect to hear  
from us again around Labor Day,  
when we will be tan, rested, and  
ready to do battle with the com-  
missars of correctness once again.

horror stories (most of which turned out to be spurious). Even the name "crack" has connotations of violence, and gives media talking heads the aura of being streetwise when talking about drugs—after all, isn't "crack" something done by all those gangs or minorities down in the ghettos we never go to? Chemically, "crack" is the same as powder cocaine. Many of the problems associated with crack are symptomatic of the underclass in general: violence, street gangs, poor medical care, and so forth. The usual prohibitionist horror stories about crack inevitably turn out to be associated with a small pathological minority. The article mentions women who engage in prostitution in order to get crack. But it does not tell us how many of these women there are, what percentage of the crack-using populace they represent, or if prostitution is their normal occupation. But of course, a scientific statistical analysis is not in line with the public hysteria over drugs. The image of sex and drugs together can be counted upon to create revulsion in the minds of the puritanical sector in our society and with it a call for more laws.

The "epidemic" of "crack-damaged" infants is, for the most part, a fabrication. Many of the claimed symptoms of these infants (such as low birth weight) are the result of malnutrition, lack of prenatal care, etc. These are prob-

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# REDUCTIO AD ABSURDUM

**QUEER HOUSING:** Dartmouth College (NH) has long been at the cutting edge when it comes to politically correct student housing, offering segregated dorms for blacks, Asians, Hispanics, and American Indians. But now that this kind of balkanization has become common on campuses across the country, Dartmouth's position on the cutting edge of absurdity has been jeopardized. And so, to preserve its status as an avant-garde institution, Dartmouth recently considered a petition submitted by Political Queers, a homosexual student group, demanding separate housing space for gays. Because of technicalities—the request was submitted after the deadline, and Political Queers does not have a faculty advisor—and not principle, the College was prevented from enacting the proposal. But Political Queers has (have) vowed to try again next year.

**ATOMIC AFFIRMATIVE ACTION:** Polish-born, British-based physicist Dr. Joseph Rotblat, 87, an alumnus of the Manhattan project and part of the Nobel-prize-winning, anti-nuclear Pugwash Conferences, recently had a talk with the *New York Times*. Asked if he ever gave nuclear secrets to the Russians, Rotblat said "no." But then he went on to say that atomic spying by the Soviet Union was actually a good thing in that it helped create the "level playing" field which the two nuclear superpowers occupied for the next half century.

**WANTED—DUMB TEKKIES:** In February, Mansfield University, a small state college in northern Pennsylvania, was looking for a computer programmer for its massive UNIX system. Duties for the demanding position include software control, installing upgrades, and "network topologies." The job required a technical degree and two years of experience with UNIX and "in-depth" knowledge of AIX, SCO and other systems. But according to the ad it placed, Mansfield seems willing to cut candidates plenty of slack: "Mansfield University is an affirmative-action employer and encourages the applications of women, minorities and the physically and mentally challenged." (Emphasis added.)

**RAPTURED:** After his illustrious career in rock music, Iron Butterfly bassist Philip Taylor Kramer founded the high-tech company Total Multimedia, backed by one of Michael Jackson's brothers. Kramer formed a workplace friendship with a man who wore a New Age ring shaped like a pyramid and sought guidance from a Chilean shaman. Obsessed with apocalyptic prophecies, Kramer told his wife to "only eat colors of the spectrum" and to "stop wearing black." Last year Kramer phoned in a suicide threat to a 911 operator and then vanished without a trace. Rumors have him abducted by UFOs or being worshiped by Indians on a reservation. Some VIPs, however, see foul play. Rep. James Traficante, (D-Ohio-17), whose district includes Kramer's home town, believes that because of Total Multimedia's work on the MX missile, the rocker became a target. Rep. Traficante wrote the FBI that Kramer "may have been abducted, apprehended, compromised or somehow brainwashed by foreign nationals or even domestic groups bent on utilizing Mr. Kramer's extraordinary knowledge for nefarious purposes." Said Ron Bushy, Iron Butterfly drummer, "I honestly think he has been abducted by our government or an agency that is part of it, or

maybe a foreign government." Bushy also told Copley News Service: "We're talking 'Beam me up, Scottie,' time."

**ART OUTRAGE:** The "Sexual Politics" exhibit is pulling them in at UCLA's posh Armand Hammer Museum. Judy Chicago's "The Dinner Party" is there. But this collection of the "vulgar imagery" of famous women on dinner plates has been upstaged by a section in the show called "cunt art," which includes "Feather Cunt" (by artist Karen LeCocq) and Judy Chicago's own "Entering the Mystery Through the Blue Rock Cunt." Chicago's other subtle works include

first painting in the exhibit made it perfectly clear what kind of "standards" the artists were to transcend. Entitled "Post Fu Manchu Tie Tac," it featured an enormous, erect penis with the helpful caption "This Ain't No Tie Tac." Similarly illuminating was a black and white photograph of a naked young man and his erection, entitled "Look Ma, No Hands." A magnifying glass was affixed to the picture frame and trained on the model's groin, providing even those with the poorest eyesight an opportunity for study and reflection on the stereotype of Asians as poorly endowed. Other works in the exhibit took a somewhat less celebratory tone. A case in point was a

ceramic sculpture of a grinning, bare-chested woman looking down at a severed penis, holding a pair of scissors in one hand and a frying pan in the other. A painting entitled "Arena" depicted a woman arising from a toilet after defecating, with a magazine spread of two women beheading a man sitting on a nearby counter. An untitled painting was less ambiguous, with a voluptuous red-head pointing an automatic pistol at a man's head, while blood oozed from a bullet hole in his temple. The best summation of the feelings aroused by the exhibit comes to us from UCLA freshman Edward Hsu. In one of the more bizarre *Daily Bruin* editorials in recent memory, Hsu spends two pages lamenting his allegedly tiny you-know-what. Apparently, stereotypes concerning the endowment of Asian males have combined with his own insecurity to make him embarrassed by his ethnicity. "I look down and he's there—my Mr. Wang," he writes. "He's not tiny, he's just crushed. Funny, huh? Go ahead, laugh! All yellow people have crushed Wangers, right? Laugh!!! Laugh because it's true. Laugh because it's funny to crush Mr. Wang, crush him into submission." Hsu soon works himself into a frenzy: "I really don't care if you think my penis is dinky or darling—as long as you've seen it. And while your eyes are open, see me as I am . . . At times I can be limp; I may look like a wimp; like all I know is 'Submid' But listen, but look, and

see my balls, and how I stand tall—an Asian erection."

**TOO LIVE CRUZ:** Juvenile crime is on a roll and even Bill Clinton is pushing for school uniforms and curfews. But in progressive Santa Cruz, California, which might seem to be a bastion of Clinton support, those views have civic leaders in a snit. "The concern about youth crime is real," says the city's mayor Mike Rotkin. "But curfews and repressive laws are a self-defeating strategy. First, they want to put the kids in uniforms, and now curfews—this is the early stages of fascism." A local judge also came under fire from luffies for ruling that a homeless group protesting a city law against camping by sleeping at city hall must stay awake to continue their nearly 100-day demonstration. Homeless advocate Dan Hopkins called it "a move to curtail our constitutional rights by passing laws that make all protests illegal."

**A PARTING SHOT:** The New College of California School of Law has bestowed an honorary juris doctor degree on Mumia Abu-Jamal, the death-row inmate/journalist fighting his conviction for gunning down a police officer in 1982.

## LUNA BEACH By Carl Moore



"Love Story," a man firing a gun into a woman's anus and "Red Flag," which, like her "Menstruation Bathroom," could be interpreted as a celebration of the tampon. Annie Walsh contributed "This Summer I Learned a New Way to Masturbate." Artist Hannah Wilke contributes "Seven Untitled Vaginal-Phallic and Excremental Sculptures." Nicole Eisenman's "Amazon Competition" shows a group of women castrating a man, a "revenge fantasy" which "signals a new approach to women's position in Western patriarchy in the work of younger feminists." And "Infinity Kisses," by Carolee Schneemann, includes 136 photos of a woman cavorting erotically with a cat as "a playful alternative to conventional heterosexual eroticism." Museum officials say response to the show has been overwhelmingly positive. There are negative statements in the comment book, says curator Amelia Jones, but "most of those were written by men."

**ART OUTRAGE II:** Meanwhile, students at UCLA were mounting an exhibit on "Asian Pacific Islander Sexuality" as part of Asian Pacific Islander Heritage Month. It featured works of student artists "visually exploring the sexual politics of genitalia" and was designed to offer a chance for Asian students to "go beyond 'standards' and freely explore their own issues." The



# Clarence Page's Race Problem, And Mine

By David Horowitz

Clarence Page is a well-known television commentator, Pulitzer-prize-winning columnist for the *Chicago Tribune*, and author of the recent book *Showing My Color*. An adolescent in the civil rights era, Page's own significant achievement could be taken as a symbol of that era's success. Indeed, he has forcefully dissociated himself from the separatists of the Million Man March and—unlike his radical peers—is not ashamed of expressing hope in the American dream. Yet, in *Showing My Color*, Page has written an apology for these same angry voices which calls into question the legacy of Martin Luther King and makes the author into a metaphor for the new black intellectual sensibility.

Page takes the title of his book from a frequently heard parental admonition of his youth: "Don't be showin' yo' color." Showing your color, he explains, "could mean acting out or showing anger in a loud and uncivilized way." More particularly it means to him playing to stereotype. In other words, "showing your color" really means showing your culture—at irony that escapes the author. The title, he explains, "emerged from my fuming discontent with the current fashions of racial denial, steadfast repudiations of the difference race continues to make in American life." (Page's emphasis.) Page then attacks the "color-blind" approach to civil rights law, and laments the way the words of Martin Luther King have been "perverted" to support his view.

The argument of Page's book begins innocuously with a personal anecdote through which he intends to establish that racism is, indeed, a "crude factor" in his life and—by extension—the lives of all black Americans. For Page it is the memory of a trip to Alabama in the fifties, where he encountered water fountains marked "colored" and "white." It does not occur to him that outrage over events from nearly fifty years ago has exhausted its shelf life. If you are forced to invoke a distant past to justify a present case, the case is already undermined.

Page remembers a moment of overt racism. But while acknowledging that such moments are probably behind us, he cannot let go altogether and, embracing the current fashion of black intellectuals, argues that a subtle and invisible set of power relationships continues to produce the same results: "Social, historical, traditional and institutional habits of mind that are deeply imbedded in the national psyche... work as active agents to impede equal opportunity for blacks." The (politically correct) name for these factors is "institutional racism":

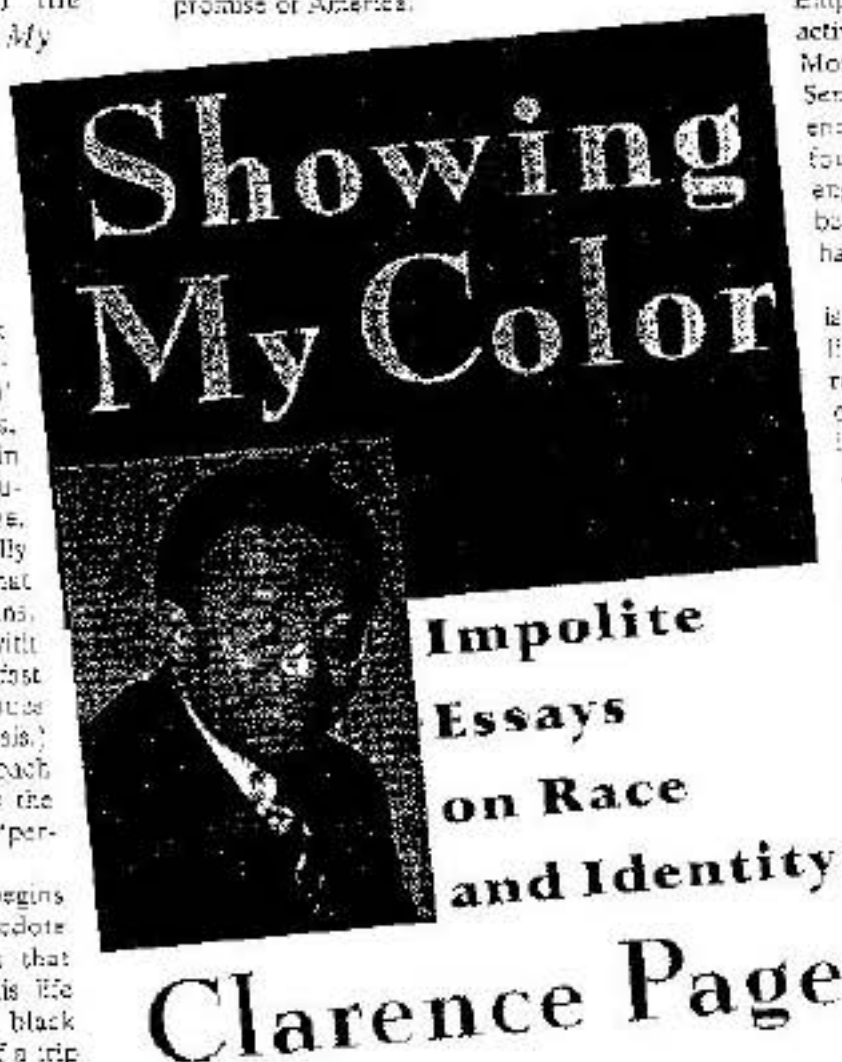
[Racism] is not just an internalized belief or attitude. It is also an externalized public practice, a power relationship that continually dominates, encourages, and reproduces the very conditions that make it so useful and profitable.

Though old-style racism has been conquered and is no longer an acceptable part of America's mainstream, an even more sinister "institutional racism" lives on as the defining fact of American life.

While retelling these clichés of the left, Page insists on presenting his own psychodrama more complexly. True, he may be nominally a "progressive," but there is a conservative inside

him struggling to get out: "Conservatism resonates familiarly with me, as I think it does with most black Americans." The fact that there is some truth in this self-description makes what Clarence Page has to say important (the chapter where it appears is pointedly called "A Farewell to Alms"):

We vote liberal, for liberalism has helped us make our greatest gains. But in other areas, we swing conservative. We want to believe that hard work will be rewarded.... We want to believe in the promise of America.



It takes courage for Page to defend his conservative instincts, especially in view of the intimidating pressures within the black community to make visible representatives like him bow to racial solidarity on crucial issues. Thus Page does not hesitate to point out that the anti-Semitic ravings of Louis Farrakhan and other spokesmen for the Nation of Islam have created the public climate in which a Yankel Rosenbaum could be lynched in Crown Heights a few years ago, and in which his killer could be acquitted by a jury of blacks.

Page remains a political Democrat, he claims, because of Republicans' assumption that "racism is no longer a problem" and their view "that government programs and agencies must be trimmed, even when these programs and agencies offer the last slender thread of protection the grandchildren of America's black slaves have against further slides back into oppression." In particular, he singles out conservative opposition to minimum wage laws, affirmative action employment policies and welfare aid to mothers with dependent children. But there is a deeper, cultural dimension to Page's differences with Republicans evoked by sentences like this:

Klan membership dropped sharply in the early 1980s, according to researchers for the Anti-Defamation League and other... Klan-watching groups, as many found a new, satisfying voice and vehicle in Republican Party politics. Enter David Duke.

But Duke, whose influence (until Farrakhan's) does not reach outside Louisiana into the chambers of Congress, was instantly proscribed by the Republican Party leadership including three living Republican presidents (or sitting) which is far more than could be said about Louis Farrakhan and the two living Democrat presidents who have had many chances to condemn him by name, and have not.

This lapse into partisan race-baiting provokes me into showing my own color. I am Jewish Republican, who nearly fifty years ago marched in support of Harry Truman's Fair Employment Practices Act and have been active in civil rights struggles ever since. Moreover, I have a personal anecdote of anti-Semitism that is more current than Page's encounter with "white" and "colored" water fountains in the fifties. I am recently engaged to a non-Jewish woman, who has been confronted by several friends who have said: "How can you marry a Jew?"

The level of Jew-hatred in America is higher today than it has been in my entire lifetime, thanks not only to the poisonous rant of Farrakhan but also to the collusion of large sections of the black intelligentsia in legitimizing his viewpoint for black Americans. It is black anti-Semitism, like Farrakhan, in fact, who have legitimate public anti-Semitism in a way that no other group in America could. Nor does it seem that Jews can afford to feel protected today by the American mainstream as blacks. When Martin Brand recently launched an attack on Hollywood Jews on a Larry King Show and went on to talk about "nikes," "chicks" and "niggers" it was only the "N-word" that got censored by the CNN censors. "Institutional racism," seems, can cut more than one way. Yankel Rosenbaum had been a black lynched by a Jewish mob, does anyone think there would have been an all Jewish jury selected or that the Jewish assassin would have been acquitted?

Anti-Semitism has real world consequences for Jews, just as surely as racism does for blacks. A Jew knows not to attempt a career in the auto business in Detroit, to cite one of many possible examples without taking into account the institutional prejudices of the industry and thus the hazards of such an effort. I have stood in the living rooms of Grosse Pointe mansions and felt the disdain caused by my ethnicity. But this does not lead me or my fellow Jews to call for government-enforced preferences for Jews or to seek the source of this prejudice in the institutional heart of the nation.

For a voting liberal, Page's familiarity with conservative writers is unusually broad, and his readings are mostly respectful. It is not surprising, therefore, that his defense of affirmative action often shrewd. But for a conservative who does not fit the liberal caricature (angry white male threatened by minority advances), his arguments remain singularly unconvincing. Like other defenders of an indefensible policy, Page begins by denying that affirmative action is what it is:

Despite myths to the contrary, affirmative action is not intended to promote people who are not qualified. It is intended to widen the criteria for those who are chosen out of the pool of the qualified.

Unfortunately, for this argument, there are numerous and obvious examples that prove just the opposite. Journalist Roger Wilkins was made University Professor of History at George Mason University despite the fact that he had a



qualifications as a historian, having never written a scholarly monograph in his life. Wilkins was chosen. It happens over my friend Ronald Radosh who at the time had been a history professor for twenty years, had published widely in scholarly journals and had also written several highly respected books in his field. Nor is Wilkins an isolated case. Julian Bond's failed political career has led for no apparent reason (other than the politics of race) to concurrent professorships at two universities (Virginia and Maryland), also in history. Cernel West and Angela Davis hold two of the highest paid and most prestigious university chairs in America, despite their widely recognized intellectual mediocrity (in Davis's case, compounded by her disreputable career as a Communist Party apparatchik and lifelong apologist for Marxist police states).

Indeed, the weakness of the affirmative action case is exposed by the very fact that its most intensely contested battlefields are elite universities, which rank among the nation's most liberal institutions. Page actually defends the beleaguered affirmative action programs at the University of California with the argument that enrollment levels of blacks are expected to drop when affirmative action is ended. Would Page have us believe that the admissions departments of liberal universities like UC are infested with angry white males conspiring to keep black enrollment down? Or with built-in "institutional biases" excluding blacks? The reality is that since 1957 when the California regents adopted their famous "Master Plan," every single California resident, regardless of race, who graduates high school with certain achievements has been guaranteed a place in the university system. Matriculation from various points in the system, starting with community and junior colleges to positions at Berkeley and UCLA (its academic pinnacles) were based—until the advent of racial preferences—on grade point averages and achievement tests, and these alone.

By way of defending policies that trump grades with racial preferences, Page invokes the "geographical diversity" criteria of the Ivy League schools, commenting "Americans have always had a wide array of exotic standards for determining merit." Page doesn't seem to realize that "geographical diversity" criteria were introduced to restrict the enrollment of Jews. Page even quotes, without irony, a "friend" who said he was convinced he got into Dartmouth because he was the only applicant from Albuquerque: "I'm sure some talented Jewish kid from New York was kept out so I could get in."

When I went to Columbia in the fifties, the Jewish enrollment with the geographical diversity program in place, was 48%. That was the Jewish quota. We Jews were well aware of the anti-Semitic subtext of the geographical diversity program, and talked about it openly. But we did not launch protests or seek government interventions to abolish the program. The opportunity that was offered seemed sufficient. Once the principle of Jewish admission was accepted, even residual (or "institutional") anti-Semitism could not keep Jews, who constituted only 3% of the population, from flooding the enrollment lists of Ivy League schools. Liberals like Clarence Page support affirmative action because they are in a state of massive denial. The problem of black enrollment at elite universities is not caused by racist admissions policies. It is caused by poor academic performance.

In defending affirmative action policies, Page reveals the underlying element in most expressions of "black rage" these days. This is the displacement of personal frustrations, the unwillingness of many blacks to go through the arduous process that other ethnic minorities have followed in their climb up the American ladder. Thus Page opens his chapter on affirmative action with a personal anecdote. As a high school graduate in 1965, he applied for a summer newsroom job but was beaten out by a girl who was less qualified and younger, but white. Shortly after that the Watts riot occurred and he was hired. Page's comment: "You might say that my first jobs in newspapers came as a result of an affirmative action

program called 'urban riots.'"

This is a familiar cliché of the left. White people only respond fairly to blacks when they have a gun to their heads. Thus Malcolm X, who scorned the civil rights movement (in a 1963 speech he referred to "the recent ridiculous march on Washington" because he believed, wrongly, that Americans would never give blacks their rights), is seen in retrospect by many black intellectuals as the author of the civil rights movement because his violent racism scared whites into agreement. But what is immediately striking in Page's reflection is that he doesn't pause to consider that this was his first job application and that it was only for a summer position. Perhaps the men doing the hiring wanted to have a girl around the office for a couple of months. This would be an unprofessional rationale for the hiring, but not racist. Nor would it require a riot to remedy.

Page gives no thought to the possibility that he would have been hired eventually anyway. Recognizing that significant changes take time, is not the same as saying that they require force to implement. Was it the threat of riots or of affirmative action laws that eventually made black athletes dominant in leagues whose owners (Marge Schott immediately comes to mind) hardly rank among the socially enlightened? Or that allowed black cultural artists to achieve an equally dominant position in the popular music industry? How did Oprah Winfrey, a black sharecropper's daughter from Mississippi become mother-confessor to millions of lower-middle-class white women (and a multi-millionaire in the process) without affirmative action? Page has no answer. And he doesn't even address the most profound implication of his anecdotal encounter with racism: the unfairness which touched him back in the mid-60s has, in affirmative action, been systematized and elevated to a matter of national policy!

The primary reason most conservatives oppose affirmative action is one that is given almost no attention by progressives eager to attribute base motives to their opponents. Racial preference is an offense in principle to the core values of American pluralism, which depends on the neutrality of American government towards all its diverse communities. Affirmative action is a threat to inclusiveness, since privilege is established under affirmative action policy not by achievement, but by legal coercion. The principle of affirmative action, which is inevitably—and despite all demurrers—a principle of racial preference is a threat to what Felix Frankfurter identified as "the ultimate foundation of a free society . . . the binding tie of cohesive sentiment." Affirmative action based on principles like geographical diversity constitute no such threat, but policies based on race, do.

Affirmative action is a corrosive acid, eating at the moral and social fabric of American life. Every time a black leader refers to the peccancy of blacks on the faculty of Harvard or in the upper reaches of corporate America, the automatic presumption is that white racism is responsible. The legal concept of "racial disparity" embodies the same assumption. The idea that government must compel its white citizens to be fair to its minority citizens presumes that white America is so racist it cannot be fair on its own account. This involves supporters of affirmative action in an illogic so insurmountable it is never mentioned: If the white majority needs to be forced by government to be fair, how is it possible that the same white majority—led by a Republican president named Richard Nixon—created affirmative action policies in the first place?

There is no answer to the question because in fact affirmative action was not created because of white racism. It was created because of widespread black failure to take advantage of the opportunities available when legal segregation was ended. Since the politics of the left are premised on the idea that social institutions determine what happens to people, this failure had to be the result of institutional rather than individual factors.

If affirmative action "works," as Page

implies, it does so in ways he does not mention. Looked at objectively, its primary achievement appears to have been to convince black Americans that whites are indeed so racist that some external force must compel their respect and, secondarily, that blacks need affirmative action in order to gain equal access to the American dream. The further consequence of this misguided "remedy" has been to sow a racial paranoia in the black community so pervasive and profound that even blacks who have benefited from America's racial generosity have been significantly affected in the way they think. How significantly is revealed in the almost casual way the paranoia surfaces:

"Black is beautiful" was the slogan which made many white people nervous. . . . Any show of positive black racial identification tends to do . . .

Does it? The television mini-series *Roots*, after all, was one of the most significant milestones of positive black racial identification—an epic of black nobility and white evil purporting to represent the entire history of American race relations. It was not only produced and made possible by whites, but also voluntarily watched by more whites than any previous television show in history. Conversely, most of the negative stereotypes of blacks in today's popular culture are the work of black stars and directors like Martin Lawrence and Spike Lee, not to mention the infamous "gangsta rap" industry, which celebrates black sociopathic behavior, but in which blacks own the most profitable labels.

In gauging the size of the chip ominously perched on black America's shoulders, there can be few measures so choice as the following passage:

Black people may read dictionaries, but many see them as instruments of white supremacy. They have a point. Dictionaries define what is acceptable and unacceptable in the language we use as defined by the ruling class (sic). . . . The dictionary's pleasant synonyms for "white" ("free from moral impurity . . . innocent . . . favorable, fortunate . . .") and unpleasant synonyms for "black" (" . . . thoroughly sinister or evil . . . wicked . . . condemnation or discredit . . . the devil . . . sad, gloomy or calamitous . . . sullen . . .") are alone enough to remind black people of their subordinate position to white people in Anglo-European traditions and fact.

This is a cliché that has become bedraggled with overuse. Its major defect is not that it is outworn, but that it is self-defeating as far as Page's argument is concerned. White lexicographers had nothing to do with identifying Clarence Page and his racial kindred as "black" in the first place. When Page and I were young, blacks were called "Negroes" and had been so for hundreds of years. The word "Negro" has no such negative connotations, moral or otherwise. It was Malcolm X who first embraced "black" as a term of pride, employing the word "Negro" to connote the white man's pliant black or "Uncle Tom." After Malcolm's death, Stokely Carmichael and the new radical civil rights leadership aggressively took up the label with the slogan "Black Power" and demanded that "black" be used as a sign of respect. The liberal cultural establishment obliged. It was only then acquiesced in by the majority of whites who, in fact, for more than a generation now have ardently wished that black America would finally get what it wanted from them (and be happy about it).

When all the layers are peeled from the discussion of "racism" in *Showing My Color*, we are left with a disappointing residue of hand-me-down Marxism:

Modern capitalist society puts racism to work, wittingly or unwittingly. It populates a surplus labor pool of last-



hired, first-fired workers whose easy employability when economic times are good and easy disposability when times go bad helps keep all workers' wages low and owners' profits high. . . . Racism is one of many non-class issues, such as busing, affirmative action, or flag burning, that diverts attention from pocket-book issues that might unite voters across racial lines.

This is simple-minded, sorry stuff, unworthy of Clarence Page or any other intellectual (black or otherwise). The problem with the black underclass is not that it is underemployed, but unemployable. Blacks who have fallen through society's cracks don't even get to the point of being "last-hired." The flood of illegal Hispanic immigrants into areas like south-central Los Angeles, displacing indigenous blacks, shows that the jobs exist but that the resident black population either won't or can't take them. The fact that one in three young black males in America is a convicted felon—a fact that Page doesn't begin to confront—doesn't help their employability. Once again, the category of racism provides a convenient shield for a massive denial of problems that have very little to do, specifically, with race.

In fact, the racial conflict in America is being driven not by economics or even white prejudice, but by radical political agendas—by Clarence Page's friends on the left like Manning Marable, Ronald Takaki, and the embarrassing Michael Lerner (all of whom have provided blurbs for Page's book), and by their liberal allies who keep up the drum beat of complaint about American racism and "oppression."

The very phrase "institutional racism" is, of course, of leftist provenance. It is also a totalitarian term. Like "ruling class" it refers to an abstraction, not a responsible individual being. You are a class enemy (or, in this case, a race enemy) not because of anything you actually think or do, but "objectively"—because you are situated in a structure of power that gives you (white skin) privilege. Page is astute enough to see that if racism is defined as an *institutional* flaw, "it does not matter what you think as an individual" and therefore such a definition offers "instant innocence" to the oppressor. But he is not shrewd enough to see that it imputes instant culpability as well. While absolving individual whites of guilt, it makes all whites guilty.

The belief in the power of institutional racism allows black civil rights leaders to denounce America as a "racist" society, when it is actually the only society on earth—black, white, brown, or yellow—whose defining creed is anti-racist, a society to which black refugees from black-ruled nations regularly flee in search of opportunity and refuge. But the real bottom line is that the phantom of institutional racism allows black leaders to avoid the encounter with real problems within their own communities, which are neither caused by whites nor solved by the actions of whites, but which cry out for attention.

The problem with the discontent now smoldering inside America's privileged black intellectuals, so well expressed in *Showing My Color*, is that it can never be satisfied:

Nothing annoys black people more than the hearty perennial of black life in America, the persistent reality of having one's fate in America decided inevitably

by white people. It is an annoyance that underlies all racial grievances in America, beginning with slavery, evolving through the eras of mass lynchings and segregated water fountains, and continuing through the age of "white flight," mortgage discrimination, police brutality, and the "race card" in politics.

In Page's view, the unifying and ultimate goal of all black reformers, whether radicals like bell hooks or conservatives like Clarence Thomas is "black self-determination." What Clarence Page and blacks like him want is "to free the destiny of blacks from the power of whites."

Within a single national framework, this is obviously an impossible goal, and those who advocate it must know this. (Does Page want to go back to Stokely Carmichael's ridiculous demand in the '60s for blacks to be given Mississippi?) The goal is precious to them precisely because it can never be realized and thus, to turn one of Jesse Jackson's cries on its head, it keeps rage alive. Those who push for "black self-determination" in the American context are destined to be frustrated and angry, and to look on themselves as "oppressed." The irony, of course, is that America's multi-ethnic society and colorblind ideal—the equality of all citizens before the law—provides the most favorable setting for individuals to enjoy freedom and the opportunity to determine their destinies, even if they happen to be members of a minority. Ask Jews. For two thousand years Jews of the diaspora have not been able to free their destiny from the power of gentiles. But in America, they have done very well, thank you, and do not feel oppressed except, perhaps, by black demagogues like Farrakhan and Co.

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# Feminism Is Not The Story Of Their Lives

By Christina Hoff Sommers

When Elizabeth Fox-Genovese asked an adult high school equivalency class at Lehman College in New York what it thought of feminism, not one of the seventeen women called herself feminist, and the three men regarded the word with downright suspicion. Fox-Genovese notes, "They . . . agree that if women do the same work as men, they should receive equal pay. They all regard sexual harassment, to say nothing of rape, as intolerable; they all believe that their daughters should have the same employment opportunities as their sons." This makes her question all the more interesting: "So why do these women and men mistrust feminism?"

In *Feminism Is Not the Story of My Life* (Doubleday, 1996), Fox-Genovese tackles the subject of contemporary women's unhappiness with feminism. Her approach is empirical, featuring interviews with some forty women about the role of feminism in their lives. There are chapters on feminism's hostility to the family and children, on its fixation with abortion rights, on its hostility to femininity and fashion, on its preoccupation with the problems of upscale career women and its failure to help or to sympathize with poor women. The book paints a vivid and altogether convincing picture of American women alienated from a movement supposedly there to help them.

Seeking to account for women's resistance to organized feminism, feminists talk of their "false consciousness" and how they have "internalized oppression." Such explanations condescendingly regard most women as unwitting handmaidens or dupes to the patriarchy. One kind of explanation made popular by writers such as Susan Faludi postulates elaborate bourgeois conspiracies. But Fox-Genovese shows that modern feminism itself is responsible for the fix it is in.

For one thing, as she points out, women simply "do not see men as 'The Enemy.'" And so they refuse to join the militant feminists in their war against men and male sexuality. Related to this is the suspicion shared by many women that feminism is opposed to femininity, disapproving of women who are preoccupied with beauty, fashion, or romance. Here, the feminists are seeking to hold back the tides. As Fox-Genovese says, "If you doubt that femininity matters to women, just pick up a woman's magazine and you will find one article after another devoted to clothes, cosmetics, fitness, or relationships." *Cosmopolitan* magazine is many times more popular than *Ms.* magazine; sales of romance novels run about 200 million annually worldwide, not having suffered at all from fifteen years of scorn heaped on them by the gender feminists.

Of course, the feminist scholars are ready with theories of why women cooperate with the oppressive "gender system." Feminist literary scholar Ray Mousell tells us that women who read romance novels are unhappy, seeking escape from their own "powerlessness, from meaninglessness and from lack of self-esteem and identity." Feminist philosopher Alison Jaggar explains why she and her sisters-in-arms have managed to escape the patriarchal brainwashing: "Certain historical circumstances allow specific groups of women to transcend at least partially the perceptions and theoretical constructs of male dominance."

Fox-Genovese finds the matronizing attitudes of hard-line feminists fatal to feminism: "It takes a breathtaking effort . . . to charge that the fringe of American women have let themselves be brainwashed—a charge that in effect reduces most women to 'bimbos'."

Though feminism's demonization of men and its hostility to beauty and romance help to explain its current unpopularity, it is the movement's negative attitude to children that Fox-Genovese finds most alienating for many women. She tells the story of a young journalist assigned to cover a NOW convention who noted that of the more than one hundred special sessions, only one focused on children—a workshop on lesbian mothering. The reporter, who was seven months pregnant, was taken aback.

Fox-Genovese was haunted by her conversation with this young reporter: "Here was a

young woman of about thirty who was successfully pursuing a career and loving it and about to have a child she expected to love. Where could she turn for a story that would offer insights about her life and help her to live it more easily?" Not to the movement that supposedly spoke for her.

Patricia Ireland and the other NOW activists have a lot of advice for women on how to free themselves from motherhood: abortion, sterilization, birth control. In the event that a child is born, feminist activists lobby for full-time day care. But that's about it. They have been notably uninterested in helping women find ways to spend more time with their children.

The story of most women's lives centers around their children. Yet, feminists refuse to give that story its importance. When Betty Friedan recently called for feminism to reconsider its hostility to family, she was accused of trying to "destroy feminism in order to save it, and bear the moral majority by joining it." In Friedan's *The Feminine Mystique*, "the problem that had no name" was women's dissatisfaction with their constricted, suburban lives. Today, says Fox-Genovese, the problem that has no name is women trying to raise their children in a hostile world.

A major reason that contemporary feminism offers women no comfort can be found in its stubborn commitment to the idea that "motherhood" is "socially constructed"—that is, that society, not biology, studies women into this role. The fact that there has never been a society in which women did not take primary care of young children, and the fact that even today vastly more women than men want to say *no* to take care of children only angers the doctrinaire feminists. Because they believe that the desire for traditional motherhood is artificially imposed, they also believe that it will have to be changed. But, as Fox-Genovese demonstrates over and over again in her book, this inflexible feminist theory, a theory which is at war with nature, rejects women's actual preferences and so harms women and the children they love.

Though feminists disapprove, many women would happily join "the mommy track." In 1989, Felice Schwartz, the founder and president of Catalyst, a non-profit group that seeks to find ways to help women in business, published an article in *Harvard Business Review* suggesting that companies set up a special career path for a growing number of career women who want off the fast track. Schwartz found that large numbers of women were looking for a way to achieve a better balance between family life and workplaces. According to Fox-Genovese, "The polls show that married women and especially working mothers remain as eager as ever for part-time work and flexible work schedules. . . . Schwartz has a good sense of what millions of women want. . . . Most women would ask nothing better than to be able to follow a 'mommy track.'"

But as Fox-Genovese reminds us, the idea of the "mommy track" was anathema to feminist establishment: "NOW and the National Women's Political Caucus, joined by the ACLU, 'delivered a blistering attack on Schwartz. . . . The radicals have called her a 'traitor to the women's movement.' . . . But Schwartz focuses on what many women want, not on what radicals presume they should want."

The feminist fight against the facts of life is unceasing. Last year, Hasbro Toys tested a doll house they were considering marketing to both boys and girls (The idea was not simply the result of feminist pressures; it is a matter of economics that successful toys generate twice the profits of same-sex toys). The Hasbro researchers found that girls and boys did not interact with the doll house in the same way. The girls dressed the dolls, and played house; the boys catapulted the baby carriage from the roof. Sharon Hartley, a Hasbro general manager explained what in prior times would have been considered obvious: "Boys and girls have different play patterns." Mundane wisdom like this is what the feminists cannot accept. They keep looking to the day

when boys will learn how to play with the doll house. As Gloria Steinem has said: "We badly need to raise our boys more like girls."

It's going to take many years of unsuccessful social engineering projects before feminists finally come to realize that this is hopeless. (As a mother of two boys, I know it's hopeless.) The prospects of men entering the nursery on a par with women are just as dim. And in any case, as Fox-Genovese makes abundantly clear, women themselves are not out for precisely mathematical parity in child rearing. Women do need and want help with child care, but they are learning not to expect practical solutions from the feminist movement, which is less concerned with helping them than with punishing their husbands and lovers. Genovese sees feminists as irrelevant to the problem at hand: "[F]or the foreseeable future, the care of young children will remain more of a woman's responsibility than a man's. And I fail to understand how we will improve the prospects of most women and children by deferring desperately needed supports until that fabled day of glory when equality will somehow prevail. Beyond that, I remain unconvinced that most women really wish to relinquish their special bonds with children."

The style of doctrinaire feminism to which Fox-Genovese is reacting and whose family she is exposing in this book goes back to Simone de Beauvoir. Discussing the woman "who chooses to take care of her children full time," Simone de Beauvoir said: "[W]e don't believe that any woman should have this choice. No woman should be authorized to stay at home to raise her children. Society should be totally different. Women should not have that choice, precisely because if there is such a choice, too many women will make that one." It is interesting to contrast Beauvoir's conspicuous authoritarian attitude toward women with the democratic respect shown them by conservative feminist Clara Boothe Luce. Luce talks unabashedly about "women's nature," but she is careful to say that women's nature can only be fully known in conditions of freedom and opportunity.

It is time to leave the question of the role of women in society up to Mother Nature—a difficult lady to fool. You have only to give women the same opportunities as men, and you will soon find out what is or is not in their nature. What is in women's nature to do they will do, and you won't be able to stop them. But you will also find, and so will they, that what is not in their nature, even if they are given every opportunity, they will not do, and you won't be able to make them do it.

De Beauvoir believed that a draconian policy was required to prevent women from leading bright, "inauthentic" conventional lives. Though she does not spell it out, she must have been aware that her "totally different" society would require a legion of gender wardens endowed by the State with the power to prohibit any woman who wants to marry and stay home with children from carrying out her plans. She betrays the matronizing attitude typical of many gender feminists toward the duped constituency they claim to represent.

*Feminism Is Not the Story of My Life* is an elegantly written account of what women want under conditions of relative freedom and equal opportunity. It is full of suggestions on how we could improve the lives of women and children, not by raising their consciousness, "overhauling their desires," or "decolonizing their imaginations"—but by helping them to get what they want—and not what feminist ideologues believe they ought to want. It is one of the first works in contemporary feminist scholarship that convincingly describes women as they are with all the "unfeminist" preferences and aspirations that Big Sister would dearly like to exorcise from their very souls.

Christina Hoff Sommers is a professor of philosophy at Clark University and author of *Who Stole Feminism?*



## CRITICAL PEDAGOGY HITS THE CAMPUS

# Crits and Bloods

By K.L. Billingsley

From a distance the long-haired, lanky stranger who showed up early in May at the campus of California State University at Northridge could have passed for Peter Fonda in his *Easy Rider* days, or rocker Neil Young. Had they perhaps seen him on the cover of *Rolling Stone* or *Spin*, or maybe MTV, students wondered? But Peter McLaren was not there for a film or a rock gig, but as keynote speaker for a university-wide conference, although what he laid on his audience carried the heft of heavy metal. A deadly crisis had fallen upon the nation, he said, and its citizens didn't even know it.

"Education and cultural workers in the United States are facing a crisis of democracy," McLaren said, totally localizing his words to the hundreds of students and faculty who had come to the gathering. "The 'democratizing' imperatives of private enterprise, wage labor, free trade and other fundamental axes for the new capitalist world system, whored in by the third industrial revolution of computer technology have shrouded individuals in a web of promotional logic patterned by the conquering dynamism of Eurocentrism. Colonization has gone transnational and corporatist. . . all will worship at the altar of the market. People will sacrifice for the gods of profit. Capitalism carries the seeds of its own vulnerability and frailty; even though its cunning appears inexhaustible. We live in an era where the dream of a reconciliation of capitalism and democracy will never be realized. Students are particularly vulnerable in these dangerous times, as they are captured in webs of social and cultural meaning not of their own making. . . relentlessly counseled through advertisements, the media. . . to respond to the logic of commodity fetishism. . . Educators, especially, need to politicize their students against the violent threat of capital, to menace their social apathy and haunt their 'comfort zones' like a surly stranger."

McLaren then turned to the broader California populace, which in 1994 passed Proposition 187 by a landslide. "The eighth of November 1994 is a day that shall live in infamy," he thundered. "For this moment signals not only the resurfacing of fascism. . . the triumph of cultural apartheid and the inquisition of the colonial mind." In fact, "social authoritarians have definitely sloughed off their white cocoons, transformed now into full-blown racist terrorists" showing the "white fangs of gringo justice." We need to remember that few spoke out when Jewish students were forced out of German universities or when Jewish faculty were expelled."

For those wondering who would rescue them, McLaren had saviors in mind, directing the crowd to the spirit of slain Argentine Marxist-Leninist Ernesto "Che" Guevara and subcommandante Marcos of the Mexican Zapatistas. Though he clearly regards himself as a comrade of this revolutionary duo, McLaren works as an associate professor in the Graduate School of Education and Information Studies at UCLA and is the prevailing prophet of "critical pedagogy." This concept has long lain dormant in the bowels of the academy but now, like the creature erupting out of John Hurt's chest in *Alien*, has burst forth in full fury and seeks to divert the academic ship by remaking the way teachers teach and youngsters learn.

A deformed distant cousin of critical legal studies—whose advocates call themselves "crits"—that movement incubated in the hearth of Harvard Law which holds that the law is actually only a way of certifying inequitable power relations, critical pedagogy is the brainchild of Brazilian sociologist Paulo Freire, a fundamentalist Marxist. "I myself felt that Marx must be

understood in a Marxist manner," he explains, "that is, we must not immobilize Marx; that would be profoundly antidialectic and antihistorical." Born in 1921, Freire wanted to use education not to teach the three Rs but for *conscientização*, raising revolutionary consciousness against oppression. His 1970 *Pedagogy of the Oppressed* is the



Peter McLaren

bible of the movement, with more than half a million copies in print. Here Freire decried what he called the capitalism-based "banking concept" of education in which "knowledge is a gift bestowed by those who consider themselves knowledgeable upon those whom they consider to know nothing." For Freire, teaching students that four times four equals sixteen only "serves the interests of the oppressors."

*Pedagogy of the Oppressed* is a dialectical tome whose most readable passages turn out to be quotes from Hegel, Marx, Chairman Mao, Lenin and, of course, the master Che Guevara himself. As for McLaren, Che is Freire's *beau idéal*. "It was, then, in dialogue with the peasants that Guevara's revolutionary praxis became definitive. . . His own humility and capacity to love that

made possible his communion with the people." ("Love," of course, was a species of bourgeois sentimentality for Guevara, who said, "We must above all keep our hatred alive and fan it to paroxysm.") Likewise for Freire, Fidel Castro, Cuba's ruler-in-chief, is a warm-hearted man for whom "contradiction with the people" is impossible.

During the 1960s, Freire's attempts to exploit a literacy program for revolutionary *conscientização* got him in trouble with Brazil's military junta, which briefly jailed then exiled him. He spent five years in Chile as a UNESCO consultant with the Chilean Agrarian Reform Corporation. Freire's work attracted attention in America because of what Latin American specialist Robert Royal (*1992 And All That*) calls "ventriloquist Marxism"—that is, someone who sports the dog-eared dialectics of dead white European males Hegel, Marx and Lenin while claiming to be an indigenous Third World voice.

Freire landed at Harvard's Center for Studies in Development and Social Change. ("I always ask myself if the University of Albania is similar to Harvard, and whether because of their differences it seems to me that one of them is wrong," Freire wrote, unable to resolve this conundrum although enjoying the pleasant views along the Charles River.) In 1970 he became an educational consultant to the World Council of Churches. With the WCC, Freire developed literacy programs for Tanzania, Guinea-Bissau, Angola, Mozambique and Nicaragua, all militaristic left-wing regimes. As author Andres Oppenheimer (*Castro's Final Hour*) has noted, under the Sandinistas, Cuban pedagogues gave Nicaraguan children such lessons as: *the clip in Pedro's AK-47 holds 36 rounds. If Pedro has five clips and gives three to Rafael, how many rounds does he have left?* Freire also supported the sending of African children to Cuba, the Soviet Union and East Germany to be educated by Communist Party critical pedagogues in these countries.

"Democracy has different meanings for different peoples," Freire opined in the 1993 *Paulo Freire: A Critical Encounter*. "For some, it is synonymous with capital, that is, the propagation of acquisitiveness and greed, the barbaric practices of colonialism, and conceptually opposed to socialism. For others, it is a process of achieving equality of social justice." Further, "when democracy is claimed to be victorious, such a victory can almost invariably be traced to the exploitation of the colonizer other, to those who inhabit the vortex of imperialism and oppression." But while Freire is very much the cultural relativist when speaking of democracy, he turns cultural authoritarian when speaking of Marxism and its discontents: "I cannot allow my students to be exposed to a bourgeois professor who analyzes bourgeois economy when I know that he will do so against Marxist analysis and thereby endanger the revolution I am defending." Thus, in critical pedagogy, as in Cuba, students must not interact with ideas contrary to the approved canon. Rather, they must be quarantined from any corrupting free-market influences.

Those politically correct orthodoxies delight Freire's North American fans in the isolation wards of academe. "Paulo is the exemplary organic intellectual of our time," puffs Harvard's Cornel West, who sees *Pedagogy of the Oppressed* as "a world-historical event for counter-hegemonic theorists and activists in search of new ways of linking social theory to narratives of human freedom." Freire, in fact, "adds new meaning to Marx's famous eleventh thesis on Feuerbach" and "dare[s] to tread where even Marx refused to walk—on the terrain where the revolutionary love of struggling human beings sustains their faith in each other and keeps hope alive within themselves and in history."



Freire says a number of American educators, including *Killing Rage* author bell hooks (see *Heterodoxy*, April 1996), have tried to "reinvent my writings and research on literacy and liberation in schools, the workplace, the home and universities and colleges. In my view, this has been exceedingly productive work." In this, at least, he does not exaggerate. The evidence shows that his thinking commands the high ground on many American campuses.

Before Peter McLaren's epiphany at Cal State Northridge, the Faculty Study Group for Interpersonal Understanding there held a roundtable on "critical pedagogy." Part of this group's effort was to define this theory.

"It means to overturn the 'banking' school of education, to expose the ways in which various people have been made silent by oppression within the university and within the culture," said Andrea White of the English department, in perfect Freire-speak. Critical pedagogy, said Gordon Nakagawa of the speech department, "attempts to subvert the economic exchange model that's rooted in capitalism... a system of oppression I'm here to undermine." This latter notion might surprise a few students, parents, and governments, who write fat checks to CSN, and who might be forgiven for thinking that Nakagawa was there not to undermine the economic system that pays his generous salary and benefits, but to impart whatever knowledge he had picked up so the students could enrich their intellectual life and possibly go on to earn a living.

"Critical pedagogy is a critique of American culture," said Bill DeLaTorre, education professor. "A traditional classroom deals with issues of race, class, and gender in a way that reproduces the traditional structure." DeLaTorre says bell hooks led him to deal with racial issues in a way that actually seeks confrontation. "I didn't fear talking to white students in a more authentic way rather than come up with a response that would have avoided conflict." For DeLaTorre, the point of being a faculty member is not to draw on the "bank" of knowledge, but to knock the bank over; not to augment their field of study with creative thought and research, but to "de-center" their discipline through provocation: "If the faculty see themselves as committed to their field and not to the university and the larger community, they perpetuate the very things the students want. In fighting for critical pedagogy, we're fighting the institutional process." (Emphases added.)

"So make a ritual of it," said Anamaria Garcia of the CSN theatre department. "You take the syllabus and have them rip it up and throw it in the center of the room. Then you start all over again."

These faculty members seemed to have no objection to banking on the deposits made by Paulo Freire, which they repeat almost word for word. Many of them also look to Freire-disciple Henry Giroux for inspiration. In his 1995 *Fugitive Cultures: Race, Violence and Youth*, Giroux complains about being denied tenure at Boston University by John Silber, who had letters supporting denial from Nathan Glazer and Chester Finn. "Working class intellectuals do not fare well in the culture of higher education," explains Giroux, who, after a stint on the day shift at Miami University (Ohio) is currently toughing it out at Penn State as the Waterbury Chair Professor (an endowed chair) and director of the Waterbury Forum for Education and Cultural Studies.

Giroux sees American higher education as a conservative institution dominated by a Eurocentric curriculum "resistant to analyzing how racial, class and gender differences intersect in shaping that curriculum." In its place, he seeks

"a radicalization of the social order." Further: "politics around the binaries of capital/labor, self/other, subject/object, colonizer/colonized, white/black, man/woman, majority/minority and heterosexual/homosexual can be reconstituted through more complex representations of identification, belonging and community."

Giroux takes a two-by-four to "popular teaching machines," such as Disney's "animated pedagogy," whose institutional power will have to be "disrupted," and other movie producers who "go unchecked in their attempts to peddle violence for profit." Even the movement against political correctness on campus "represents a serious attack on children's culture, and demonstrates

McLaren, guiltily confesses to being pure white-bread suburban and once confessed to a European magazine that he considered going into the priesthood. That was until he met a Toronto hippie named Zeke who turned him on to Genet, Pynchon and Kerouac. The two roomed together in Yorkville, Toronto's Haight Ashbury. In college McLaren became a devotee of Erich Fromm and "repressive tolerance" guru Herbert Marcuse. McLaren says that the writings of Che Guevara and Malcolm X moved him "unsentimentally" and thereupon he "became involved in radical political groups."

McLaren chronicled his teaching experiences in *Cries From the Corridor*, which became a best seller in Canada. He cleverly recycled that material for American audiences in *Life In Schools: An Introduction to Critical Pedagogy*, whose blurb was provided by none other than Paulo Freire: "A passionate challenge to all forms of education; should be read by all."

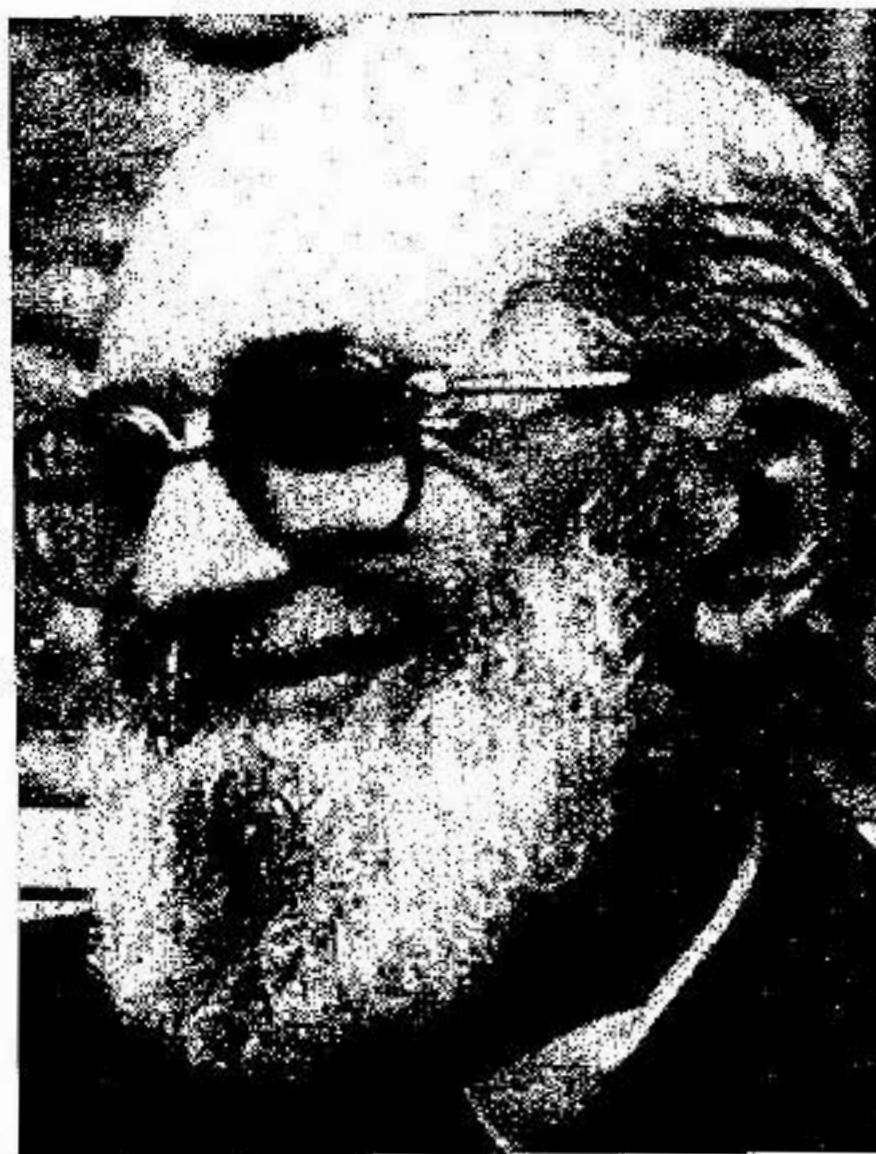
McLaren decries "the hyper-patriotism of 'resurgent America,' the importance of the patriarchal family as the Promethean embodiment of a righteous life-style, the prevailing rhetoric about consensus enemies such as Iraq and Nicaragua, and the moral terrorism of shuttle diplomacy... dogmatic intolerance of feminists, gays, radicals and non-Christians." He cites Frida Kahlo, Mexican artist and Stalinist bisexual, as one of his influences. But he admits that critical pedagogy was not birthed in the Third World. Critical educational theory, writes McLaren, "owes a profound debt to its European progenitors... illuminating works of Freudo-Marxist analysis including Erich Fromm and Herbert Marcuse." He has also read his culture-capturing Gramsci, another European. On the other hand, McLaren rails against the abuses of "phallogocentric and Eurocentric economies of power and privilege." To fight this tradition, McLaren, and his would-be crits and bloods—self-defined "insurgent intellectuals"—are racking rounds into their arsenal.

"Teachers need to become warriors against certainty," he writes,

"to contest the interrogative monopoly of standardized tests and texts, and to intensify the obvious until it becomes strange while accelerating the unfamiliar until it becomes mundane. That means that we must keep students connected to the power of the unacceptable, we must plague normalcy... We can achieve a pedagogy of transformation if we turn our teaching into an outrageous practice and a practice of outrage... From the Eurocentric archives of dead reason, then perhaps we can begin to build a project of recovering the lost particles of our dreams, dreams shattered in modernity's thrall to the right-fisted logic of consumer capitalism."

In the end, then, critical pedagogy "is a rage against enforced silence and confrontation with indifference, against the mindless Pepsi generation optimism of marketplace ideology." (Emphases added.) But McLaren does not fail to include generous ad-copy sections for critical comrades Paulo Freire, Henry Giroux, bell hooks, and others.

In the more recent *Critical Pedagogy and Predatory Culture*, McLaren says that things are getting worse. He has seen "sinister structures of domination" at work in his own 'hood. McLaren explains that he lives near the UCLA campus (hardly a working class area) and "every night I hear the wailing cries of drunken students, cries which at once evoke the empty humor of Hee-Haw and the more serious, reflective pain of youthful bodies responding to the slow commodification of their will under late capitalism." This "commodification" is performed upon them by clever advertisers and professors, who witlessly



Paulo Freire

both the resurgence of a racist discourse and the effects of rising fundamentalism in American society." Giroux believes university professors are "public intellectuals," who must use their "pedagogical sites" to "return universities to their most important task: creating a public sphere of youth who are able to exercise power over their own lives and especially over the conditions of knowledge acquisition." (Emphasis added.) Otherwise the teachers are simply "clerks of the empire."

In 1985, Peter McLaren joined Giroux at Miami U and the tandem edit "Teacher Empowerment and School Reform," a series of books published by the State University of New York Press. The current list of twenty-eight titles includes *Critical Theory and Educational Research* by Peter McLaren, *Pedagogy, the State and Cultural Struggle and Postmodernism, Feminism and Cultural Politics* by Henry Giroux, *Curriculum as Social Psychoanalysis* by Joe Kincheloe, *Elementary Schooling for Critical Democracy* by Jesse Goodman, *Curriculum for Utopia* by William Stanley, *Critical Literacy* by Colin Lankshear, *Reading Paulo Freire* by Moacir Gadotti, *Bilingual Education* by Marcia Moraes, *Pedagogy, Democracy and Feminism* by Adriana Hernandez, *Empowerment Through Multicultural Education* by Christine Sleeter, and *Re-Thinking Reason* by Kerry Walters, a title which nicely summarizes the current PC academic scene.

McLaren is the poster boy for the movement, a figure who stands with Giroux and Freire in a sort of critical pedagogical trinity. "My background was working class until my father landed a managerial job," he says. Born in Canada in 1948,



repeat the clichés of the Western tradition. In fact, writes McLaren, educators in the United States are "witnessing a reactionary and ultimately ludicrous rearward defense of the alleged transcendent virtues of Western civilization, a neo-corporatist assault on the New Deal welfare state." All part of the "social contract of fascism in California," "capitalism's terroristic logic of production and consumption," and "our increasingly terroristic social order" supported by people like Chester Finn and Diane Ravitch, who are "obscenely lacking in insight, they in fact are serving the interests of corporate capital and the status-quo of distribution of power and wealth, which, let's face it, is the central narrative undergirding conservative policy." (Emphases added.)

McLaren continues on with his post-Marxist rant: "Power disguised as liberation has become deputized by the logic of exploitation that drives market forces. Imperialism is the name of this power. It used to be dressed in a military uniform. Now it can be clothed in the kinder, whiter fashion of Courtney Love." (Sisters on the street might note that this "he" quip comes from a man whose publicity photo shows him decked out in the coolest leather jacket, with trendy medallions, and designer shades, while striking a bad-boy, Kurt Cobain sort of pose.) History offers McLaren no solace. "The economic collapse of the Soviet Union and its eventual disintegration has become the prized testimony of Cold War hawks in their impassioned verdict that capitalism has defeated socialism due in part to the immanent democratic nature of the free market," he says, insisting that he, at least, believes that "the main pillars of Marxian analysis remain intact."

Such views would be taken with a pillar of salt in Prague, Warsaw, and other world capitals still bombed out by actually existing Marxism. But judging by the reviews for *Critical Pedagogy and Predatory Culture* such views are quite at home on campus. "McLaren is one of North America's most eloquent critics of late capitalism," gushed Stephen May in *Sociology*, calling the book, "essential reading for all those interested in the radical potential of schooling." Antonie Darder of the Claremont Graduate School, says, "McLaren bravely challenges and criticizes the deep structures of domination within schools and society," and LSU's Bill Pinar raved that "McLaren's unerring sense of what is important as well as the remarkable range of his scholarship establish him as perhaps the central political theorist in the field today." Popi Leisyna, in the venerable *Harvard Educational Review*, notes that "McLaren's work moves critical pedagogy beyond simply a terrain of critique."

Nor does McLaren concentrate on ethereal theories about the defects of democracy to the exclusion of critiques of such problems as racism.

He writes, "whiteness is not just about skin color but is entwined in systems of intelligibility enmeshed in colonialism, imperialism, Eurocentrism..." More personally, he says, "I know some African Americans and Latinos who are white, who have accepted the terms of enfranchisement which means to become culturally stripped and detached. Whiteness is an invention, a socially constructed way of looking at others."

In such a patronizing vision, says Shelby Steele, author of *The Consent of Our Character*, "blackness is equated with poverty and victimization, with protest" and "you are the real thing if you fail, if you are poor, ignorant, backward and angry. The crack dealer in Harlem is really black, Colin Powell is not. You lose your blackness if you succeed." Indeed, one would relish the moment in which McLaren explains, face to face, to someone like Steele that his blackness is a social construct. Better yet, imagine him telling Steele that the best-selling author from the Great White North has become an honorary person of color. "Many people who have read my work often assume I am Latino or African American," McLaren writes. He has also been moved by the spirit: "The voice of authority is something that has been given to me, not something I have sought, so if I am stuck with being a voice of authority or exhibit an authoritative style in my work I will try to make the most of it strategically."

So there is a strategy at work here after all. Dom Paulo applauded as they shipped the kids off to be educated by Marxist hacks. McLaren brings enraged neo-Marxist hacks to the kids by cultivating a pan-disciplinary department of agitation and pedagogy which, by focusing on schools of education, reaches right down to tiny tots. So just how much clout has critical pedagogy attained in schools of education, and with what effect?

"In the nineties you see this stuff everywhere, in all the journals," says Henry Giroux. "It was almost nonexistent during the seventies. It's been given an enormous amount of attention in a wide variety of areas, not just instruction." Giroux sees a "conservative backlash" as slowing the expansion but says that, at present, the "struggle to expand the progressive possibilities is really hot."

Peter McLaren wants to see schools of education changed to engines of "transformation" rather than mere liberal bourgeois reform. Given his way, he would implement more Marxist social analysis and challenge the ethical and epistemological presuppositions of aspiring teachers. These teachers, in turn, would implement as much of the critical agenda as their particular situations will allow.

Henry Giroux says he agrees with McLaren's confrontational "surly stranger" approach of getting in the face of college, high school and middle school students and challenging their sensibilities. But critical pedagogy can be

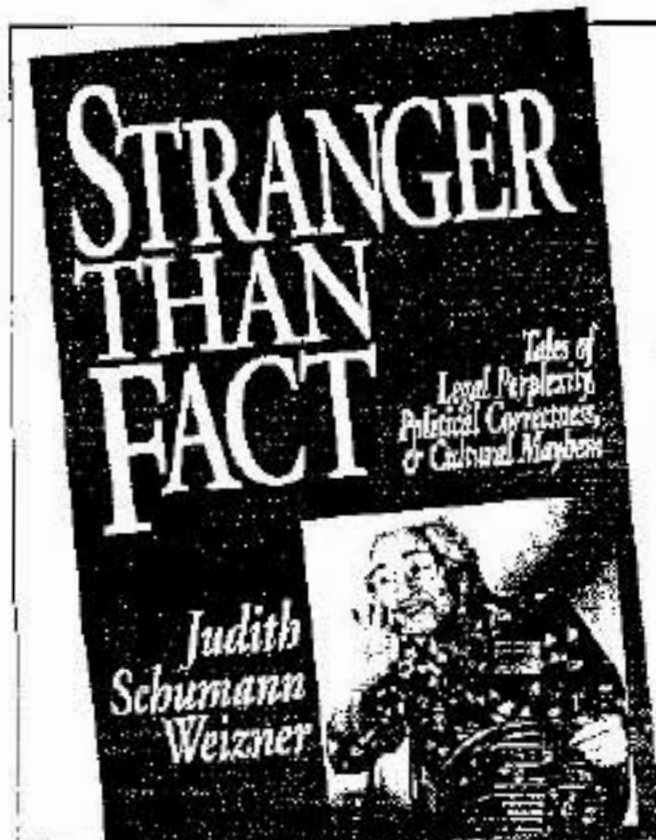
practiced even in kindergarten and the lower grades. Even there, says Giroux, teachers can be "more open to organization of knowledge and not wrapped in the abysmal notion of universal truth." The conflict, he says "emerges in a subtle way," say, if the kids talk about Disney material. That can be a wedge to challenge "the parents' assumptions." For Giroux, "identities are on trial and what are labeled as personal issues are really social issues." But what about the larger program, the beatific vision?

When McLaren announces a "pedagogy of the concrete" one awaits for some sort of actual program, but in the next breath he says this pedagogy of the concrete is "unashamedly utopian in substance and scope," and therefore forever beyond criticism—a maneuver akin to the old Marxist trick of comparing democratic capitalism's actual record with socialist dreams. At Cal State Northridge, the imbued dreamer McLaren tried to define the dream.

"We should struggle towards a democratic socialist-feminist political imaginary (sic)," a system with a "social wage," and which defends "public goods against commodities." But barring entry to this socialist-feminist Utopia stand the Forces of Reaction and International Capitalism, racist fangs bared, and led by the terrorist capitalism of Fascist America: "United States educational policy has consisted essentially of defeating the threat of Freirean-inspired pedagogical vision within its own borders. Freire's army of educators, far larger than Che's Bolivian force of fifty guerrillas, is facing a late capitalist crisis of struggle."

This "army of educators" is still snorting the noxious fumes of class hatred from the rotten corpse of Karl Marx, the same toxins that have strewn this century with corpses and created misery and poverty unequalled in history. The surly strangers re-label this bloody gnosticism "critical pedagogy" and launch a cultural invasion of the campus, which, far from resisting this army of invaders, welcomes them with professorships, endowed chairs and grants, and uses their best-selling books in class. (At this writing McLaren is in Argentina for a conference based on his works and timed to coincide with the birthday of Che Guevara.) Critical pedagogy thus becomes a massive act of cultural aggression against American students, setting them against themselves, their professors, their nation, their culture and each other.

Having received their alien *consciencização*, the tenured crisis show remarkable solidarity, and according to Elizabeth Berry of Cal State Northridge's speech department, they are ready for the Long March. "Critical pedagogy is exciting, it's risky," she says. "It's based on an ideology we all may share in various forms but that is difficult to carry on within the institution... it would be naive to think we can implement this overnight."



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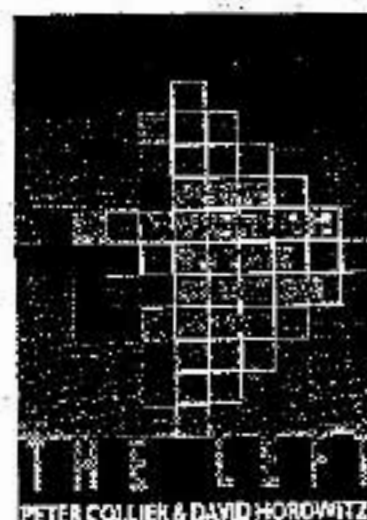


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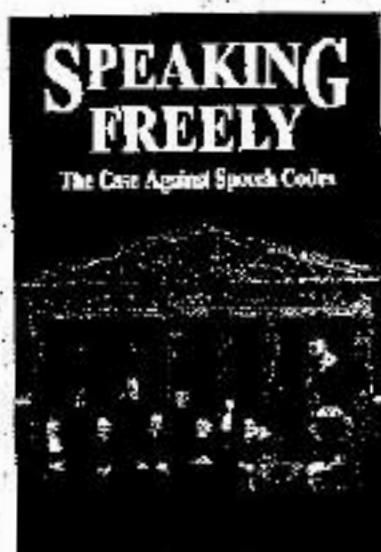


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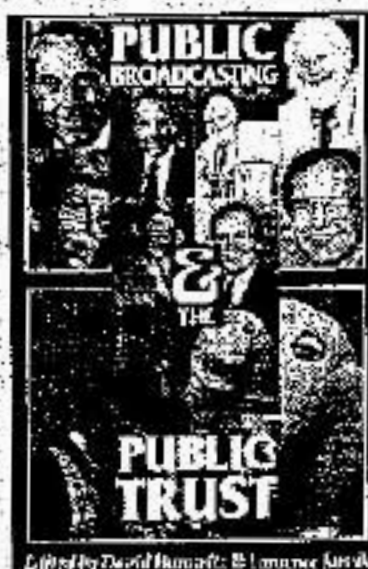
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# The American

## "They Make It Sound So Ugly"

By Frederica Mathewes-Green

Responding to charges that he lacked moral compass for failing to sign the bill banning partial-birth abortions, Bill Clinton said indignantly in an angry May press conference that anyone making such an accusation was saying to women who needed this procedure that it was okay "if they rip your body to shreds and you could never have another baby even though the baby you were carrying couldn't live."

If he had really wanted to talk about ripping and shredding, the President would have described at his news conference the procedure he allowed to continue. First, the doctor reaches inside the uterus with forceps and grabs the baby—let's say it's a girl—by a leg. He's going to pull her around so that she will be born facing the floor, with her feet emerging first, although as you know from baby-book illustrations, babies usually like to settle in the other way, head-first, in preparation for delivery. But this time the doctor needs to get those feet out first. After tugging her around, he reaches in with his fingers and starts pulling her out—hips, torso, shoulders, then both her arms. The head is still trapped inside. At least, that's his aim; if it accidentally slips out there's a problem.

Now it's an easy matter to drive the point of a pair of scissors into the base of her skull. She has been kicking her feet and clasping her fingers, but with a jerk she now flings her arms wide and goes limp. He spreads the scissors to make a nice-sized opening, then removes them. He sticks the tip of a plastic tube inside the hole. A flip of the switch and a wet, sucking sound starts up as the brains are vacuumed out. Finally, with one more tug the baby's shriveled head is delivered and the little corpse set aside for disposal with other medical waste.

It is disgusting, almost too disgusting to describe. In fact, people who describe the procedure, according to Rep. Pat Schroeder (D-CO-1), are like the witch-hunters of yore. They "make this procedure sound so ugly," she moaned, although she did not offer a description that made it sound appealing.

That was awhile ago, at the beginning of this little drama, when a bill to ban partial-birth abortions was first introduced on Capitol Hill. On the first day of hearings, in June 1995, after Rep. Schroeder had warned that bad people were going to try to make the procedure sound ugly, Rep. Bob Inglis (R-SC-4) asked a pro-choice witness what the difference was between a child killed by this procedure and a newborn who is decapitated. Witness Dr. J. Courtland Robinson tried to evade the question but Inglis insisted on an answer. Finally, Robinson explained: it has to do with the attitude of the mother toward the child.

That's the answer the late Dr. James McMahon came up with, too. He and Dr. Martin Haskell were the best-known practitioners of this method in the country. Together the two of them were responsible for over 3000 partial-birth abortions. McMahon told the *American Medical News*, "I do have moral compunctions. And if I see a case that's later, like after 20 weeks where it frankly is a child to me, I really agonize over it because the potential is so imminently there. I think, 'Gee, it's too bad that this child couldn't be adopted.' On the other hand, I have another position, which I think is superior in the hierarchy of questions, and that is: 'Who owns the child?' It's got to be the mother."

Leaving aside the ominous proposition that some people can "own" other people, the curious part of McMahon's statement is his suggestion that these babies (and in the case of these late-term abortions that is a clinically correct term) could have been adopted. Isn't the rationale for killing them that they are already dead or hopelessly deformed and dying? Or there's no way to get them out, with-

out "ripping" and "shredding" their mothers?

A bizarre non sequitur by McMahon, who told questioners that he did partial birth abortions through the third trimester—right up to the point of full-term birth—just because the mom was depressed, or was a teenager. Some babies got aborted because they were "flawed," in McMahon's peculiar terminology. (According to one newspaper report, among the partial birth abortions performed at least nine were on babies found guilty of having cleft palates.)

Dr. Martin Haskell's standards were similar to McMahon's. "In my particular case," he told the *American Medical News*, "probably 20 percent are for genetic reasons. And the other 80 percent are purely elective." When Rep. Tom Coburn (R-OK), himself an obstetrician, said, "Every complicated pregnancy that might have an adverse outcome... can in fact be delivered in a much more humane, much less traumatic, and much more beneficial way to both the infant and the mother," Dr. Haskell agreed. Such methods are available, but as he'd told *American Medical News*, that wasn't the point. "The point here is you're attempting to do an abortion... not to see how do I manipulate the situation so I get a live birth instead."

But even discounting for the melodrama in President Clinton's press conference, surely partial birth abortion is needed because the mother's life is at stake? "There are absolutely no obstetrical situations encountered in this country which require a partially delivered human fetus to be destroyed to preserve the health of the mother," explained Dr. Pamela Smith, director of medical education in the OB-GYN department of Mt. Sinai Hospital, Chicago. She told Congress that the procedure takes three days of preparation and dilation; in a life-threatening situation, no doctor would choose a procedure that takes three days, not when there are other methods available.

In fact, one of the country's best-known abortionists, Dr. Warren Hern of Boulder, Colorado, has stated that he "would dispute any statement that this is the safest procedure to use." Hern explained that he had "very serious reservations about this procedure" due to the dangers of manually turning the baby in the womb. "You have to be concerned about causing amniotic fluid embolism or placental abruption if you do that." Placental abruption can cause life-threatening hemorrhage for the mother. In fact, rather than using the method only on dangerously ill moms, Dr. Haskell reserved partial birth abortion only for healthy ones, and would not use it on those who had complicating factors as mild as carrying an extra 20 pounds.

Nevertheless, during the long twilight struggle over the bill banning partial-birth abortions, the drumbeat of health-reasons-only continued. A typical example was a Planned Parenthood press release which included the statement that the procedure was "done only in cases where the woman's life is in danger or in cases of extreme fetal abnormality." Then, the day after the Senate passed the bill, the *Associated Press* distributed a piece including this unattributed item: "Late second- or third-trimester abortions are performed to remove a severely deformed or already dead fetus that could cause the mother to die, become infertile or otherwise desperately ill."

Turning their backs on the very doctors who do the procedure and who say that this is not so, several pro-choice organizations, including National Abortion and Reproductive Rights League, Planned Parenthood, and the abortionist's guild, the National Abortion Federation, occupied their fall back position. They began saying that the baby was killed by anesthesia before it got brain-sucked. Had, bad pro-lifers knew this but were covering it up.

"The other side grossly distorted this pro-



cedure," said NARAL president Kate Michelman. "Before the procedure begins, the anesthesia that they give the woman already causes the demise of the fetus." (The locution "causes demise" would have delighted Orwell.) Columnist Ellen Goodman likewise weighed in with a column scolding pro-lifers for distributing partial-birth information from which "you wouldn't know" that the baby has already died.

This "anesthesia myth" was supposed to make the problem go away, and it was widely reprinted. But no such luck, as Dr. Norig Ellison of the American Society of Anesthesiologists said of the death-by-anesthesia notion, "I believe this statement to be entirely inaccurate." Dr. David Birnbach, the Director of Obstetric Anesthesiology at St. Luke's Hospital, New York, added that "Anesthetics done safely by an anesthesiologist do no harm to either the mother or the child."

Rep. Charles Canady (R-FL-12), sponsor of the bill in the House, found this anesthesia-myth episode telling. "One of the interesting things about that particular misstatement is that it raises a lot of questions about their loudly proclaimed concern for the health of women. By disseminating that false information, they endangered the health of women, because it's quite understandable that women who heard that the administration of anesthesia to a pregnant woman could kill the unborn child would be reluctant to undergo any medical procedure requiring anesthesia while they're pregnant. And then when the falsehood was pointed out to them, they did not think to recant the lie. But that's par for the course in the abortion debate."

Kate Michelman declined an invitation to testify at the hearing on anesthesia, and no other medical witnesses supporting the death-by-anesthesia notion were produced.

But at least the baby is too young to feel pain? "Without a doubt, this is a dreadfully painful experience," testified Professor Robert White, Director of Neurosurgery and Brain Research at Case Western Reserve School of Medicine, Cleveland. Professor Jean Wright, an associate professor of pediatrics and anesthesia at Emory School of Medicine in Atlanta, described recent research indicating that the fetus "is more sensitive to pain

Continued on page 15



# Way Of Death

## Demanding Death-On-Demand

By Wesley J. Smith



On one October day in 1991, 58-year-old Marjorie Wantz, and 43-year-old Sherry Miller, kept their rendezvous with death when they met an unemployed pathologist named Jack Kevorkian at a rustic cabin near Detroit. Kevorkian was then still relatively unknown, although more than a year before, he had made headlines after hooking up Janet Adkins, who had early-stage Alzheimer's disease, to a suicide machine that killed her by way of intravenously administered poison. (Adkins died a good ten years prior to when her disease could have been expected to end her life—a time during which it is possible that new treatments for Alzheimer's might have been discovered.) Now, it was Wantz and Miller who wanted to die.

Neither Miller nor Wantz was terminally ill. Miller was disabled by multiple sclerosis. Wantz complained of severe pelvic pain, but her autopsy would show that she had no organic disease. Not coincidentally, Wantz suffered from a depressive disorder, had been treated in mental hospitals, and according to an article in the *Detroit News*, had been using a sleep aid called Halcion in higher-than-recommended doses. It would never be determined whether or not Kevorkian knew or cared that a potential side-effect of Halcion abuse can be suicidal impulse.

Kevorkian hooked Wantz up to his suicide gadget, and she was soon no more. But he couldn't find a vein in Miller's emaciated arms. Always a tinkerer, he improvised, rushing out to obtain nails, a canister of carbon monoxide and a face mask, then he jury-built another suicide machine. Soon, Miller was dead too.

On May 10, 1996, a jury acquitted Kevorkian of the crime of assisting the suicides of Wantz and Miller, despite it being undisputed that he did just that. (He has not been tried in the Adkins case.)

Much has been made about the jury's acceptance of Kevorkian's specious claim that he

did not intend for the women to die, but merely wanted to alleviate suffering. Yet, in all of the commentary, perhaps the most important point has been missed: the statement by jury members that they did not care a whit that neither Miller nor Wantz were terminally ill. This uncontested fact, a defining difference between this case and Kevorkian's other two trials for assisting suicides, simply did not matter to them.

With this latest acquittal of Kevorkian, the cat is now out of the bag about the so-called "Right-to-Die" movement. Ever behind the times, the media usually describes the effort to legalize assisted suicide and euthanasia as being limited to people who are terminally ill. It most definitely isn't. As the shrug of the shoulders by the jury—and the nation—over the Wantz and Miller deaths demonstrates, we have already fallen far down euthanasia's slippery slope before the practice has even been legalized.

Actually, "Right-to-Die" is a misnomer for the euthanasia movement, which should properly be named "Death on Demand." If this seems an exaggeration, look beyond the Kevorkian verdict to the George Delury case. George Delury, a former editor of *The World Almanac*, is currently serving six months in a New York jail (he will actually do four), for attempted second-degree manslaughter. That was the result of a plea bargain. What he really did was pressure his MS-disabled wife, Myrna Lebov, into killing herself, and helped her do it on July 4, 1995.

As soon as the news broke about the assisted suicide, and despite the fact that Myrna Lebov was not terminally ill, many in the death-on-demand movement rushed to Delury's support. The Hemlock Society created a legal defense fund for him. William Batt, chairman of the New York chapter of the organization, expressed confidence, without knowing the facts, that Myrna had not been coerced. Clearly, he opined, most people would want to die if they were in her condition.

Most newspapers, including the *New York Times*, accepted at face value (as they usually do in cases of assisted suicide) Delury's claim that he was merely a compassionate husband only doing what his totally debilitated and suffering wife desperately wanted. But then, *The Forward*, a Jewish weekly, reported that all was not as it seemed. For example, contrary to Delury's claim that his wife's life was merely "biological" when she died, it turned out that Myrna had been able to swim twenty-eight laps with the help of a therapist only a week before her suicide. Her sister, Beverly Sloane, described Myrna as engaged in life, albeit struggling against depression caused in part by an emotionally unsupportive husband. *The Forward* also discovered that Delury had convinced Myrna to accept a buy-out of her monthly disability insurance payments by accepting a check for \$50,000, which he then proceeded to cash against her express wishes.

Whatever was left of Delury's claim of being motivated by selfless altruism was destroyed when the New York District Attorney's office released the contents of his diary. The diary revealed that Myrna did not have an unwavering and long-time stated desire to die. Her moods waxed and waned, one day suicidal, the next day wanting to engage in life. Moreover, the diary demonstrates that it was Delury, not Myrna, who had the relentless suicide agenda.

Delury admits that he encouraged his wife to kill herself, or, as he put it, "to decide to quit." He researched her anti-depressant medication to see if it could kill her, and when she took

less than the prescribed amount, which in and of itself could cause depression, he used the surplus to mix the toxic brew that caused her death. He also helped destroy her will to live by making her feel worthless and a burden on him. For example, on March 28, 1995, Delury wrote in his diary of his plans to tell Myrna: "I have work to do, people to see, places to travel. But no one asks about my needs. I have fallen prey to the tyranny of a victim. You are sucking my life out of me like a vampire and nobody cares. In fact, it would appear that I am about to be cast in the role of villain because I no longer believe in you."

In short, as one police official put it, George Delury didn't help Myrna Lebov die; he put her out of his misery.

And how is this man, a man who emotionally abandoned his non-terminally ill, disabled wife, a man who did nothing to seek treatment for her intermittent suicidal inclinations, a man who literally helped push her into an early grave, being treated? The slap-on-the-wrist jail sentence notwithstanding, Delury has become the new hero of the euthanasia movement. He has purportedly signed a book deal; he has already been a featured speaker in front of the American Psychiatric Association where he appears to have been warmly received, and he was lauded by Charles Grodin as a "remarkable figure" who should "not be going to jail" when Delury was a guest on Grodin's CNBC talk show.

Which brings us back to Death-on-Demand versus the Right to Die. In response to Myrna Lebov's death, the *New York Times* editorialized that the Delury matter, "strengthens the case for allowing qualified medical professionals to assist desperately ill patients with no hope of recovery to die with dignity." (My emphasis.) The term, "desperately ill" is carefully chosen. It implies terminal illness but actually means something quite different. Indeed, the term is used interchangeably in euthanasia advocacy for the more popular "hopelessly ill." According to euthanasia advocates, not only terminally ill but also hopelessly ill people should have a legal right to receive help in committing what proponents call "rational suicide."

So, who are the "hopelessly ill?" Tens of millions of people among us qualify. One common definition was published in the summer 1995 issue of the journal, *Suicide and Life-Threatening Behavior*, based on a survey of psychiatrists who support the concept of rational suicide. According to this definition, hopeless conditions "include but are not necessarily limited to, terminal illnesses, maladies causing severe physical and/or psychological pain, physically or mentally debilitating and/or deteriorating conditions, circumstances where quality of life is no longer acceptable to the individual." In other words, nearly every person experiencing a serious malady, from arthritis, diabetes, and chronic migraine headaches, to paraplegia caused by polio, chronic depression, schizophrenia, HIV, and Alzheimer's disease—you name it—would be entitled to euthanasia under the "hopeless illness" category. This is Death-on-Demand.

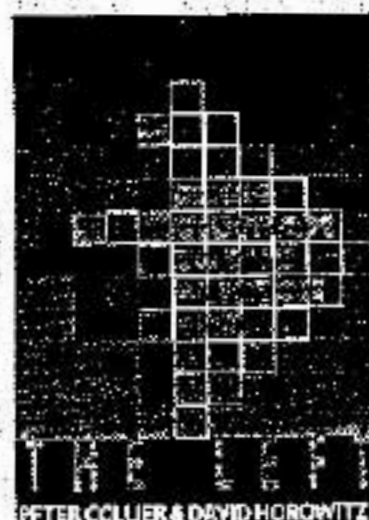
To help understand the radical devolution in medical ethics now under way in America, we need only look to the Netherlands, historically one of the world's most enlightened nations, which has already blazed this particular trail before us. Euthanasia has never been legalized in the Netherlands, but it will not be prosecuted if Dutch doctors who kill their patients follow so-called protective guidelines. Among these guidelines are the need for the request for death to be made repeatedly, that the request be the patient's and only the patient's, the necessity of a second medical opinion, and the presence of "suffering"



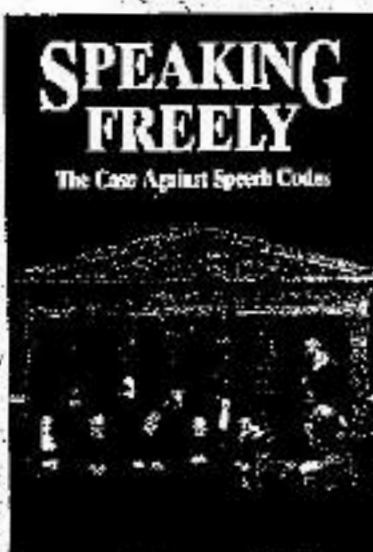
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*They Make It Sound So Ugly, continued from page 12*

than a full-term infant would be" because they have "a much higher density of opioid [pain] receptors."

Overall, it's a procedure that's hard to like, except for feminists fearful that a ban on any aspect of abortion, however grotesque, might lead someday to a ban on all abortion. The legislative council of the American Medical Association voted unanimously to endorse the ban. One council representative said the procedure was "basically repulsive" and not a "recognized medical technique."

As far as the President having vetoed the partial-birth abortion ban only after prolonged and agonized reflection, Douglas Johnson, legislative director of the National Right to Life Committee, later laid out an interesting chronology of the progress of the bill:

December 4, 1995: Leaders of "more than a dozen" pro-choice organizations met with Clinton aides to discuss the partial-birth abortion ban, according to the *Los Angeles Times*. "We reiterated the importance of the White House vetoing the partial birth bill," said one source.

Dec. 7: Before the final Senate vote, Sen. Barbara Boxer confidently stated on the floor that the President would veto the bill.

Dec. 8: Clinton's press secretary, Mike McCurry, said his boss would veto the bill because "it would represent an erosion of a woman's right to choose."

Dec. 9: In the Little Rock airport the President was approached by a priest, Fr. James R. West, with whom he was previously acquainted. When West asked him about the veto, Clinton "almost immediately lost his composure and began raising his voice and shaking his finger in my face," insisting that he would veto, West said.

Jan. 18: The National Conference of Catholic Bishops released a poll conducted by the Yarrance Group, which found that 71% of registered voters favored the ban on partial-birth abortion, including 63% of self-described "pro-choice" voters. Only 16% of respondents thought the procedure should remain legal. (The following month a poll by Fairbank, Maslin, Maullin, and Associates found 78% of women favoring the ban.) At this point, the worm began to turn. "Following the release of this [first] poll, the White House was silent for a time," Johnson says. "The President's next substantive pronouncement was his carefully crafted letter of February 28. Now the tone is quite different."

At this point Clinton claimed he had "studied and prayed about this issue . . . for many months" and found the procedure "very disturbing." However, we need to find "common ground . . . that respects the views of those—including myself—who object to this particular procedure," yet defend *Roe v. Wade*. The "common ground" proposed had a familiar ring: it was the same amendment that the Senate had voted down on December 7, an amendment proposed by Sen. Boxer, and endorsed by NARAL as a "pro-choice vote." (The amendment would have changed the bill, which already contained an exception to save the life of the mother, to have one to preserve her health as well.) The amendment failed because those supporting the bill recognized that it would have made the legislation meaningless. Afterwards, a spokeswoman for the pro-choice Alan Guttmacher Institute, which had supported the amendment, said sadly, "We were almost able to kill the bill."

Douglas Johnson said, "To the man or woman on the street, an exception for 'life' and one for 'health' sound pretty much alike. But in terms of abortion law and abortion-belief, they are light years apart." For example, when Medicaid paid for "medically necessary" abortions for "health" reasons, it covered 300,000 per year; the term was taken to mean any abortion done by any doctor on any Medicaid-eligible woman. With the 1976 Hyde Amendment restricting funding to "life" cases, the number dropped to 200 per year. This is because, in the case of abortion, "health" is a legal term which translates to "any reason at all," as defined by Supreme Court abortion decision *Doe v. Bolton* (delivered the same day as *Roe v. Wade*), which interpreted "health" as "all factors—physical, emotional, psychological, familial, and the woman's

age—relevant to the well-being of the patient." President Clinton, a graduate of Yale Law School, a teacher of constitutional law at the University of Arkansas, knows this well; he knows, Johnson says, "that the substantive legal effect of the language that he demanded would be to render the bill entirely meaningless." In fact, Judith Feder, a Clinton administration health official, stated that "the decision of a woman and the physician" determines whether a procedure is "medically necessary." William Hamilton, vice president of Planned Parenthood, used similar language: "medically necessary" means "anything a doctor and a woman construe to be in her best interest."

On March 27, the U.S. House of Representatives passed the bill by a vote of 286-139. (The Senate had passed it December 7, 54-44.) Among those voting for the bill were many Democrats and usual pro-choice votes: Richard Gephardt, Patrick Kennedy Jr., and Susan Molinari.

On April 10, President Clinton, true to his word, vetoed the bill.

Protest from religious leaders was swift and sure, across the spectrum from evangelical Protestant to Catholic. Richard Land, head of the Christian Life Commission of the President's own Southern Baptist denomination, noted that Clinton had "made it clear that there is no circumstance . . . in which he will make it illegal for the mother to instruct the doctor to execute the child." Another Southern Baptist, Billy Graham, told Cal Thomas that "I think the President was wrong in vetoing it. I had the opportunity of telling him that in person," though he can't reveal the President's response "yet."

In unprecedented action, eight Roman Catholic cardinals issued a letter decrying Clinton's statement that he "had no choice but to veto the bill." The cardinals responded: "Mr. President, you and you alone had the choice of whether or not to allow children, almost completely born, to be killed brutally in partial-birth abortions." The Vatican followed up the cardinals' letter with its own statement that the President's action was "a shameful veto which in practice is equivalent to an incredibly brutal act of aggression against an innocent human life." The statement was unusually blunt, "about as strong as I have ever seen," according to ambassador to the Vatican Raymond Flynn.

At the same time, leaders of liberal churches also played their expected part. Heads of the Episcopal, United Methodist, and Presbyterian (USA) churches, the United Church of Christ and the Union of American Hebrew Congregations sent a letter offering Clinton a pat on the back. Episcopal priest and head of the Religious Coalition for Reproductive Choice, Katherine Ragsdale, said that the procedure was "only legal when the lives of child and mother are in danger." Well behind the curve, Ragsdale claimed that pro-life descriptions of partial-birth abortions were inaccurate and based on "grossly misleading drawings of a perfectly healthy fetus being aborted, with scissors inserted in the back of its skull." But the pictures were based on the description given by Haskell himself, in his presentation of the procedure at a 1992 seminar of the National Abortion Federation. After reviewing the drawings, Haskell pronounced them accurate "from a technical point of view." When the drawings began to be distributed, in 1993, the National Abortion Federation initially claimed the procedure was only done after fetal death, but soon had to admit that the information they had been providing was inaccurate; the child was alive until the scissors went in.

A showpiece of the Presidential veto ceremony was the testimony of five women—referred to again in his over-the-top May press conference—who may or may not have had the procedure in question. As President Clinton said at the time, the "emotional power of the description of the procedure" was such that his pleas for a health amendment fell on deaf ears.

Two days after the veto, one of the women at the ceremony, Claudia Ades, appeared by phone on the Mike Malone radio show in Mobile, Alabama, along with the NRLC's Doug Johnson. She told the radio audience that "The procedure saved my life." When Johnson noted that the bill already included an exception for the mother's life,

her story changed; now it wasn't her life, but her son's that was at stake. It was necessary to kill her son so he wouldn't die after he was born.

Malone asked her why she didn't have a Cesarean section instead; she replied that a Cesarean was for an emergency situation and "This is not an emergency." You do a Cesarean "when the baby needs to survive," she explained, and it was her preference that the baby die before birth; she wanted to "take him out of torture." Over the course of the show she stated, "This procedure was not performed in order to save my life . . . My procedure was elective. That is considered an elective procedure, as were the procedures of . . . all the other women who were at the White House [veto ceremony]. All of our procedures were considered elective."

Despite this testimony from women picked to support his contention that he vetoed the bill to keep mothers from being ripped and shredded, the President has continued to claim that this procedure was the only way possible to prevent serious and permanent damage to these women's health. When, toward the end of May, Sen. Dole cited the veto as evidence of the Clinton administration's lack of "direction or moral vision," Clinton worked himself into a lather at his news conference. Though these women "don't have an organized voice and they don't have much influence at the election," he would defend them. "The President is the only place in this system of ours where there is one person who can stand up for people with no voice, no power, who are going to be eviscerated."

Eviscerated. Given the context, this feels like a Freudian slip. The clamor of confusion raised by consciences in collapse runs all through this debate. Ambivalence and anguish sounds repeatedly from the pro-choice side, from the statements about the ban having a "dastardly effect on the life and health . . . of the fetus" to Clinton's concern for those with no voice and no power, by which he meant mothers, although the phrase inevitably brings to mind too, the least and last among us, the unborn.

The most puzzling thing in retrospect is that the pro-choice movement wasn't able to direct this ambivalence constructively and do the right thing: cut this one ugly method of abortion loose from the larger ideological package. After all, this contest wasn't about anyone's "right" to abortion—only about one particularly hideous method. A clever strategist would have advised a "shocked, shocked" approach, whereby abortion advocates disclaim this procedure while praising other methods as safer and more humane. Instead, they treated this as the first stone to be taken out of the Berlin Wall they have erected since *Roe v. Wade*.

While there are plenty of people in this country who are genuinely pro-choice, uneasy with abortion but unable to imagine alternatives, the partial-birth saga reveals something about the movement that purports to lead them. Rep. Charles Canady, sponsor of the ban in the House, says, "They support partial-birth abortion because they have an unwavering, absolute, ideological commitment to permitting abortion under any circumstances, for any reason or no reason, and using any procedure imaginable . . . The truth is, this is a procedure performed by a handful of people—we don't know how many—but it's not a procedure that most abortionists use. It's by no means a mainstay of the industry. But it's their concern that if one procedure is restricted in any way, other restrictions will follow."

Was there some higher or hidden goal behind this struggle? Perhaps the profits to be made off the sale of fetal tissue lay behind the defense of this procedure; no other method so readily yields brain tissue of the exquisite freshness required. Maybe there are other financial or strategic incentives, not readily visible. But if such explanations exist, they are as yet undiscovered. The only explanation for this countenancing of infanticide is quite mundane—keeping intact the seamless garment of death.

*Fredrica Mathewes-Green is a syndicated columnist and commentator for "All Things Considered" on NPR.*



# Remembering William Appleman Williams

By Ronald Radosh

The publication of a new biography, *William Appleman Williams: The Tragedy of Empire* (New York and London: Routledge, 1995) by Paul Buhle and Edward Rice-Maximin, has given me the occasion to look back at the career and influence of a man who had an enormous impact on the writing of history in the postwar era, and also on my own life and work.

Certainly one of America's foremost historians, however much one may disagree with him, Williams was founder of what came to be called "the Wisconsin school of diplomacy." After being a student and in some sense a protégé of Williams, I eventually came to disagree with some of his theories. This was taken to be an act of treachery by those around him. My modest criticism of him in an interview conducted some years back by the editor of a small conservative journal of history, *Continuity*, led to a message from the organizers of a memorial meeting for him held at the Institute for Policy Studies after his death in 1990 that I would not be welcome to attend. And Buhle and Rice-Maximin refer to me in a footnote as "one of Williams's most devoted students and later a hostile critic." The first part of this comment is correct; the second says less about me than about their approach to their subject in this book.

William Appleman Williams, of course, is known as the leader of those historians whose signal contribution was to attack the orthodox interpretation of the origins of the Cold War that had prevailed in the 1950s. That view was epitomized by the now famous words of Arthur M. Schlesinger Jr., who wrote that the Cold War was "the brave and essential response of free men to Communist aggression." In reply, Williams and his students argued, as the authors of this work note, that the origins of the Cold War era lay in an "ideologically driven anticommunism" which began not in the Stalin era but in 1917, when "the Russian Revolution struggled for life." As Williams saw it, the authors explain several times in this book, the United States "could have accommodated and cooperated with revolutionary movements" at an early date, and hence in the case of the Soviets, reached an understanding. It was America's attempt to destabilize, overthrow and oppose the nascent struggling regime that hardened Soviet policies. And this policy was repeated over and over again in the future, as American hostility doomed relations with the Chinese revolution, and then the Cubans and Vietnamese and others. And that opposition to revolution, Williams asserted, lay in the ideology of the Open Door Notes, the documents that defined America's unending search for foreign markets and which led to the creation of a new kind of anti-imperial Empire. "The history of the Open Door Notes," Williams had written, "became the history of American foreign relations."

The authors do a credible job of outlining Williams' ideas, the development of his thought, and the immense impact he had on a scores of graduate students, who were stunned by his charisma, his free and wide-ranging intelligence, his commitment to the life of the mind and to its ability to help create a good society. But they write as if history has borne out the truth of Williams' critique, whereas in fact, history has cast serious doubt on his theories. This can be seen by examining two areas of Williams' work—those pertaining to the U.S. and the Soviet Union in the early days of the Cold War, and to relations between the U.S. and Castro later on.

As Williams wrote in his 1978 textbook, *Americans in a Changing World*, "The cold war could probably have been avoided if the United States had either accepted Russian predominance in Eastern Europe or had used its economic power

to negotiate Russian withdrawal in return for help in reconstruction and a mutual security alliance." But the U.S. did not take this path, he explained, because it "desired to apply the ideological and economic principles of the Open Door policy in Eastern Europe," and sought to use its power in an anti-Soviet fashion. The Cold War, in other words, was the fault of the United States, and Stalin's relatively benign goal was that of a conservative nationalist anxious only to maintain stability in his own limited sphere of influence.

Williams used this same framework in his 1962 book, *The United States, Cuba and Castro*. Here, he laid out an ingenious argument. Castro had no choice but to break the binding ties with the American Empire in order to honor the promises made but never kept by Fulgencio Batista in the 1952 Cuban Constitution. Thus, Williams argued, Castro had come to the United States seeking an economic loan in April 1959—in the same way the Soviets had sought a reconstruction loan at the end of World War II, only to find that the State Department concocted a phony story that the loan request had been "lost." After the loan request was finally rejected, Castro found that his serious and essential internal reforms were opposed by the United States. "By giving up on Castro and becoming increasingly negative and antagonistic," Williams wrote, "the United States closed off the one main chance Castro had to make his revolution without turning to the Communists in Cuba and the Soviet Union."

Notice the implication of Williams' words—Castro's desire to build a democratic Cuba was stymied by the traditional assertion of the Open Door, which stood in the way of indigenous authentic revolutionaries achieving their democratic aims. The responsibility for Castro's lurch towards the Soviets abroad and the Communists within his own country, therefore, lay exclusively with the United States—first, because the United States refused to help Castro on his own justified terms; and, secondly, because it sought instead to act unilaterally to destroy the revolution.

Williams was writing his book partially to answer the critique of Castro by Theodore Draper, who as readers of *The New Republic*, *Dissent* and *The New York Review of Books* know well, is no conservative or right-winger. In his 1962 volume, *Castro's Revolution: Myths and Realities*, Draper had argued that Castro had purposefully undermined his own broad-based July 26th movement, allied himself secretly with Cuba's old line Communist Party, and turned his revolution against the Cuban middle class. As Draper wrote, "Castro promised one kind of revolution and made another." To Draper, writing during Castro's early years in power, the Cuban leader had not been pushed into the hands of the Soviets and the Communists; rather, he had embraced them on his own. So, while the United States might have overreacted to Castro, it had no responsibility for his transformation from a democrat into a Communist.

The differences between Williams and Draper could not have been sharper. Williams argued that threats from American leaders were the cause of anti-Americanism on Castro's part, and that rather than begging for help from the U.S., he decided to continue with his goal of transforming Cuban society. Indeed, Williams argued, Castro had never promised a middle-class revolution at all, and his eventual alliance with the Cuban Communists and the Soviet Union was solely the result of U.S. policy. For Draper, this "betrayal" thesis was false to Cuban history and to the whole nature of revolutions.

Williams must have expected that Draper would respond, but the harshness of the response was unsettling. After writing "The Strange Case of Professor Williams" in the social-democratic *New Leader*, Draper had the journal send out complimentary copies to every history department in the

country. The critique, Buhle and Rice-Maximin write, was "an attack on Williams' scholarly integrity disguised as a complaint against factual errors and mistaken conclusions." They admit that "here and there, his complaints found their mark." But Draper's essay was not just a catalogue of errors, as the authors charge. Rather, it was an argument that Williams' thesis itself was wrong. And rather than take up Draper's charges, Buhle and Rice-Maximin proceed to bait *The New Leader*, condemning what they call its "hard line impulses . . . its enthusiasm for superpower hegemony," as well as its social-democratic lineage.

Was Williams right and Draper wrong, as Buhle and Rice-Maximin imply? The authors seem not to know about Richard E. Welch Jr.'s 1985 book, *Response to Revolution: The United States and the Cuban Revolution, 1959-1962*. After carefully evaluating the evidence, Welch meticulously shows that Williams' version of events was pure myth. The first U.S. Ambassador to post-revolutionary Cuba, Phillip Bonsal, was a man of good will who sought to let Castro know that the U.S. offered Cuba its friendship. Even the Eisenhower administration, Welch shows, sought to discuss economic aid to Castro, a discussion that Castro rejected because he thought that it would endanger the momentum of his revolution. Castro decided against making a request for U.S. capital and technical aid before he came to Washington. He did not, as Williams had it, appeal for such aid and find himself rudely turned down. Thus, as Welch concludes, "The United States did not force Fidel Castro to adopt socialism or a revolutionary dictatorship or an alliance with the Soviet Union...[although] American policy encouraged those developments...and was influential in determining the chronology of the stages of the revolution."

Had Williams argued that American policy helped Castro move in the direction he himself sought, he would have had a solid point. There was an interplay between Castro's moves and U.S. policy. But Castro was always in control of his—and his island's—destiny.

Not only did the U.S. offer aid, in fact, but Ambassador Bonsal gave full support to Castro's first agrarian reform law. The U.S. had an ambivalent response, but it was not one of hostility, nor was it mobilized from the start against the Castro revolution. As for Castro's intentions, Buhle and Rice-Maximin should have been aware that one of el jefe's most recent biographers, Tad Szulc, reveals that from the day he seized power, Castro secretly set up a shadow government composed of old Communists, and kept knowledge of this maneuver from his own July 26th Movement cadre.

Another aspect of Williams' essay on Cuba needs to be addressed—his apology for Castro's internal repression, particularly the treatment of his fellow revolutionary, Haber Matos, who was arrested, imprisoned and subjected to a brutal 25 years imprisonment, much of it in solitary confinement. Matos was a leader of the rebel army in the Camaguey province, who from the start worried about the growing communist influence in the Castro camp. Matos finally submitted his resignation to Castro, and was soon arrested and put on trial. Williams wrote that Castro's charge of treason against Matos was correct, since "Matos was resigning and taking with him a nucleus of trained military officers and experienced political leaders." (Williams' emphasis.) Acknowledging that by U.S. standards of justice "Matos had not committed treason," Williams went on to argue that in essence by Cuban standards he was guilty of "the common definition of treason"—that of "action considered inimical to the existing state." By that definition, of course, Batista would have been right to execute Castro when he was arrested for armed rebellion.

Had he wanted to challenge Castro's rule, Matos would have inspired his very loyal troops to follow him in rebellion. Instead, he merely



announced that he was resigning because of a disagreement. When he was finally freed and left for the United States, twenty five years later, Matos refused even then to join the extreme-right refugees in schemes aimed at the military overthrow of Castro. Any biographer of Williams should have the courage to comment on the ludicrous lengths to which Williams' pro-Castro apologia had taken him in his view of the fate of Huber Matos.

As for Williams' lengthy arguments on the Cold War, the evidence coming from the former Soviet Union has now settled once and for all the issue of who was responsible for the Cold War. As Jacob Heilbrunn wrote in a long essay in the *New Republic* (Aug. 15, 1994), "History is not on the side of revisionism." Reviewing a wide assortment of new scholarly books on the Cold War, Heilbrunn notes that evidence shows that in 1949, Stalin launched a massive arms buildup, and viewed Korea as a springboard for an invasion of Japan. As for the Korean War, the June 1950 invasion of the South was planned and assisted by Stalin and his generals, and reluctantly supported by Mao. Moreover, believing that the West faced a massive economic crisis, Stalin thought that events would allow him to take over Germany, France and Italy.

Since Heilbrunn's essay, two new books have appeared which should administer the coup de grace to the revisionist fantasies. Vladislav Zubok and Constantine Pleshakov have written *Inside the Kremlin's Cold War: From Stalin to Khrushchev*, which stresses that Stalin pursued a policy of "cautious expansionism" in areas he considered within the Soviet sphere of influence, and any cooperation with the West had to be "on his own terms." And R.C. Raack, in his new book *Stalin's Drive to the West* shows that the view of Soviet policy as defensive in nature was not correct, and that Stalin's disputes with the West towards the end of the war and thereafter lay in the postwar redistribution of the territories he had gained from the Nazi-Soviet Pact.

In addition to simply being wrong about the Cold War, Williams was also bested in his long-term war of ideas with Arthur M. Schlesinger Jr. whom Buhle and Rice-Maximin correctly see as Williams' doppelgänger. Schlesinger, of course, held as heroes the very figures in our past whom Williams most despised—Andrew Jackson and F.D.R. (For Williams, the heroes were John Quincy Adams and Herbert Hoover.) Schlesinger was enamored of the New Deal; Williams saw it as creating the structure for an oppressive American corporatism. Williams was almost obsessed with his opponent. According to his biographers, when Williams' phone rang, his wife would jokingly say it was Arthur Schlesinger. And Buhle and Rice-Maximin write that late in his life, Williams hoped to hold on so that he could give Schlesinger more sleepless nights.

Schlesinger clearly had the best of him in their battle over the meaning of the Cold War, which remained the cutting issue between them and to Williams' supporters. I think it was probably my conclusion that Schlesinger's critique of Williams (offered in some brilliant pages in his book *The Cycle of American History*) was essentially right that led to my being asked not to attend the Williams memorial. In that essay, Schlesinger accurately quoted and summarized Williams' views, and then subjected them to a devastating scrutiny. When Williams claimed that the United States forced the Cold War on an innocent Soviet Union, Schlesinger argued, he offered no evidence for by way of cancellation of loans or threats to the Soviets to break diplomatic relations. Nor did the U.S. have any significant business interests in Eastern Europe for which it sought an "Open Door." Nor did the U.S. "try to push the Russians back to their traditional borders. On the contrary, it recognized the inevitability of Soviet predominance in Eastern Europe and accepted the Soviet desire for 'friendly governments' on its western frontiers." Instead of worrying about the threat of an open door to financial domination, Schlesinger pointed out, the Soviets had "protested bitterly when the United States itself began closing the

door and cutting off trade." Schlesinger concluded: "The Open Door thesis, in short, is like Lorenzo Dow's definition of Calvinism: you will be damned if you don't, and you will be damned if you do."

In a short article such as this one, it is impossible to do justice to the inclusiveness and force of Schlesinger's critique of Williams on the Cold War. And to this day, I have not come across anyone who claims to be influenced by Williams who is able to deal honestly with his argument.

Williams was wrong about the Cold War and about Castro, but it is important to stress that unlike many of the members of the anti-American New Left who lionized him, he was an American patriot. A war hero and proud graduate of the U.S. Naval Academy, Williams was an unorthodox American radical, a man whose radicalism looked back to the likes of Charles Beard and Herbert Hoover and who severely criticized the likes of Abraham Lincoln and Franklin D. Roosevelt as empire builders whose arrogance and slippery policies vitiated what Williams thought were the core values of the Republic.

At his best, Williams wanted Americans to depend on the wisdom of those he saw as "enlightened conservatives," and he was skeptical and disdainful of the official Left and its heralded spokesmen. (Even Buhle and Rice-Maximin are forced to concede that Williams was uncomfortable with the New Left and with feminism, both of which he instinctually and viscerally recoiled against.) As the campuses broke out in turmoil during the sixties, including a charged atmosphere at his home base at Madison, Williams committed the indiscretion of describing undergraduates to the *New York Times* as people who sought to create a society which "an orangutan wouldn't want to live in." The next day radical graduate students came to his lecture dressed in monkey costumes and threw bananas to the class. Unlike some of his more traditionally radical colleagues, Williams did not endorse or participate in the student strike at the University of Wisconsin, and it was not surprising that soon he would choose to leave Madison for a small agricultural college on the Pacific Coast.

Buhle and Rice-Maximin quote a review of Williams' work written by the Communist Party's major historian, Herbert Aptheker, and say that he was "uncharacteristically judicious in praise of Williams." Elsewhere they suggest a mutual admiration between Williams and old line Marxists like Paul M. Sweezy and the editors of the pro-Communist journal, *Science and Society*. Here, the authors ignore, or are unaware of, strong evidence showing how hostile Williams was to the Old Left, both in its Stalinist and Trotskyist manifestations. And the feeling was mutual. I remember when Herbert Aptheker spoke on the Wisconsin campus in a talk sponsored by the Wisconsin Socialist Club, of which I was an officer. Aptheker strongly criticized Williams, condemning him for sympathy to the worldview of Charles Beard, whom, as I recall, Aptheker had condemned as a near fascist.

At the time that he made this comment, Aptheker was trying to recruit sponsors for a new Communist intellectual front group he was trying to organize, the American Institute for Marxist Studies. Aptheker may have scorned Williams, but he still wanted his name on board. Williams, angry at the crudity of Aptheker's insult, refused to talk to him when he appeared at his office. "These aren't my office hours," he told Aptheker, and asked him to return at the appropriate posted time. Of course, Aptheker was on campus for only that day, and had to return home to New York. But he was so anxious to talk to Williams that he returned a week later, appearing at the scheduled office hours. When Aptheker walked in, Williams turned to him and said, "I'm not interested," and then asked him to not take up any more of his time.

On yet another occasion, when the Socialist Workers Party's presidential candidate was talking on campus, Williams came to the lecture. After listening to the crude Leninist diatribe the students had been subjected to, Williams raised his hand and asked Myra Tanner Weiss, the

SWP's speaker, "Do you really believe that Trotsky had all the answers and that all we have to know about our present situation is to be found in his words?" His own view was apparent from the reductive question, as well as the scorn displayed in his voice.

What, then, are we to make of William Appleman Williams? Discussing his last writings, Buhle and Rice-Maximin note Williams' emphasis on the making of a new kind of socialist community, based on a small republic, the creation of autonomous, self-governing local communities, and an end to the federal tax system. It was an America based not on the Constitution, but on the Articles of Confederation. It was a vision of a small Republic instead of an Empire, a country whose bureaucracies were broken apart, and in which the leaders of the "corporate state" Williams abhorred would be drastically weakened in their power. It was, one might say, a vision akin to the ideas of Pat Buchanan—whose arguments come closer to matching Williams' than those asserted by any conventional thinkers on the Left or the Right.

And like Pat Buchanan, Williams seemed to ignore threats to the nation emanating from enemies abroad, whether Communist or Fascist. Indeed, reading Williams, one is struck by his seeming belief that Germany became an arch enemy to America before World War II because of growing trade conflicts with the Open Door Empire, not because of any moral, political, or strategic threats to American national interest. And as in the extreme Right today, one cannot ignore the ever-present hint of anti-Semitism in Williams' writings. Indeed, if one looks at the times in which he discussed the conflict in the Middle East, it is clear that Williams was opposed to Israel, which in some of his writings he referred to only as "the Zionist state." In yet other writings, Williams praised those in the Department of State who resisted Truman's decision to recognize Israel in 1948. For a scholar who stressed the broad economic concerns of elites, it seems strange that Williams could not perceive that these same Arabists in the State Department were part of what has been called the oil lobby—the most imperialist of the policy-makers.

William Appleman Williams was wrong about many things. Yet his life and his work have many qualities that are deeply admirable. Williams was committed to "history as a way of learning," as he often put it, and when queried by some witch-hunting State legislators in the early 1960s about what he taught, he responded forcefully that he "taught his students how to think." And Williams did produce, in *The Contours of American History*, a periodization of American history which holds up—that of stages in the development of capitalism, those of mercantilism, *laissez-faire*, and corporation capitalism. It was a periodization, as Martin J. Sklar has aptly argued, that "transcended the dualism of consensus versus conflict, by showing how conflict sprang from the ground of consensus itself." Williams thus paved a way that showed historians another way to explore America, other than that of the traditional liberal and Old Left version of our past. Williams, to quote Sklar at the memorial, "taught us to think, and rethink . . . our history and ourselves."

That legacy, I think, is one that needs defending. That it has led me to strongly reject much of Williams' argument, particularly on foreign affairs, is to Williams' credit. After all, the greatest tribute to one's mentor is to use the critical faculties he insisted upon to examine all the arguments, including his own. Unlike so many of today's arrogant and self-righteous leftists, Williams engaged regularly in dialogue with those with whom he disagreed. He strongly opposed all forms of anti-intellectualism, and I suspect he would have been in the forefront of opposition to the phony radicalism that defines what passes for the life of the mind in American universities today.

Ronald Radosh's *Divided They Fell, a history of the crack-up of the Democratic Party*, will be published in August by The Free Press.



## PC Dad Bashing, continued from page 1

In person Halavais comes across as a big, open, hearty guy, very quick, very friendly—the sort of person, one attorney remarks, whom you still like even when he owes you money. The first time I met him, he was walking down the second story balcony of his residential motel carrying a basket load of laundry. He had disheveled hair, a thick mustache and the gregarious manner of a Boston politician. He was dressed in comfortable old tennis shoes and wearing faded jeans which didn't quite contain his spreading paunch. Later, as we sat in his room with bird sounds and the muted roar of a nearby freeway coming in the door, he talked about how as a consulting engineer he used to earn as much as \$300,000 a year designing spy satellites, underwater research vehicles, cooling arrays for the Sidewinder missile's infrared guidance system, and the hydrocarbon detector used on the Mars lander to detect the presence of extra-terrestrial life.

"My specialty," he says, "was mass flow augmentation, inelastic impact, where does air go and how fast can you make it move?"

But now all that is long ago and far away. Since the courts have taken his kids away he has embarked on a totally new career—fighting to regain custody of them against what he sees as a cruel and corrupt system riddled with a vengeful anti-male bias that bankrupts fathers even as it denies them any meaningful role in their child's life.

Halavais's problems started in 1993, he says, when he brought his two kids down from Orange County to visit their mother who had been living apart from the family in San Diego for the previous two years while working on a graduate degree in European history. "She asked if the kids could stay the night. The next day when I went to pick them up I got slapped with a divorce action instead, along with the standard temporary restraining orders—I can't go near her, I can't go near the house, near the kids, all taken ex-parte [from one side only] off her declaration. I didn't even know what was happening. She said she was the primary custodial parent, that I was threatening to kidnap the kids, none of which happened to be true."

Six weeks later the hearing was held and suddenly, says Halavais, "I got into this mill of divorce attorneys and the old boy network and the club. I hired one attorney and fired another. He took a \$5000 retainer and said to come back in a couple of weeks. I went back and he said, 'You want to win? That will be \$200,000 more. You can't win. Fathers never get custody in San Diego.'"

Initially, Halavais followed his attorneys' advice. "I ran with their script. I did it the right way and [for the first six months of 1995] I got custody of the kids." But then he discovered, it didn't matter anyway. The attorney that the court had appointed as part of the custody agreement for the kids, he says, "went in and lodged a false stipulation, judge shopped, got the dumbest judge in six counties, lied to the judge, lied about Arthur's homepage, and the judge gagged the children and stripped them of all their civil rights."

In the meantime, says Halavais, all sorts of wild charges were leveled against him to weaken his claims as custodial parent—he was "an international gun runner with ties to Argentinean hit squads," "a CIA spy," he had no home address, his engineering consulting company was sued 12 times, he was the one who actually wrote "Arthur's Child Abuse Homepage," and once, his kids' court-appointed lawyer claimed, when the kids stayed with him overnight, he let them sleep in the same bed. ("Well, so what?" asks Halavais. "I only had one bed. They were nine and seven. They both had the flu. They spent the whole weekend throwing up.")

Halavais is mad at everyone. But it is the

court-appointed attorney for his children (a feminist attorney by the name of Lee Lawless) that leaves Halavais most irate. She brought so much unresolved feminist baggage to the negotiating table, he says, that the actual facts of this particular custody case don't even matter any more: "This no longer has anything to do with me and [my ex-wife]. This is a battle between Lee Lawless and men, and we just happen to be caught up in the middle of it."

What is wrong with Lawless?

She lied to his children, he says, misrepresented their desires in court, filed phony documents, snatched Megan from a neighbor's yard

visitation center where he sees his kids four hours every Friday night while a \$25/hour monitor takes notes on everything he says. "It's a joke," says Halavais. "It costs me 17% of my net income for the month to see my kids four hours a week."

At first glance, San Diego might seem to be a strange place to find rampant feminist ideologies and a pervasive anti-male bias. But starting in the late 80s, this community, like so many others in America, got caught up in a bizarre sexual paroxysm in which children's rights activists, social workers, therapists and assistant district attorneys accused demonstrably innocent people of ritual (Satanic) child abuse, sexual molestation, rape, conspiracy to commit infanticide and the terror-killing of large African animals.

In response to complaints from outraged citizens, a series of year-long grand juries investigated some 450 cases. Their conclusion: the San Diego child welfare system was "out of control." It was a system with "few checks and no balance." Because state law gave social workers complete immunity, they committed perjury with impunity, conspired to remove children from perfectly good families (and put them up for adoption with the social worker's relatives), routinely wrote reports filled with "lies, half-truths and innuendo" and were generally "so obsessed with molestation scenarios" they lost any semblance of objectivity.

San Diego's family courts got far less attention, but because of the number of people involved with them, the damage they did was if anything far greater than the frenzy for children's rights. (They currently are under investigation by a county supervisor task force.) The problem, says Mike Salatino, a divorced father who after a long battle recently acquired custody of his young daughter, starts with the Family Court Services mediators: "They are 90% women [actually 86%, says Family Court Services director Patty Chavez-Fallon], 90% middle-aged, 90% overweight and they believe everything the wife says. Nothing is investigated. Whenever any allegation is made, the father is automatically put on supervised visitation."

From the moment the father walks in the door, says Salatino, a compact, neatly mustachioed, former building contractor whose speech often crackles with excess energy, the system works to put him on the defensive.

"They show you a video, the gist of which suggests that the woman is a poor helpless creature who has been left by the husband, who beats her and takes off with another woman." Then when the father finally meets with the mediator, he says, the first thing she does is try to trick him, asking all sorts of things about his child: "What time was she born? What hospital? What did she weigh?" Their goal, he says, is always the same—they're looking for reasons to deny custody to the father.

This is not a problem unique to San Diego. Starting back in the seventies and continuing on with increasing steam throughout the eighties, a vast sea of change had taken place in the feminist movement. Instead of demanding equality, a goal supported by virtually everyone, feminists now sought to be regarded as a "special victim class." "Progress," says San Diego-based author Warren Farrell (*The Myth of Male Power*), "was defined as the extent to which society sympathized with women's victimization." The media, which had long held that anyone who holds himself out to be a victim deserves automatic credibility, went out of its way to cooperate.

When Sheila Kuehl, a former teenage star of "The Many Loves of Dobie Gillis," and co-founder of the California Women's Law Center (now she's the first openly lesbian elected to the California assembly and a standard-bearer for radical feminism in the state), claimed at a press



Arthur, Richard, and Megan Halavais

and put her on a plane to Spain, kidnapped Arthur from a hospital and put him on a plane to Japan ("Arthur was frantically calling me on the air phone, begging 'Rescue me!'" says Halavais), and consistently and persistently frustrated Halavais's every effort to get custody of his kids. (Lawless, a well-known attorney in San Diego, says she would like to respond to Halavais's charges but due to client confidentiality issues and the judge's gag order she can't say anything about the Halavais case.)

At one point, his son Arthur (who Halavais says has an IQ over 155) even tried to fire Lawless himself. The judge had ordered the kids to go visit Lawless at her office, says Halavais. "Arthur marched in, sat down and said, 'Are you my attorney?' When she said yes, he said, 'Then you are fired.' She said, 'You can't fire me.' Arthur replied, 'Then you are not my attorney.'"

Despite his resentment of Lawless, it's clear that on some level Halavais also enjoys matching wits and, in some cases, low humor with her. "I call her a 'menopausal miscreant' and tell her she is 'hormonally challenged,'" he says. She tells he I am not respectful. I say, 'I am respectful to people who deserve respect.'"

He says he tried being nice, but it didn't work. The Family Court Services mediators invariably take the side of the mother. As for the judges, they're so overworked, understaffed and otherwise indifferent they merely "rubber stamp" anything Family Court Services recommends. They don't even read the pleadings, says Halavais, and if you complain they laugh at you.

"I can take them up on writ," says Halavais. "But the problem with an appeal in California is that you are looking at a four-year process. Then when you win your appeal you are kicked back to the same court that did it to you in the first place." Over the last five years, says Halavais, he has spent close to \$200,000 on legal fees, doctors and shrink, and all he has to show for it is the right to show up at a court-approved



conference in January 1993 that wife beatings went up 40% after football games, the media dutifully reported that for women Superbowl Sunday was "the most violent day of the year." The charge circulated throughout the country. Within days, columnists and sportswriters were all attacking football-inspired violence. Even elected officials got into the act, with Los Angeles District Attorney Gil Garcetti sternly warning that any man who beat his wife on Superbowl Sunday could expect to be prosecuted to the full extent of the law.

When a few less credulous reporters went back to investigate the study that Kuehl cited they discovered that the authors of the study hadn't found any correlation between emergency admissions and football. Unlike the sensationalistic and entirely confabulated charge, however, this revelation never made the nightly news. What increasingly did appear on television and in newspaper and magazine stories were feminist scholars doing "studies" which in some cases didn't exist to justify their quest for victimhood. All any feminist academician or coalition had to do was schedule a press conference and the media would dutifully trumpet the news: men were unfit and irresponsible and suffered from "testosterone poisoning"; they beat their wives, abused their kids, deserted their families, failed to pay child support and then, after the divorce, reaped totally undeserved windfalls as their net incomes shot through the ceiling while their ex-wives' standards-of-living fell through the floor.

The public policy consequences were disastrous. Back in 1985, when sociologist Lenore J. Weitzman published *The Divorce Revolution*, her study of California's no-fault divorce law, one of her startling statistics—after divorce a woman's standard-of-living plummeted 73% while a man's standard-of-living boasted a 42% rise—seemed so right, given the inflated atmosphere, that it acquired an immediate hold on the minds of social theorists and jurists alike. To professional feminists, Weitzman's revelation was the very Rosetta Stone for which they had been searching to move to the next stage of political action—attacking no-fault divorce and insisting on an increase in child support. Academicians rushed to incorporate Weitzman's findings in a sudden tidal wave of papers on "the feminization of poverty." The American Sociological Association gave Weitzman its Distinguished Contribution to Scholarship award.

Over the next decade, according to a recent AP story on *The Divorce Revolution*, more than 175 newspaper and magazine stories cited the numbers, as did 348 social science articles and the Supreme Court or appeals courts in 24 cases. (President Clinton cited the statistic in his latest State of the Union message.)

For more than a decade, divorce settlements, custody awards and child support payments had been predicated on Weitzman's numbers. The problem was they were grievously wrong. A New York sociologist who recently went back and reexamined Weitzman's data discovered that instead of a 115 point differential in the man's and woman's post-divorce standard-of-living, the correct figure was 37 points (the woman's standard dropped 27%—the man's went up 10%). This might be a serious gap, editorialized the AP, but it was hardly "the catastrophic one that Weitzman saw."

How did such a serious mistake with such serious public policy consequences go uncorrected so long? It was easy. For years Weitzman simply kept her data private, citing a need to correct unspecified errors in the computer master data file.

A similar public policy disaster came up in the early nineties over the new hot topic of "deadbeat dads." In 1991, California was in the

middle of a record budget deficit, caused in part by the number of single mothers collecting welfare for themselves and their kids. To legislators in Sacramento, there was an obvious solution. If women were on welfare because men weren't paying their fair share, all the legislature had to do was crack down on deadbeat dads—that way it could balance the budget and solve the welfare mess at the same time. And if fathers tried to hang tough, suggested one legislator, the legislature would "pull their thumbnails out with pliers."

To fathers' groups, which at the time had precious little influence in Sacramento compared to the easy access to the reigning Democratic

little relationship to what it cost to actually raise a child. "I saw my child support go from \$350 to \$800," he says. "I know what was being invested [by my ex-wife] in my daughter. It wasn't anywhere near that amount." Proof of this suspicion came when Chandler finally obtained custody and his 15-year-old daughter came to live with him. "My standard of living went up and so did that of my daughter."

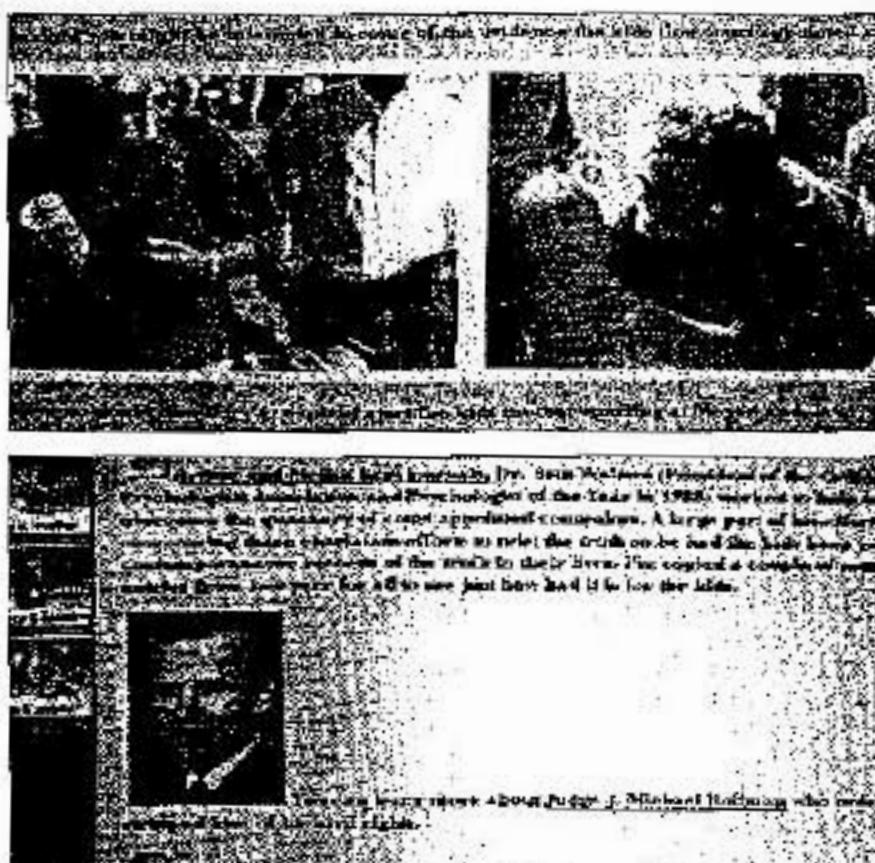
One reason for the punitive payment rate, say critics, is the way child support is calculated. In California, judges calculate child support payment levels with a computer program called Dissomaster. The judge enters the parents' respective net incomes and the proportion of time each parent has custody, and the program spits out a fee schedule. In recognition of the fact that children need the love and support of both parents, the program, which is based on a complicated state formula involving "K values" and "best factors," attempts to provide an adequate standard of living for the children while simultaneously encouraging involvement of the non-custodial parent by means of a financial incentive. (The more time a father spends with his children the lower his support payments.)

If the father has no custody of the child at all, he pays the maximum rate—25% of his net income. If he has physical custody 50% of the time and he and his wife both earn the same amount, he pays nothing at all. On the face of it, what could be fairer than that? "Quite a bit," says Jay Bowden, a computer engineer who has analyzed the state formula. The problem is that the graph isn't linear. When you draw a graph of all possible payment schedules for any set of parental incomes, says Bowden, what you discover is that the curve is "gerrymandered" in such a way that a woman who has the children 80% of the time (the most common arrangement ordered by the courts) will receive nearly as much child support as if her ex-husband had no custody at all.

So what happened to the formula's purported goal of giving fathers financial incentives to spend more time with their children? "Women's groups and children's advocates appear to have been better organized and more influential with the legislature than men's groups," one California divorce handbook dryly notes.

In order to try and compensate for the predisposition of most judges to give custody to women or even relatives instead of the father (according to California COPS president Robert Chandler, 87.3% of children who don't live with two parents live with their mothers, 3.2% live with their fathers and 9.5% live with foster parents), COPS has introduced legislation that would require judges to consider joint custody as their first choice. The bill, however, faces strong opposition from Democrats and women's groups, who have argued that a joint-custody presumption would put "children at risk with violent fathers."

To fathers' rights groups, this is untrue, dishonest and egregiously unfair and they point to Department of Commerce figures showing that, over the last 30 years, the percentage of children living in single-parent families has tripled (from under 10% in 1963 to nearly 30% today.) The consequences of fatherlessness, says Chandler, should be obvious to everyone. "California has the highest juvenile incarceration rate in the country. And eighty-five percent of the youths in prison come from fatherless homes." There's a whole range of pathology associated with fatherlessness, argues social critic Warren Farrell. The less time that kids spend with dad, the worse their grades, the more likely they are to commit suicide, end up in a psychiatric hospital, become a rapist, arsonist, murderer, join a gang, become a



More from Arthur's homepage and its links

party enjoyed by feminists, the legislature was looking at the issue through the wrong end of the telescope. The problem wasn't so much that fathers didn't want to support their kids as they didn't want to support their kids while being denied visitation rights. By divorced mothers' own admission, according to one study, 40% of them reported that they had "interfered with the father's visitation . . . to punish their ex-spouse." But the same judges who readily put fathers in jail for failing to pay child support rarely punished mothers who denied visitation.

Fathers' groups pointed out that when fathers had visitation or joint custody, they were more than willing to pay. Census figures proved it: when fathers had joint custody 90.2% paid child support; if they had visitation, 79.1% paid child support; if they didn't have contact with their children at all, 37.9% still paid child support.

These figures dramatically contradicted the myth created by hardcore feminists that fathers, as a class were trying to evade their responsibility. But legislators ignored the Census in favor of studies cited by women's groups purporting to show that California fathers were near the bottom of the nation in the amounts paid in child support. The resulting bill (SB 370) sailed through the California legislature with overwhelming support from both Republicans and Democrats.

"They took that myth [of the father's rampant non-support of his children] and made it fly," says Robert Chandler, president of the Coalition for Parents Support (COPS). The result was that some fathers saw their payments double, triple and even quadruple overnight. "They claimed it would bring California up to the standards of the rest of the country," says Chandler. "Instead it put us way out front. People lost homes, lost cars." In some embarrassing cases, grown men had to move back into their parents' homes.

The worst thing about SB 370, says Chandler, was that the amount the non-custodial parent (almost always the father) had to pay bore



## Facts and Figures Fathers, Mothers, and Children

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|--|---|
| 79.6% of custodial mothers receive a support award   | 63% of youth suicides are from fatherless homes<br>—U.S. D.H.H.S., Bureau of the Census   |
| 29.9% of custodial fathers receive a support award   | 90% of all homeless and runaway children are from fatherless homes  |
| 46.9% of non-custodial mothers totally default on support  | 85% of all children that exhibit behavioral disorders come from fatherless homes<br>—Center for Disease Control   |
| 26.9% of non-custodial fathers totally default on support  | 80% of rapists motivated with displaced anger come from fatherless homes.<br>—Criminal Justice and Behavior, Vol. 14, p. 403-26   |
| 20.0% of non-custodial mothers pay support at some level   | 71% of all high school dropouts come from fatherless homes<br>—National Principals Association Report on the State of High Schools  |
| 61.0% of non-custodial fathers pay support at some level   | 70% of juveniles in state operated institutions come from fatherless homes.<br>—U.S. Dept. of Justice, Juvenile Report, Sept 1988   |
| 66.2% of single custodial mothers work less than full time   | 85% of all youths sitting in prisons grew up in a fatherless home<br>—Fulton County, Georgia Jail Population & Texas Dept. of Corrections 1992  |
| 19.2% of single custodial fathers work less than full time   | Translated, this means that children from a fatherless home are:  |
| 7% of single custodial mothers work more than 44 hours weekly  | 5 times more likely to commit suicide   |
| 24.5% of single custodial fathers work more than 44 hours weekly   | 32 times more likely to run away  |
| 46.2% of single custodial mothers receive public assistance  | 20 times more likely to have behavioral disorders   |
| 20.8% of single custodial fathers receive public assistance<br>—Technical Analysis Paper No. 42, U.S. Dept. of Health & Human Services, Office of Income Security Policy   | 14 times more likely to commit rape   |
| 90.2% of fathers with joint custody pay the support due  | 9 times more likely to drop out of school   |
| 79.1% of fathers with visitation privileges pay the support due  | 10 times more likely to abuse chemical substances   |
| 44.5% of fathers with no visitation pay the support due  | 9 times more likely to end up in a state operated institution   |
| 37.9% of fathers are denied any visitation   | 20 times more likely to end up in prison  |
| 66% of all support not paid by non-custodial fathers is due to inability to pay<br>—1988 Census, Child Support and Alimony 1988 Series P-66, No. 173, p. 5-7, And U.S. General Accounting Office Report GAO/HRD-92-191S January 1992 | 11,268,000 total custodial mothers  |
| 58% of mothers see no value in the father's continued contact with his children.<br>See <i>Surviving the Breakup</i> by Joan Berlin Keller   | 2,907,000 total custodial fathers<br>—Current Population Reports, U.S. Bureau of the Census Series P-20, No. 456, 1991  |
| 40% of mothers reported that they had interfered with the father's visitation to punish their ex spouse.<br>See <i>Frequency of Visitation</i> by Sanford Braver, American Journal of Orthopsychiatry                                | \$14,800,000,000 total child support owed   |
|  | \$11,100,000,000 total child support paid<br>—Current Population Reports, U.S. Bureau of the Census Series P-129, No. 173, 1988   |
|  | Where BOTH mother AND father asked for father custody, the court awarded custody to the mother 12.3% of the time<br>—Disabling the Child: Social and Legal Dimensions of Custody by Eleanor MacCoby and Robert Mnookin              |
|  | Percentage of children in single parent families, by year   |
|  | 1950 7.1  |
|  | 1992 24.0   |
|  | —U.S. Department of Commerce, Bureau of the Census, Current Population Reports, Series P-20, Household and Family Characteristics, Various years, and Marital Status and Living Arrangements March 1985-1990, Nov 133, 445, and 456 |

teenage single parent, or end up as a juvenile delinquent.

As to the notion that having fathers in the home will hurt the children, the problem isn't fathers, argue men's groups—it's single parents. Right now most single parents are women. And the result is that mothers now commit nearly twice as much child abuse as fathers do. Two years ago when Minnesota Senator Paul Wellstone proposed child safety legislation that seemed to assume that fathers were solely responsible for child abuse, a legislative analyst for the American Fathers Coalition wrote to the *Washington Post* and, using government statistics from state after state, pointed out that it is mothers, not fathers, who commit 60% to 70% of all parental child abuse.

As for the outrageous charge of some feminist groups that fathers will murder their children if given more time with them, according to a study cited by the Men's Health Network which was done in Louisiana during 1989-1992, in cases where children are murdered by a parent, 89.7% of the time the killer was the mother.

"This is not to say that women are more naturally violent," says COPS president Chandler. It's to say that being a single parent is incredibly stressful. And in the best of all possible worlds all children would have two parents.

The 1992 California law which doubled and tripled child support payments has succeeded in mobilizing many fathers who previously hadn't paid any attention to such matters. The Coalition for Parent Support was started in 1992 when a second wife was astonished to see her husband's child support payments to his ex-wife suddenly triple. Other second wives were outraged to discover that judges were using their incomes in calculating the size of their husband's child support payments to their former wives.

In addition to organizations like COPS, fathers' groups have gotten a big boost from Internet web sites and news groups, which for many divorced fathers are the high-tech equivalent of sixties feminist consciousness-raising groups.

For fathers who have long agitated for child-custody reform groups, this new consciousness and activism is a welcome change from the dormant mentality of most divorced fathers in the past. "Guys go into [custody negotiations] fat, dumb and happy, thinking everyone is going to be cooperative," says Chandler, "and the next thing they know they find themselves living in the back of their car or waving goodbye as their child flies off in the sunset."

For his part, says Dick Halavais, he has tried to get his own stalled case off the dime by giving Family Court judges in San Diego "a stake in the outcome"—he files lawsuits against the county for costs incurred in raising constitutional issues. "I bill them \$260 an hour. It's true you can't (usually) sue a judge, but under a 1984 Supreme Court decision you can recover the costs of reversing an unlawful order."

Halavais has also filed complaints against judges with the Judicial Council and the Council on Judicial Performance. Finally, he says, he has filed both a lawsuit against his children's court appointed attorney Lee Lawless in civil court and a complaint against her with the state Bar Association as a way to get her removed as his kids' attorney.

"Is she worried?" I ask.  
"She tried desperately to make up with me the other day," says Halavais. "She was acting all nice and smiley and friendly—'What can I do to help?' I said, 'I don't want any favors from you. The biggest favor you can do yourself is to ask the court to remove you as attorney for my minor children.' She said, 'I can't do that.'"

And that, says Halavais, is precisely the problem.

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*True Lies, continued from page 1*

ground is the belief that his client was framed—by the FBI, the LAPD, and the racist "system." Pratt's story—potentially almost as dramatic as OJ's—is a disturbing mix of political ideology, historical myth-making, and government foot-dragging. As with the OJ story in whose shadow it stands, Geronimo's case begins with the murder of a white woman.

The murder took place not in posh Brentwood, but in the more plebeian setting of the public tennis courts in Santa Monica's Lincoln Park. It was December 18, 1968, and Kenneth and Caroline Olsen had ventured out into the crisp evening to play doubles with another couple. When they arrived at around 8:00 p.m. they turned on the coin-operated court lights and walked out onto the court to wait for their friends. They weren't alone for long. Two young black men joined them on the court, pointing a .45 caliber automatic pistol and a .38 caliber snub-nose revolver and demanding their money, "or we're going to burn you." The men ordered the Olsens to lie face-down on the court, grabbed from them a purse and a wallet, and headed for the gate. At the exit, they turned and fired at the prone couple, riddling their bodies with bullets. They then fled, leaving the still-conscious Olsens to die.

Fifteen minutes earlier, Barbara Reed had been sitting at the counter in the hobby shop she owned four blocks away from Lincoln Park. It was near closing time and she was writing Christmas cards and waiting for her husband to pick her up when two black men entered the store. One of them said he was looking for some materials so he could build a doll house for his wife. Reed explained that the shop had only recently opened for business and unfortunately was understocked, so she did not yet carry the things he wanted. When the men left, Reed locked the front door and turned the window sign to "closed." A few minutes later, the two men were back at the door brandishing a gun and rattling the door handle, telling her to let them in. When she went to the back of the store to call the police, the men ran.

Barbara Reed's husband was waiting at a stoplight close to the shop, and saw the men shake the door handle. When the light changed, he circled the block and saw the men hurrying down the street.

On a walk near Lincoln Park, Mitchell Lachman saw the Olsens enter the tennis courts. A few minutes later he heard shots fired and saw two young black men run away from the courts and speed away in a dark red convertible with a white top. The car had what looked like a North Carolina license plate. Then Lachman saw Kenneth Olsen rise to his feet and, holding his head, lurch his way into the Broken Drum restaurant across the street. Lachman followed him and they called an ambulance for his wife Caroline. Help came, but the damage had been done. In the hospital eleven days later, twenty-seven-year-old Caroline Olsen died of multiple gunshot wounds.

A month later, in January of 1969, two leaders of the Southern California Black Panthers were gunned down in a shoot-out on the UCLA campus by members of Ron Karenga's United Slaves, a rival black militant group. Hoping to avert a retaliation, officers of the LAPD were sent to a house near the campus where several of the Panthers lived and maintained a stockpile of guns, ammunition, and grenades. One of the Panthers who lived there was twenty-one-year-old, Geronimo Pratt, a decorated Vietnam veteran and munitions expert who would soon become the Party's Deputy Minister of Defense and the leader of its Southern California chapter. Upon searching the house, Detective Captain Lucey of the LAPD found a .45 caliber automatic pistol.

Back in the lab, ballistics expert DeWayne Wolfer fired test cartridges in the .45 and compared

them to the casings found at the tennis court. He concluded that they were fired from the same gun, "and only that gun." The striations on the two sets of bullets differed slightly, leading Wolfer to believe that either the gun barrel had been changed, or the gun had been fired many times since its use on the tennis court.

On April 12, 1969, an officer of the California Highway Patrol pulled over the driver of a dark red Pontiac convertible with a white top for a traffic violation. A routine registration check revealed that the car had been purchased in October 1967 in North Carolina, had entered California in September 1968, and had been first issued California plates in March 1969. The driver and owner of the car was Geronimo Pratt.

Later that year, former-Panther Julius Butler gave Sergeant Duwayne Rice an envelope marked "Do Not Open Except In Case of My Death." It contained a letter dated August 10, 1969,



*Geronimo Pratt*

in which Butler claimed that Pratt had confessed committing the crime to him. According to the letter, on the night of December 18, 1968, Pratt told Butler that he and a companion named "Tyrona" were "going on a mission." Later that night, Pratt told Butler that he was nervous because he had shot two people on a tennis court, but did not know if they had died. When newspapers reported that a .45 caliber gun—the kind which Pratt usually carried—had been used, Pratt told Butler that he was not worried, because he had destroyed the barrel of his gun. Butler repeated these claims in court. Kenneth Olsen and Barbara Reed also testified that Pratt was the assailant.

After sixteen months of non-stop OJ, it would be easy to get the impression that Johnnie Cochran has always been an international celebrity as well as the most politically connected attorney in Los Angeles, but when he agreed to defend Geronimo Pratt he was still a wide-lappelled young attorney whose Afro ballooned like topiary and whose star had only just begun to rise. Cochran had attained a degree of local notoriety a few years earlier in 1966 when he represented the widow of Leonard Deadwyler, a man who had been shot and killed by a police officer after a 90-m.p.h. car chase. Deadwyler, intoxicated at the time, had mistakenly thought that his pregnant wife had gone into labor and was trying to get her to the hospital. Although Cochran lost the case when the jury determined that the death was an accidental homicide, his polished performance in front of the television cameras which broadcast the proceedings foreshadowed his mastery of the media during the Simpson trial.

But in the Pratt trial, all of Cochran's smoothness could not make the jury forget the convincing evidence that connected Geronimo to the murder. Cochran was simply out-gunned by the prosecution, and Pratt was convicted of first degree murder on July 28, 1972, and sentenced to life in prison. According to some accounts, Pratt did not have much confidence in his relatively inexperienced attorney, an assessment which may have been justified. At one point in the trial, in response to the prosecution's contention that the murderer had been clean-shaven, Cochran produced a Polaroid photo, apparently taken in December 1968, in which Pratt had a mustache and goatee. However, for its next witness the prosecution called a Polaroid official who said that particular film had not gone on sale until late May 1969. Cochran reportedly was "shocked and stunned" in much the same way that the prosecution in the OJ case were when a similar courtroom stunt, the pulling on of the glove, blew up in their faces.

Pratt's conviction, which Cochran has called the "low point" of his career, nonetheless functioned as a sort of epiphany of sorts for the lawyer. Before he met Geronimo he was a young black lawyer on the make. But as part of his work on the case, he became "radicalized" by a vision of America, the Panther vision, as a world which ran not only on racism but on power and political muscle. An experience that led to hard time for Geronimo was a liberation for Johnnie Cochran.

Since 1972, Cochran's defense mechanisms have been on display in a number of high-profile cases involving black defendants. In recent years, he has successfully defended football star Jim Brown (rape), actor Todd Bridges (attempted murder), and rappers Tupac Shakur (assault) and Snoop Doggy Dogg (murder). When pop star Michael Jackson was accused in 1993 of molesting a 13-year-old boy, Cochran came to his aid, orchestrating the estimated \$20 million pay-off which quashed the allegations. Shortly thereafter, Cochran told the press that Jackson had been accused solely because of his race, and that other blacks should beware, because "[if] they will try to do that to Michael Jackson, they will try to do it to anyone."

More to the point, as the OJ verdict demonstrated so dramatically, Cochran's fantasies of rampant white supremacy fit the racially hypersensitive 90s to a tee. Over the years the legacy of radicalism, for which veteran-turned-Black Panther munitions expert Geronimo Pratt is a perfect metaphor, has given the sweet-talking Cochran the means to convince juries to disregard incontrovertible evidence—like, say DNA—on account of "genocidal racism" on the police force.

It seems that Cochran did not draw the race card from "the bottom of the deck," as Robert Shapiro has suggested, but rather from the top of his playbook. And it was Cochran's experience with Pratt which convinced him to play poker in the courtroom. It could be said, then, that preparation for OJ's defense began the day Geronimo Pratt was pronounced guilty. Cochran had learned his lesson so well that upon joining the Simpson defense team he told OJ about Pratt's trial and vowed, "I will not let this happen to you." Clearly, Cochran—not to mention OJ—owes a significant debt to the former Panther.

Perhaps recognizing this obligation, Cochran has never completely stopped working for Pratt's release. During a three-year stint as the third most important lawyer in the district attorney's office in the late 70s, Cochran sent a mailgram to the parole board recommending that Pratt be paroled. District Attorney John Van de Kamp angrily fired off a letter informing the board that Cochran did not speak for his office. Pratt was denied parole.

In all, Pratt has been denied parole sixteen times since his conviction and four attempts to reopen the case have been rebuffed in the courts.



Although Cochran hasn't been Pratt's lead attorney for some time now, he has once again become a major spokesman for the former Panther, both in the courtroom and in the press. And things have changed since 1972, as Cochran has parlayed talent, political connections (in addition to stints in the city attorney's and district attorney's offices, he served for thirteen years in an appointed position in former Mayor Tom Bradley's administration), and his personal brand of racial paranoia into fame and financial success. Pratt's conviction, however, continues to haunt him. "I can talk about \$45 million in winnings," he told the *New York Times* last year, "but I still have to come to grips with the fact that Geronimo Pratt is still in prison, and I will not quit practicing until he's out."

Cochran may be closer than ever to collecting his gold watch. In 1992, James McCloskey, a lay minister and advocate for the "imprisoned innocent," who investigates claims of people on death row or who are serving life sentences and works for their release, joined the defense team. Although his efforts have sometimes backfired—shortly after McCloskey's findings helped to overturn his murder conviction, a man named Benny Powell was arrested for brutally raping and sodomizing a UCLA graduate student and subsequently sentenced to fifty-two years in prison—McCloskey has had considerable success and has earned a reputation for tenacity. With his help, the defense team of Cochran and lead attorney Stuart Hanlon has built up a substantial case for reexamining Pratt's conviction, one which jibes in every detail with the racial rhetoric Cochran has been developing since 1972. Using FBI documents released under the Freedom of Information Act, police records, and the testimony of other Black Panthers, the defense team charges that Pratt was framed by the FBI, that the state's key witness perjured himself on the stand, and that crucial information was purposely hidden from the defense. In what must seem to him to be a sweet irony, Cochran has finally had an opportunity to apply the lessons he learned twenty-four years ago from the Pratt case toward freeing Geronimo himself.

The FBI counterintelligence program known as COINTELPRO forms the backbone of the defense's claims. COINTELPRO was an attempt to infiltrate, monitor, and disrupt the activities of radical and militant groups like the Communist Party of America, the Ku Klux Klan, the New Left, and, in particular in the late 60s and early 70s, the Black Panther Party. According to FBI documents presented by the defense, a major component of the Black Panther COINTELPRO was to sow factionalism both within the Party and between it and other black militant groups, and to discredit Party leaders through smear campaigns, poison pen letters, and the like. COINTELPRO documents from 1970, the year of Geronimo's arrest for the murder, indicate that the FBI wanted to work toward "neutralizing PRATT as an effective BPP functionary." The defense argues that this raises the possibility that Pratt was framed.

The defense team also calls into question the credibility of the prosecution's star witness, Julius Butler. Butler may have had a personal motive for implicating Pratt, as his letter was written only five days after Pratt expelled him from the Party. More importantly, the defense claims that Butler perjured himself on the stand. During the trial Butler denied ever having worked for the FBI or CIA, but McCloskey says he has COINTELPRO records showing that Butler was an FBI informant from the summer of 1969 to the spring of 1972. Three members of the jury which convicted Pratt now say they would have voted otherwise had they known of Butler's connections.

In addition, the Pratt defense team was infiltrated by two FBI informants who may have obtained knowledge about the defense's legal strat-

egy. In 1981, the California Supreme Court in a majority decision determined that although there were informants in the defense team, the information to which they had access was not significant and that their presence did not affect the trial proceedings. Needless to say, Cochran, Hanlon, and McCloskey think otherwise.

The boldest claim made by the defense is that Pratt could not possibly be guilty of the murder because he was four hundred miles away in Oakland attending a Panther Central Committee meeting, when it took place. McCloskey, joined by ex-FBI agent Wesley Swearingen, alleges that the FBI had wiretaps on the phones at Panther headquarters in Oakland from November 15 through December 20, 1968, and that wiretap records would confirm that Pratt was in Oakland at the time of the murder. When the FBI turned over its transcripts from these wiretaps in 1981, the entries from December 15 through December 18 were missing.



Johnnie Cochran

and the Bureau explained that they had been lost or destroyed: the defense team maintains that those transcripts are the key to exonerating Pratt and that their disappearance is further proof of FBI malfeasance.

Although no members of the Party spoke on Pratt's behalf at the trial, the defense team trumpets the fact that two former Panther leaders, Bobby Seale and David Hilliard, now claim that Geronimo was with them in Oakland on that fateful day. And, as his trump card, McCloskey says he knows who really murdered Caroline Olsen. Police sketches based on Kenneth Olsen's descriptions of the assailants bear an uncanny resemblance to former Panthers Larry Hatter and Herbert Swilling, both of whom are now conveniently dead. According to McCloskey, friends of Hatter and Swilling will say that before their deaths the two men confessed to the murder. While this allegation is not entirely convincing, the defense team hopes it will add to the aura of suspicion which surrounds Pratt's conviction.

While LA District Attorney Gill Garcetti's office continues its investigation of these findings, Cochran and the defense team have moved forward on their own, filing a writ of habeas corpus for the fifth time. On April 17, Superior Court Judge Malcolm Cowell said that Pratt's request for a new trial "raised some substantial issues," but over the protests of Cochran and Hanlon he decided that he did not have jurisdiction to grant a hearing because an earlier petition had been denied by an appellate court. After reviewing the writ, the California Supreme Court decided that Cowell did indeed have jurisdiction, and on May 15 returned the case

to Superior Court. The first hearing to consider the writ is scheduled for June 18. If Cochran and the defense team are successful, these hearings could lead to a new trial for Pratt.

The political implications of the case are obvious. Because the FBI, Garcetti, the original prosecutors, and others associated with the conviction of Pratt refuse to speak about the case, the only information being circulated comes from the defense team, Pratt's supporters, and leftist groups wishing to push their own agenda. They portray the Panthers as harmless, even noble community activists victimized by the authors of a sinister COINTELPRO program bent on genocide, a characterization in vogue among white leftists during the 60s and resurrected by the 1993 film *Panther*. While their rhetoric was carefully crafted to appeal to guilty whites, the Panthers' *modus operandi* was typified by violence, drug-pushing, pimping, and brutality which took place outside their white supporters' field of vision. By their own admission, the Panthers posed a threat worthy of the government's attention. Brian Sudan, Pratt's nephew and an organizer of the demonstration in front of the courthouse, describes the Party as "a paramilitary organization," which would today be called a "militia."

David Hilliard, former Panther chief of staff, compares the Party to the Sandinistas in Nicaragua and stresses that the Panthers were different than other activist organizations of the late 60s. He says that the fact that the Party "talked about arriving at its destiny with arms, through revolutionary methods, and was in coalition with revolutionary peoples all over the world, certainly made us a threat to the United States of America."

And the arms the Panthers planned to use to achieve this revolutionary destiny were anything but penny ante. In her autobiography, former Panther Minister of Defense Elaine Brown writes that the Party's "most basic requirement" was that weapons were housed in every Panther-owned property. She describes in chilling detail the contents of the Panther's armories. "There were literally thousands of weapons," she writes. "There were large numbers of AR-18 semi-automatic rifles, 308 scoped rifles, 30-30 Winchester, 375 Magnum and other big-game rifles, 30 caliber Garandas, M-15s and M-16s and other assorted automatic and semi-automatic rifles, Thompson submachine guns, M-59 Santa Fe Troopers, Boys .55 millimeter anti-tank guns, M-60 fully automatic machine guns, innumerable shotguns, and M-79 grenade launchers. There were suitcases, trunkloads, closets full of pistols, such as Astra and Browning 9mms, 45 automatics, 38s, 357 magnums, 41 and 44 magnums. There were boxes and boxes of ammunition, and large supplies of accessories, such as rifle scopes . . . and interchangeable pistol barrels. There were caches of crossbows and arrows, grenades and miscellaneous explosive materials and devices."

This listing, it should be said, reflects the Panthers' arsenal in 1974, after Party founder and leader Huey Newton expelled much of the militant wing of the Panthers and declared that it was "time to put away the gun."

Geronimo Pratt, whom the National Education Association has deemed "America's foremost political prisoner," was right in the middle of this. Part of his value to the Party came from the skill with weaponry and explosives he gained during two tours in Vietnam. This experience was what led him to become leader of the LA Panther's military underground. When arrested for the murder in 1969, he was carrying a pipe bomb in his car. In 1970, he jumped bail and remained a fugitive for several months until the authorities apprehended him. At his latest parole board hearing, he was cited for six prison violations, including possession of



drug paraphernalia and refusal to take a drug test. In fact, Pratt has given several indications that he may not be ready to reenter free society. For example, in 1994, parole board member Ron Koenig asked Geronimo, if he witnessed a murder would he alert the police? Pratt responded that he would not, but that he might take it to "our law enforcement" (emphasis his). "I have a different reality," he explained, "You have your reality, I have mine." When Koenig pressed him on this question, Pratt said that Koenig had a "criminal mentality." Of course, none of this means that Pratt murdered Caroline Olson, but it further suggests that he and the rest of the Panthers deserved law enforcement's attention.

Just as the extent of Panther violence and criminality is downplayed by those seeking Pratt's release, the size and scope of COINTELPRO is considerably exaggerated. Although supporters of the Panther mythology credit the FBI with "genocidal" intentions and a canny strategy that ultimately broke up the Party, the facts of the Panther saga indicate that COINTELPRO brought out pre-existing tensions within the party rather than creating them out of whole cloth. COINTELPRO was actually fairly trivial, even somewhat infantile activity, consisting primarily of the dissemination of poison pen letters, flyers, and comic strips signed with the forged signatures of Party leaders. A typical message was one like the "press release" supposedly circulated by the Student Non-violent Coordinating Committee (SNCC) in 1968. "According to zoologists," it read, "the main difference between a panther and other large cats is that the panther has the smallest head." Other COINTELPRO efforts involved anonymous accusations that certain Party members had venereal disease and cooperated with the police.

The evidence indicates that COINTELPRO was neither far-reaching nor particularly successful. Hugh Pearson, author of *The Shadow of the Panther*, the most complete and objective investigation of the Party, says that the program "was for the most part a very inept effort to sabotage the Panthers and a few other groups [which] is credited by a lot of people on the left with doing more than it actually did."

In February 1971, writer Edward Jay Epstein performed a case-by-case investigation of charges that the police and FBI were engaging in "genocide" against the Panthers and found them completely unfounded. "I think it would be a mistake to say they weren't being harassed," he said recently, "But there is a difference between harassment and genocide." As for the talk of "genocide," Epstein replied that "it wasn't [just] a case of being overblown, it was false."

On their face, the FBI's efforts seem almost pathetic given the threat they were meant to blunt. Indeed, while the Bureau was sending comics and making prank phone calls, the Party was stockpiling weapons, disciplining its members with bullwhips, engaging in prostitution, drug sales, and extortion, and literally getting away with over a dozen murders. It would have been far better for the victims of Panther mayhem if the FBI were the powerful presence the myth-makers describe.

But because these myths about the Panthers—part of the nostalgic melodrama about the loss of the 60s paradise—are so persistent, the claims made by the defense team have been accepted at face value, in particular the statements given by former Party Chairman Bobby Seale and former Chief of Staff David Hilliard that Pratt was attending a meeting in Oakland at the time of the murder of Caroline Olson. In fact, Seale and Hilliard were silent about this alleged event for thirteen and nineteen years, respectively. Their newly recovered recollections of Pratt's presence in Oakland on December 18, 1968, has the feel more of a conversion experience or an episode of recovered memory syndrome rather than a truth suppressed over

the years by circumstance beyond anyone's control.

When I asked them about their tardy alibis for Pratt, Seale and Hilliard, not surprisingly, blamed COINTELPRO for their long silence. When the feud between Huey Newton and Eldridge Cleaver—which both Seale and Hilliard claim was created and exaggerated by FBI disinformation—reached a head in 1972, Pratt sided with Cleaver, and Newton expelled them both from the Party. Newton then forbade the remaining members of the Party from associating with Pratt in any fashion, including testifying in court on his behalf. In fact, the FBI had attempted to widen the gulf between Newton and Cleaver through poison pen letters and such, but as Hugh Pearson has shown, Cleaver and the rest of the Party leadership were aware of the Bureau's presence, limiting the COINTELPRO's effectiveness.

Moreover, both Seale and Hilliard were expelled from the party in 1974. Why did they not

its logical extreme, and seemed intent on using Pratt's imprisonment as evidence that their particular brand of revolution was necessary. A case in point was Hashim Rashid of the Minds of Melanin, a group which according to its mission statement is dedicated to the "liberation of Black People globally through the dissemination of facts and perspectives on Black Genocide, in order to bring about Universal Consciousness." Rashid said that America was an "oppressive society based on keeping black people down," and that Pratt's trial indicated the need for "revolution." When asked how this revolution was to be brought about, he chuckled, "I'm not going to discuss our operations with you. That wouldn't be smart, would it?"

The Spartacist League, a national Marxist organization, also used Pratt's court appearance to promote its agenda. Some of the signs carried by its members were particularly enlightening. One read,

"THERE IS NO JUSTICE IN THE CAPITALIST COURTS!" Another urged onlookers to "FINISH THE CIVIL WAR! FOR BLACK LIBERATION THROUGH SOCIALIST REVOLUTION! SPARTACIST!" A flyer put out by the organization explained that Pratt "has become a symbol of the racism which is the foundation of American capitalism."

The most verbose—and most entertaining—demonstrator was a representative of the Revolutionary Communist Party named Joey Johnson, who claimed to have been the defendant in the 1989 Supreme Court flag burning case *Texas v. Johnson* (Johnson had burned an American flag on the steps of the Dallas courthouse in protest of Ronald Reagan's nomination at the 1964 Republican convention). He praised Pratt for his "revolutionary principles" and for "making revolution in the heart of the Babylon madness, in the belly of the beast."

Johnson was particularly candid in placing the movement to free Geronimo within the context of radical revolution. Calling "what happened in Russia and China" merely "the first wave," he said that "it's not just a question of burning the [American] flag, we want to bring down the Empire for which it stands."

Next to these guys, Johnnie Cochran seems like a pillar of moderation. And while the truth about Pratt may never be known for certain, the resurrection of this case represents a homecoming of sorts for Cochran. In 1972 he lost the trial, but working with Geronimo convinced him that the key to legal success lay in massaging his own racial paranoia. Since then Cochran has been a Black Panther in a Brooks Brothers suit, speaking the language of radicalism so soothingly that listeners often don't hear what he's saying. Spurred on by the memory of Pratt's conviction and using the lessons of 1972, Cochran orchestrated his greatest victory in the OJ trial. Now, having rehearsed his lines for two decades, he returns to Geronimo's side.

The basic scenario presented by the defense—a black man accused of killing a white woman, with allegations of prosecutorial irregularities and a law enforcement conspiracy—is one that Cochran has now worked out to perfection. Whether or not it works for Geronimo has yet to be determined, but Cochran does seem to be in his element, as this case seems tailor-made for him now that his own ability and the temper of the times are in a sort of harmonic convergence. All of the roles made famous by the OJ trial are here: the long-imprisoned Pratt as OJ, J. Edgar Hoover in the Mark Fuhrman role, Bobby Seale and David Hilliard as the slightly embarrassing Kato Kalin, the demonstrators as themselves, and the maestro Cochran himself ready to reprise his role as a gonsta rap version of Clarence Darrow. All that is lacking are the camera and the courtroom. Two things that could well fit Johnnie's first OJ like a glove.



Bobby Seale

come forward then? Why did they let their comrade sit in jail for so long? When asked these questions, Seale recited his résumé. "At that time, we still had a lot of work to do. I worked fifteen to sixteen hours a day on various programs, going around the country speaking, et cetera. We more or less just forgot about it. I just went and got an advance to do my autobiography. I published that in '78. And then I went back on the lecture circuit, and then I worked on Capitol Hill..."

Clearly, revealing the "truth" about Pratt was not high on Seale's to-do list. When asked if he thought it was unfortunate that Pratt sat in jail so long when his former brothers-in-arms could have helped to get him out, Seale became exasperated. "It's too bad that we had a bunch of ignorant, low-life, sourvy COINTELPRO FBI racists doing that shit. That's what's too bad."

Hilliard also seemed extremely defensive about waiting twenty years to come forward. Pressed about this inexplicable behavior, he said ominously, "It sounds like to me you [are] working with the forces that want to create continued problems," and then declined further comment.

Walking amidst the picket signs in front of the courthouse at the Free Geronimo rally later in April, one realized how completely this drama from the '60s has been shoehorned into the racial clichés of the '90s. For example, Pratt's nephew Brian Sudan called his uncle's imprisonment "just outright racism," and Tanya Pratt, Geronimo's niece, said that he was in jail only "because he's a black man."

Others at the rally took the mythology to



## STRANGER THAN FACT

# Winner Chosen in Historic Miss Globe Contest

By Judith Schumann Weizner

In a stunning break with tradition, the judges of the Miss Globe Contest have unanimously chosen Peggy Hefft, a twenty-one-year-old senior at Eastern New York State University who wears a size twenty-four evening gown, a winner in this year's contest. Never before in the history of American beauty pageants has the winner worn a size larger than twelve.

Today, a misty-eyed Miss Hefft gave her first interview as the new Miss Globe. Recalling a childhood tinged with sadness throughout which she had been forced to watch thinner girls having all the fun, she recalled a particularly poignant moment in fifth grade when her best friend was chosen for the lead in the class play, *Bulimia*. "Everyone knew I was the best actress in the class, but I didn't get the part because they said I was too heavy. My friend was a terrible actress, but she was skinny, so she got the part."

Peggy had other difficulties in her youth. "My desk in school was very uncomfortable," she recalls. "I had trouble getting in and out. It was a big problem when we had a fire drill." Aware of the potential danger implicit in this situation, Peggy's parents requested a larger desk for their daughter. When the principal refused, they took the matter to court where they received the sympathy they sought. Not only was Peggy awarded the larger desk, but to avoid the appearance of discrimination the school was ordered to supply a second, adult-sized, desk for each student.

Peggy entered her first beauty contest, the Miss Southern New York State Beauty Pageant, when she was eighteen. She didn't make the finals, but she did gain an understanding of what she'd have to do if she wanted to succeed. The following year, when her efforts once more proved insufficient, she sued the presenters, La Belleza Beauty Pageants, Inc., for discriminating against her size. Fearing the negative publicity that would attend a court battle, they settled, awarding Peggy the cash equivalent of first prize.

Two years later, when Peggy sought to enter the Miss Globe Beauty pageant and officials refused her application, citing a rule that their contest was open only to finalists in accredited pageants, Peggy pointed out that through the settlement she had been awarded the cash equivalent of first prize in the Miss Southern New York State Beauty Pageant, an accredited competition.

"One of the reasons I wanted to enter the Miss Globe Contest is that it places a lot of emphasis on your personality and on your ideas about things like the environment," she said. "It

isn't one of these shallow affairs where they stick you in a bathing suit and parade you across the stage in five-inch heels. They're really interested in the Whole You. I knew I could do well if they'd just give me a chance."

Reluctant to repeat the mistake made by La Belleza Pageants, Inc., the organizers of the Miss Globe Beauty Pageant accepted Peggy's entry application.



Miss Globe Peggy Hefft

During the months before the contest, Peggy had whittled her waist down to a svelte thirty-nine inches and everyone agreed that she was very shapely, if large. Reveling in a heightened level of self-confidence, she turned in a brilliant and impassioned performance of her dramatic monologue—a scene from her high school play, *Bulimia*—in the Talent Expo section of the contest, winning twelve points, the highest score the judges could award.

However, while Peggy had lost a lot of weight, she had gained a noticeable case of acne and had also developed an allergy to her contact lenses, which gave her crusty eyelids and made it necessary for her to wear glasses during the contest. When the scores from all aspects of the competition were totaled, she had only the twelve points she had received for her acting and seven points for her Personality Presentation. As a consequence, she did not make the finals.

Disappointed, Peggy once more sought solace from the legal system. Representing herself before Judge Susan Shamen in State Supreme Court, she argued that since she had received the highest possible beauty pageant score in the Talent Expo, and seven points for the Personality Presentation, the discrimination against her must have been based solely on her looks. Citing the Appearances Clause of the Comprehensive Bias

Elimination Act of 1996 (litterarily nicknamed the "Looks Aren't Everything" Clause), she asked for compensation for the damage she expected her ego to suffer because her physical attributes had been found wanting.

Counsel for the pageant argued that this went to the very nature of beauty contests. Surely Peggy had expected to be judged on the basis of her looks. Peggy responded that although the Miss Globe Contest advertised itself as being interested in the talent, ideas, and personality of its contestants, and because of her performance in other aspects of the competition, it was obviously on looks that the entrants had been judged and that she had been kept out of the finals solely on account of her appearance. She suggested that the very concept of a beauty contest judged exclusively along the lines of physical attractiveness might run contrary to the intent of the 1996 Fairness in Social Life Act.

Judge Shamen agreed with Hefft, and ordered pageant officials to reconsider their decision or face the likelihood of serious penalties.

This morning, Thomas Schoenhut, president of Global Beauty Productions, Inc., announced the new verdict. "We try to present young women who have brains and talent as well as looks," he told reporters, trying to put the best face on his company's retreat. "We have come to realize that lasting attributes are more important than beauty. Miss Hefft showed marvelous poise during the question-and-answer period following her presentations on the environment and education. And let me tell you—there wasn't a dry eye in the house after she did that monologue from *Bulimia*. We're very proud to announce the Miss Globe Contest's first ever second First Prize Winner."

Speaking about her plans for the future, Miss Hefft says she will use her prize money to attend the New York State School of Law, which accepted her earlier this spring after she successfully represented herself in a suit against United States Ladies' Clothing Mfg., Inc. This verdict is expected to revolutionize the clothing industry by mandating the re-sizing of women's clothes by eliminating sizes greater than twelve by 1998, thus sparing large women the humiliation of having to order and wear them.

"I expect to be very busy after I finish law school," Miss Hefft told reporters today. "My first client is already waiting — my brother. He needs scholarship money for college. He was hoping to follow in my footsteps, but so far he has not been accepted by any of the beauty pageants he's tried to enter. There are a lot of issues waiting to be addressed."

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