

# HETERO DOXY

ARTICLES AND ANIMADVERSIONS ON POLITICAL CORRECTNESS AND OTHER FOLLIES



## A DEATH IN BERKELEY

It could just as easily be 1967 instead of 1994 on this warm summer afternoon in the heart of downtown Oakland. The steps in front of the gleaming, white Alameda County Courthouse are filled with young black men and women decked out in Afro wigs, berets, and black leather jackets. Clenching fists they chant, "Free Huey! Off the Pig."

Huey, of course, is Huey Newton, who, along with Bobby Seale, founded the Black Panther Party in 1966 with a 10-point platform that included a call to armed resistance against police and who in 1967 became a radical icon while on trial for murdering an Oakland police officer. The demonstration being staged by these actors has the choreography of the original but not its passion. The real demonstrations that took place outside the courthouse during Newton's murder trial that summer 28 years ago made him a symbol of revolutionary black manhood and launched the Black Panthers as a powerful national force that would help define the Sixties.

Huey Newton died in obscurity in 1989, a pathetic crack addict killed by one of the young gang dealers who viewed him as a nuisance. But his legend lives on, having survived revelations that he was more a thug than a revolutionary. His name once again is magic among young blacks toying with radicalism. It pops up frequently in rap lyrics and in the casual afrocentrism of public education. Now it will be on the big screen, in the movie director Mario van Peebles is filming here in Oakland. (The film,



Betty Van Patter

called *Panther*, will be released in the next few weeks.)

Meanwhile, by a serendipitous confluence

of events, across the street from the set van Peebles has created, there is another sign of the revival of interest in the Black Panthers. The tony Oakland Art Museum is co-hosting a panel discussion about the Panthers featuring Elaine Brown. Brown has become something of a legend of her own—although she is a living one. A beautiful young woman who escaped gang life in Philadelphia in the early Sixties to come to California to work as a songwriter, she ended up as a dancer at L.A.'s Pink Pussycat and as a sometime call girl (street name "Peaches") before becoming politicized and joining the Panthers. Through shrewd intelligence and a willingness to sleep her way to the top with Panther leaders (including, most notably, Newton himself), Brown was selected by Newton to run the organization when he fled to Cuba in 1974 to escape charges of murdering Kathleen Smith, an Oakland prostitute.

The auditorium is packed and has the feel of a reunion. In addition to Brown, the familiar faces include former Panther chief of staff David Hilliard and his current partner, Frederika, Huey's widow. The Panther couple is the reigning keeper of the Huey Newton flame with their so-called Dr. Huey P. Newton Foundation, one of the sponsors of the museum's colloquy today. But Elaine Brown is the center of attention. She has been on her own comeback trail since the 1993 publication of her autobiography, *A Taste of Power*, a tale filled with hot couplings between white producers and fierce black revolutionaries and chilling tales of

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### INSIDE

George Orwell's  
Secret

Affirmative  
Action Casualty

Gull Trouble

Heeere's Johnnie  
Cochran

### TEXAS WOMAN'S UNIVERSITY FACES COEDNESS

## SOMETHING AMISS AMONG THE MISSES

By Karen Carlisle Duban

*If we build it, they will come—Preservation.* I saw the placard bearing these words loosely stapled to a telephone post as I walked onto the picturesque campus of Texas Woman's University. Above it, another poster was stapled to the same telephone pole showing "Preservation Nation" circled and crossed in that international sign language that means no. That was my first indication that something was amiss among the misses.

The campus, located in Denton, Texas, is quite lovely. Orderly, well-trimmed bushes surround solid, serene red-brick buildings. Purple and yellow pansies decorate curbs and walkways. The February day that I made my visit was warm and sunny; I noticed many tree-shaded benches waiting for someone to sit and contemplate the complexity of nature and single-sex education.

As I approached the central area of the campus, "Hubbard Hall Oval" as it is called, I saw numerous camping tents, folding lawn chairs, propane cooking stoves, coolers, tables, and hand-made signs. A half a dozen adults had set up shop underneath a large, stately oak tree. A home-made flag bore

the legend, "Preservation Nation." Another sign announced "TWU TENT CITY ESTABLISHED JANUARY 1995" with Jen, Candice, Syndee, Berna, Ritch, Sharon, Dawn, and others signing on, all putting a [9] above their names. Ritch, having a little trouble with his identity, had originally put a [σ] next to his name, but then scratched it out and put a [9] instead. I guess figuring out whether you're a [9] or a [σ] is as good a reason as any to go to college these days.

I was there observing this "campus protest" because the TWU Board of Regents voted, at the end of the previous semester, to allow men into all the programs offered by Texas Woman's University. They did this in full view of some 200 hostile people and the press. But the general perception afterward was that the decision was a surprise attack on the good-old-girls of TWU. This despite the fact that five of the six regents who voted to admit men were women, including the chair of the board, the lone regent who voted against admitting men to the undergraduate program was a man.

Men have been students at TWU—which receives 51 percent of its budget from the state of Texas—since 1972, when they were allowed into the Institute of Health Sciences (formerly something like a nursing school) and the Graduate

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## COMMUNIQUE

## Crest of Freedom, Bra'

The "Mule" truly "shined" in his "Barry Goldwater, the Beach Boys, and Me" article (Feb.). He hit me between my blue surfer eyes and rewound my memory back to 1968, when I caught a wave or two in the South China Sea.

I was 22, a gunship pilot with the Air Cavalry in Vietnam. The bombing halt had changed the Ho Chi Minh trail into what we called "the LBJ expressway" and the NVA was taking full military advantage. And too many young soldiers and marines—who saw themselves as Paul Mulshine's symbolic surfer—died while flying those green birds and carrying those black sticks.

The righteous confidence in our system and ourselves died along with those young men when we gave up on them and on our destiny. Mulshine nailed it, without ever mentioning Vietnam, when he wrote that in the mid Sixties we were "on the verge of imponderable greatness" but that by the early Seventies we had "become a nation of losers."

At dawn one gorgeous day, as I waited for the Big Ninth, I drew fire from a Viet Cong sniper. He bracketed me and expended a dozen rounds, some of which came close. But the big wave with my name on it was still cresting out at the reef, so I sat my board, waiting for that concomitant rush of water and adrenaline. And I laughed—at him, at his AK-47, and at his totalitarian cause. He and I were in perfect opposition, I thought: He was an impotent slave and I was an invincible American. He did not fire at me as I rode my beauty all the way into the beach. Perhaps he feared that the perimeter guards would discover his perch on the bluff, or, as I prefer to think, he just sat back in wonder at the sublime sight of me and that wave. He and I have had some chances to think over the last 27 years that we have each gotten the last laugh on the other. I am certain, that as I do him, he still remembers that tan, blond GI who ignored him and his ordinance while balancing on a piece of pure American fiberglass.

In 1995, I believe that we, as a nation, are about to catch a new wave and finally come out of the American sorrow and pity. I'm still that surfer at heart: I'm not laughing at snipers any more, but I'm fighting the good fight against the thought police as an affiliate attorney for the Individual Rights Foundation, and I am not alone this time.

Paul, the surf is up for America in the new century...Hang cool, dude.

John R. Todd  
Rochester Hills, MI

Gnarly nihilism section in that last issue, dudes.

Hedonism and the search for the perfect wave are not born out of "no relationship," "no commitment," and "no nurturing." Plane tickets to the ends of the world come from somebody nurturing a commitment to a job, and quite possibly a relationship between a surfer dude's parents and their son.

Nord S. Isacson  
Los Angeles, CA

## Setting Pete Straight

I read with interest and delight Ron Radosh's piece on Pete Seeger ("The Communist Hootenanny," Jan.). Ron was always closer to Pete than I, both personally and politically, and I found his take on Pete, as I find his take on most things, insight-filled and thoughtful.

But Ron is more of a folkie than he realizes. Students of folklore often speak of the "folk process," whereby folksongs mutate through the (usually unconscious) process of imperfect memory on the part of the transmitter of the bit of folklore in question (song, story, whatever). That's why there are so many versions of

folksongs, childrens' game chants, and the like. Ron has "folk-processed" three of the songs he refers to in his piece—one of them mine—and I'd like to set the record straight.

First, *The Ballad of Pete Seeger*, which I wrote in 1964 when I was an undergraduate at Columbia. It was the first of a bunch of parodies of the stuff that Pete Seeger and his comrades sang. After I'd done a few, I began to refer to my parodies as "Songs from the Bosses' Songbook," parodying People's Artists' "People's Songbook." (A few years later somebody published an actual "Bosses' Songbook," combining many of my songs with some other stuff, some of it quite racist and otherwise objectionable.) My *Ballad of Pete Seeger* was a parody of *The Wreck of the Old 97*, which begins:

*They gave him his orders at Monroe, Virginia,  
saying, "Steve, you're 'way behind time*

*This is not Thirty-Eight; this is Old Ninety-Seven;  
you must put her into Spencer on time*

*It's a mighty long haul from Lynchburg to Danville,  
on a hill with a three mile grade...*

My parody said:

*They gave him his orders at Party  
headquarters, saying, "Pete, you're 'way behind the times;*

*This is not '38, this is 1947, and there's been a  
change in the Party line."*

*It's a mighty long haul from "Greensleeves" to  
"Freiheit" and the distance is more than long,*

*But that wonderful outfit that's called People's  
Artists is right there with those good old People's Songs...*

I personally think that the line contrasting the Olde English song *Greensleeves* with the Spanish Civil War-era German Communist march *Freiheit* may be about the best line I ever wrote.

Ron's recollection of the two songs from Pete Seeger's quickly suppressed album "The Ballad of John Doe" also reflects some folk processing, but in a quite minor way, and I'll save the information for the next phone call I have with Ron, so that I can rib him.

The "John Doe" album, with its venomous anti-FDR songs, proved quite an embarrassment to Pete and his comrades in later years. The late John Roche told me that he once found himself at a gathering where Pete was singing (I think it might have been a meeting of the American Veteran's Committee), and "innocently" asked Pete to sing a song about "I hate war and so does Eleanor." Pete coolly replied that he did not know any such song. Pete and his comrades were still trying to distance themselves from the song in the late Seventies. When I recorded my album "Folk & Country Songs of the FDR Years," I made a point of including the song, following it with "UAW-CIO" from the CP-FDR wartime honeymoon. I think Pete and his comrades also find the latter song embarrassing, endorsing, as it does, the idea of a free labor movement backing the struggle against totalitarianism abroad and replacing that totalitarianism with democracy.

Roy Berkeley  
Shaftsbury, VT

## So Sorry...

You dummies!

Being an implacable foe of political correctness, I have found your magazine interesting in the past.

However, I just received my latest issue of *Heterodoxy* and, lo and behold, there appears on the back a photograph of a partially undressed young woman. Now I recognize that your publication is not pornography but rather political commentary, and that your back page is always some sarcastic parody of some politically correct silliness. But the Post Office doesn't know that, nor do others who may see my mail.

I live in a very small town, the type of place where

"everybody knows everybody." I am also a clergyman at a local church. I do not need the people who may see my mail getting the idea that the "Holy Reverend Father" is getting some cheap pornography through the mail. (OK, I admit it: I'm not all that holy, and I am scarcely "reverend." But I still don't need the undeserved reputation of buying pornography.)

The problem is not that the photograph is all that offensive but that it can certainly appear to be so to people not familiar with your publication—and you put it on the back cover, of all places!

I therefore have no alternative but to request that you cancel my subscription immediately.

Rev. Dennis Drury  
Casco, WI

## Fighting the Good Fight

Anyway, I must admit, I thoroughly despised you guys long ago (we're the same generation). I was in the Navy in the early 60s doing my duty and, well, you can imagine the contempt I had for you. I would like to apologize to you both, but more than that, I wish to express my appreciation for your efforts in setting the record straight. You have taken strong stands from your former days and ways, and that takes courage brother!

You have my support and you guys are in the front lines to be sure, therefore you are in our prayers as well. The best for both of you from one of the little guys.

Ron Bennett  
Comfort, TX

## Strange Justice, Indeed

Your excellent review of *Strange Injustice* reveals the disingenuousness of the mutual admiration society of Washington, D.C., journalists. Their editing out of anything complimentary to Clarence Thomas belies their journalistic integrity, and one wonders if and when we will ever have a balanced press.

David Brock has had his share of hate and hostility from liberal reporters just because he dares to tell the truth.

As for *Heterodoxy*, we've been subscribing for quite some time, and we only wish that Peter Collier and David Horowitz could have more national exposure. We got to read Peter's column on Angela Davis' new honor at UC, Santa Cruz. If she and Anita Hill represent the new role models in higher education, somebody better examine the water that some of our college presidents have been drinking—it's polluted with leftist PPBs.

Fran Spargna, Sr.  
Ocean City, NJ

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Due to printer scheduling conflicts *Heterodoxy* is a joint March/April issue. This will count only as a single issue on your subscription, however. We will be back on regular schedule in May.

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# REDUCTIO AD ABSURDUM

**GAG ME WITH A BASKETBALL:** The last time you were out pursuing hoop dreams, did you (a) play one-on-one with other studs, or (b) just shoot around in a less macho mode. If you answered "a," then you may just have Karen Carpenter's death on your hands. That's the conclusion that can be drawn from the thinking of one Michael Levine of Kenyon College, who has written an article called "10 Things Men Can Do and Be to Help Prevent Eating Disorders." One of Levine's suggestions is as follows: "Think seriously and constantly about yourself as a gendered being. Consider, for example, how free and independent you really are when you hesitate before putting on an apron or buying tampons; or when you reflexively consider shooting baskets and talking with a friend to be a waste of time, as opposed to playing one on one." Another item on Levine's Top Ten Ways For Men to Prevent Eating Disorders List: "Accept responsibility for learning about sexism within our patriarchal and capitalist society. Feminists are tired, and justifiably so, of repeatedly explaining to well meaning but ultimately condescending males what feminism is all about." There is no attempt here actually to connect "sexist" behavior to the alleged epidemic of anorexia and bulimia among women. But here's a possible link: Maybe when a woman meets a man who dislikes capitalism, wears an apron, buys tampons, and is afraid to go one-on-one, she will have an irresistible urge to start throwing up.

**WHITE LIKE ME:** At the University of Pennsylvania, white female students began a group called White Women Against Racism. When a black female student named Janali Davis tried to attend a meeting, she was kicked out. The reason, according to Elena DiLapi, director of the Campus Women's Center, was that before the white women could "enter into a meaningful dialogue about culture and racism, we have to examine ourselves first and examine those issues. We believe racism is a white problem and we have a responsibility as white women in particular to do what we can to eradicate it."

**AFFIRMATIVE ACTION IN ACTION:** The March 27 *Nation's* cover story on affirmative action (which "has done wonderful things for the United States") is by black leftist Roger Wilkins. Wilkins' focus is on himself. He says that after watching him teach as a visiting professor, members of the history department at George Mason University invited him to compete for an endowed chair in recent American history that had become available. "I went through the appropriate application and review process and, in due course, was appointed," Wilkins writes. "A few years later, not long after I had been honored as one of the university's distinguished professors, I was shown an article by a white historian asserting that he had been a candidate for that chair but that at the last moment the job had been whisked away and handed to an unqualified black." This other unnamed and presumably malicious white historian

was Ronald Radosh. In the advertisement George Mason placed in *The New York Times*, university officials stipulated that they wanted only distinguished historians to apply, individuals with impressive intellectual accomplishments and recommendations. This definition seemed to fit Radosh quite well. He was the author of a number of well-received scholarly works, including the standard work on the trial of Julius and Ethel Rosenberg. He came with recommendations by fellow historians Arthur Schlesinger and Walter LeFever, along with Martin Peretz, publisher of *The New Republic*.

**WHAT'S UP, MOTHER \_\_\_R?** According to a recent column in *The Chronicle of Higher Education*, "Traditional history turns out to be less 'white' and less 'male' than anyone previously thought." To support this revelation, Shelley Fisher Fiskin, author of this column (and of the highly dubious *Was Huck Black? Mark Twain and African American Voices*), cites the uncovering of African references and symbolism previously overlooked in both classic novels and modern popular culture. Within the great body of classic works,

Ms. Fiskin notes that "African traditions [are] essential to understand the work of Herman Melville." She alludes to the work of her fellow minority scholars who have pointed out the "numerous references to the Yoruba god Legba in *Moby Dick*" and "Melville's insight into Ashanti rituals and the shrewd political use his characters made of those traditions" in the short story "Benito Cereno." (Most "traditional" scholars have described these same passages as a "racist allusion to African savagery.") Fiskin goes from high to popular culture, from *Moby Dick* to—you guessed it!—Bugs Bunny. She cites the work of one David Roediger, a historian who "has revealed the African and African-American roots" of Mr. Bunny. According to Fiskin, Mr. Roediger's work "shows that the verb 'bug,' meaning to annoy or vex someone, has its roots partly in Wolof, the West African language spoke by the largest group of Africans to arrive in this country in the 17th century." Wrrrrong! As it happens, the wascally wabbit got his name, not from African linguistics, but from an early director of Bugs Bunny cartoons, Ben "Bugs" Hardaway. Maybe Fiskin and Roediger should spend a little more time watching cartoons, and a little less time with their penny ante afrocentrism.

**STOP THE PRESS-ES:** On February 17, De Paul University's student newspaper, *DePaulia*, reported on a disturbance at a social event sponsored by a black student group. Drawing on police reports, the story included the race and sex of those accused of starting the trouble, who happened to be black males. Claiming that such an approach "perpetuated negative stereotypes of blacks," student demonstrators entered the offices of *DePaulia* late in March, turned

off computers, and told staffers they would not leave until their demands were met. Among these demands: the firing of the writer of the offending story; and a guarantee that one page an issue in the paper be devoted exclusively to minority affairs, one issue a year be devoted entirely to minorities, and the establishment of mandatory sensitivity training for paper staffers. What makes this story different from others around the country involving radicals' attempts to censor student publications is that De Paul administrators refused to let the editors of *DePaulia* continue publication until they agree to some of the protestors' demands. Now there's a lesson on free speech worth teaching young people.

**TWO WORDS TO SET YOUR TEETH ON EDGE:** Robert MacNamara.

## LUNA BEACH By Carl Moore



George Mason seemed quite interested in Radosh. Administrators asked him to send everything ever written for their review. Then came Wilkins' visit and suddenly Radosh got a letter with the absurd information that a scheduled interview was being canceled because he was "too qualified" for their student body. Soon afterwards, George Mason announced that Wilkins had been appointed to the post. He was a lawyer and left-wing journalist who had never published any work in history and, indeed, had never written a book at all. Since Wilkins has brought the whole thing up again, it is fair to draw at least two of the obvious conclusions from this episode at George Mason. First, as Ronald Radosh himself notes, "Anybody who is a 'progressive' activist can proclaim himself an historian." And secondly, Wilkins got the job because he was a black progressive activist.



*Death of a Bookkeeper, continued from page 1*  
violent Panther crimes.

In her belated and quite partial admissions, Brown confirmed what I and many other Panther watchers have known for many years: At the heart of this organization that continues to be admired by many blacks for its message of revolutionary self-help was a criminal element, created by Newton, which practiced extortion, racketeering, and murder. Yet while it teases with hints of the truth, Brown's book is also a self-serving exoneration. That gloss-over stands in stark contrast to the astonishing revelations Brown made to me shortly after I saw her at the Oakland Museum in an exhaustive four-hour, late-night, manic phone interview. "I was both a victim and a perpetrator of some of that shit," she told me, adopting a confessional-but-defiant attitude about the crimes of the Panthers' past. But she dropped her professional guard for the first time in a revealing moment of honest reflection in her next sentence: "I was a silent perpetrator. I'm sorry about that. My only mistakes were that I loved Huey at the time." She then reverted to form, denying any involvement in the Panther murders we had been talking about.

Most of these murders found as victims other street toughs who stood in the way of Panther attempts to muscle in on the rackets in Oakland or Party members who refused to obey Newton's "revolutionary discipline." (The FBI fanned the incendiary factional disputes between the Huey Newton loyalists and Eldridge Cleaver and breakaway chapters in New York.) But one murder was different, and it has interested me for the last 20 years. I am referring to the murder of a white bookkeeper named Betty Van Patter. Betty, who worked for the Panthers, disappeared just before Christmas 1974 and was not seen again until January 17, 1975, when the Coast Guard fished her body out of the San Francisco Bay. Autopsy reports showed that she had been killed by a massive blow to the head. Some have traced this murder to the door of the Panthers and to Elaine Brown, in particular. It has not only become the crime that would not die but the crime that apparently could not be solved.

This unsolved murder has haunted the Bay Area Left for two decades. It was a crime covered up and surrounded with denial—a mystery that, if ever solved, could threaten the elaborate web of self-justification of the Black Panthers and of the white movement that unquestioningly supported the organization. After years of investigation—studying police reports and interviewing many sources close to Betty and the Panthers—I think I can finally begin to reconstruct what happened to the Panther bookkeeper.

On a Friday night the 13th of December, 1974, Betty Van Patter grabbed her three-quarter length camel topper, slipped her brown shoulderbag in place, and took one more glance at herself in the mirror to make sure her minimal makeup—black eyeliner and mascara—wasn't smudged. As she inspected herself, she probably decided that she looked okay. Better than okay, really—she'd never had a problem attracting male attention. It just wasn't always the right kind. She didn't like it, for instance, when one of the suitors of her own 24-year-old daughter, Tammy, called her up for a date. This had happened more than once. Betty always made it clear that she would never do anything to hurt any of her children. She was not ashamed of being a member of the Berkeley counterculture or of dating black men, but she was a mother first, raised with strict religious and moral principles.

On this Friday evening, Betty already had a buzz on. She drank more white wine than she should, buying it in jug-sized quantities from the Oak Barrel, Berkeley's discount liquor emporium. As her glance lingered in the mirror, she knew she was still something of a looker: slender, fair-haired, and green-eyed with good cheekbones—the doe-eyed look with Kohl pencil liner. Still, at 45, she knew she was beginning to fray around the edges, showing the first wrinkles and the pallor of too much drinking and too many cigarettes.

Normally she would be looking forward to the relaxation offered by her favorite bar, the Berkeley Square, a place where white women could dance with black men and nobody gave a damn. But tonight she was feeling sad and uptight and was drinking because of inner turmoil.

It was embarrassing that Tammy had come over the other day and seen her drinking at 11:00 in the morning. But she couldn't help it. She felt unhappy with the quality of her emotional relationships. She'd had little stability in her relationships since splitting with the children's father, Ray Baltar, after having worked so hard with him to establish a family and a respectable life. It had been a traumatic parting. She had met her next husband, Ken Van Patter, at

an AA meeting while recovering from the divorce, but that marriage had lasted only a few years. She had next gotten involved with a young black man named Leonard Rideout who was about Tammy's age in the late Sixties; when he went to prison for theft, she visited him faithfully. He dropped her after being paroled, although the two of them did remain friends. For the last year, she'd been seeing a near-blind black man named Ken Baptiste, who was closer to Betty's age and, like her, drank. (Elaine Brown had once called him "some old nigger.") But Betty couldn't accept his relationship with another woman so that affair ended too, although she still continued to see him.

But Betty was used to being disappointed in romance. The daytime drinking only began with her recent troubles at work. During the previous few months she had been excited about working for the Black Panther Party, and particularly, for Elaine Brown. She gushed to Tammy just how pretty and inspiring Brown was and wrote to her own mother, "She is dynamic, intelligent, and forceful person, and she has given me her complete trust." Betty was flattered when Brown had befriended her, taking her to Giovanni's for pizza where the two of them buzzed like school girls with all the plans for Betty to catch up on the books for the Early Learning Center, the school the Panthers were running in East Oakland. David Horowitz, an editor at *Ramparts* where Betty used to work and a board member of the school, was the one who originally suggested her for the job. He had emphasized the necessity of straightening out the messy Panther finances to keep the school kosher, and he believed that Betty was the one for the job.

At first, she felt so positive. The job provided income, but it also gave her something more: a feeling that she was participating in the movement for social justice that she, like most of the white leftists she knew in Berkeley, felt the Panthers embodied. Betty wrote to her mother of her enthusiasm in a series of letters that summer and fall. She wrote in her diary her first impressions of the Panthers' reserve toward her as a white intruder and how she resolved to overcome their suspicions. She was looking forward to a deepening relationship with Brown, who fostered this notion by seductively dangling the possibility that Betty could eventually work as an advisor on Brown's 1975 campaign for the Oakland City Council, a campaign that promised to be the most serious bid for political power that the Panthers had yet made.

There were strange moments. Shortly after starting work with the Panthers, Betty had written to her mother about an incident outside her house in which she ran into a man who knew her name: "I know I am being...watched by the Party...I'm sure [the black man] is from the Party.... All of this intrigue isn't necessary."

But her admiration for Brown resolved all these ambiguities. After all, hadn't the Panther leader invited Betty to her lovely home in the classy Portabello Apartments on the Oakland Embarcadero? Betty was so impressed with Brown's taste and fancy furniture, she told her daughter, that she decided to take out a loan from the credit union and do some redecorating of her own and had, in fact, completed the applications just yesterday.

Betty felt a little guilty spending on herself. She had always prided herself in not taking alimony, in working to support herself and always being able to give her kids a little extra money here and there even if it meant skimping on herself. She was a soft touch who liked taking care of people. (Her daughter later said, "Although my mother was floundering at this time, she was a rock in all our lives.") Tammy and her brothers were used to her taking in teenage Berkeley waifs and giving them sanctuary in her attic. Betty believed in giving them shelter and a nice meal, not in being critical if they smoked pot or couldn't get their lives together. She liked being a refuge for her kids, for runaways, and, she admitted, for her recent lovers who couldn't make a go of things.

She was making \$800 a month working for the Panthers and now, after breaking up with Ken and having no more waifs at home, she thought she could spend a bit on herself. After all, Betty confided to her daughter, if Brown, a revolutionary Black Panther woman, could have a smart home with beautiful furnishings, why couldn't she?

Everything would have been fine if not for the disturbing information Betty had learned from the Panther books. After starting out as accountant for the school, she had been asked by Brown to do the accounting for the Lamp Post, the Panther bar in Oakland. The dark intimate interior with its black walls and red tables, its red-speckled black Formica tables and gaudy chandeliers looked like some politically correct bordello, its walls studded with

spot-lit paintings by Panther political cartoonist, Emory Douglas. The full-length portrait of Huey Newton in flat, lurid, cartoon-style dominated all the other "art." Newton used the place as his own private Thunderdome where he hit on women, held court, and strutted his macho dominance. After Newton fled to Cuba, violent incidents continued to take place there—including one killing committed by a member of The Squad, Newton's praetorian guard of gangsters who had been his gunmen when he was in Oakland and who continued to throw their weight around when he left.

Betty had jumped at the opportunity to increase her responsibilities by taking on work at the Lamp Post. Somewhat grandiosely she wrote to her mother, "It seems I am always being pressed into service to bring harmony out of chaos. It is nice to be recognized for one's own ability and that certainly seems to be mine."

Yet the view of things she got from the Lamp Post books was more than mere accounting chaos. Jimmy Ward, a cousin of Newton's, was the nominal owner of the bar, having bought the place in 1970. But for all practical purposes, the place was Panther owned and operated. It was the place where Newton laundered money gained from illicit operations in the ghetto—rackets, dope, and prostitution. (Panther attorney Fred Hiestand knew enough about the Panther bar and restaurant to gossip to David Horowitz later that a whopping \$25,000 a month was coming into the Lamp Post under the table.) It was rumored that the Panthers were running hookers out of the bar and that there was dope trafficking on the premises. (The late Arlene Slaughter, the mother of Huey's second wife, Frederika Newton, told me in 1977 that she knew that Panther rank-and-file women were put to work at the Lamp Post as hookers as punishment for infractions of Party discipline.)

There was all kinds of questionable activity at the bar, but while the racketeering might have been what Panther higher-ups feared coming into public view, what bothered Betty most was simply that the place was not paying its taxes and risked attracting the attention of the IRS. The register tapes wouldn't lie and she, as the bookkeeper, couldn't—and wouldn't—cover it up. She complained obliquely to her daughter, Tammy. She also complained to Leonard Rideout, her former boyfriend, whom she'd seen only a few days earlier. She wanted to tell him everything that was going on with the Panther books but couldn't trust him quite that far. She did tell him that she was going to have a summary meeting with Brown to discuss what was troubling her and hinted that she knew secrets that would give her leverage in the meeting. Rideout didn't take her seriously. He just thought she was trying to seem important with her talk.

Back in November, Betty had also called Lillian Weil, a CPA who once did the books for the irrigation company founded by her first husband Ray Baltar and had, in fact, taught Betty bookkeeping. She asked Weil if she would work as an outside consultant to help square the Lamp Post accounts.

Weil was wary of the Panthers. ("I had a client, a plumbing contractor, down on East 14th," she says. "The Black Panthers went up and down East 14th demanding funds in threatening word and manner. It was a shake-down.") She had warned Betty about them, but she respected her decision to ignore the warning. The morning of the 13th, in fact, Betty had picked up the flow charts Lillian prepared for the Lamp Post, which Betty felt would clear up the income and outgo and prevent people from raiding the bar's till.

From all accounts, Betty's next stop was a meeting with Brown to talk about her plans for straightening out the books. It was an appointment she had sought repeatedly but that Brown only agreed to after Betty made threats about quitting and perhaps going public. (Brown was later taped as saying: "She called me and left this message—'Elaine's gonna describe my role to me or I'm leaving...' She said, 'I'll leave this whole fucking operation, do you want me to do that?' These were her words, the last thing she said to me.") With her accountant's optimism, Betty still believed the problem was simply one of figures and could be fixed. But Brown, of course, knew that the figures were only the tip of the iceberg. Their meeting had degenerated—Brown later said, "She accused me of trying to be some kind of queen"—and after a wild argument Brown had fired her.

After checking her appearance in the mirror one last time, Betty left her apartment on Haste Street and drove the short distance to the Berkeley Square on University Avenue. She came in, greeted several acquaintances at the bar, and perched on a stool away from the fireplace. She had a drink by herself at the bar. Regulars at the Square





Betty at 2 1/2 years old  
in Los Angeles



Betty at 7 in  
Hollywood



Betty, 18, at  
Occidental College



Betty, 34, as  
a young mother



noted that she appeared particularly depressed. But she didn't confide in them that she had been fired, merely saying that she expected her onetime lover Ken Baptiste to meet her there later.

Not so long after she arrived, several patrons recalled later, a tall black man came into the Square and gave Betty a note. Then he left. Almost immediately, she followed him out.

That was the last time anyone but her murderers saw Betty Van Patter alive.

When she couldn't reach her mother over the weekend, Tammy decided to go to her apartment Monday. Upon arriving, she was greeted by her brother Greg, who had arrived unexpectedly from Sacramento late Friday. He had found his mother and her car gone. He was surprised to awake on Saturday morning and discover his mother's car inexplicably parked in its assigned slot at the apartment building with his mother still absent. When Tammy heard this, her worry turned to panic. Her mother was no walker and never went anywhere without her car. Furthermore, Betty had made no arrangements to feed her cat.

On Tuesday, Tammy called Ken Baptiste, her mother's ex-boyfriend, who called Betty's work number with the Panthers. He reported, "Somebody told me your mother doesn't work there any more." Incrédulous, Tammy called the office herself. A woman who identified herself as Ruby said Betty didn't work there any longer but refused to provide details and hung up on her. Tammy called David Horowitz, whom she'd met a few times when visiting her mother at *Ramparts*. "My mother's missing," she blurted out. Horowitz responded, "Oh, my God!" and told her he would make some calls and get back to her. When he called Tammy back, she detected fear in his voice. He said that he had just talked to Elaine Brown, who'd told him she'd fired Betty. "Go to the police!" Horowitz told Tammy. "Go to the police!"

Two months earlier, a Panther had been shot and killed at a dance at the Panther school. Betty knew about the killing and seemed to accept Brown's explanation that the Panther had been "set up." Horowitz had decided to avoid the Panther school because of that. Another problem for him was the entourage Elaine had assembled. "Suddenly I noticed the people around Elaine weren't so benign," Horowitz says. "These guys looked mean." Indeed, Brown was anything but a moderating influence on the party. As her book candidly indicates, she took on the task of acquiring authority in a macho, violent organization as a challenge. Not long after Betty Van Patter's body was discovered floating in San Francisco Bay, Brown presided over the disciplining of a Panther by her security force. While a shotgun was pointed at the victim, four Panthers stomped him to the floor. At the conclusion of the brutal beating, she writes, "the floor was rumbling, as though a platoon of pneumatic drills were breaking through its foundation. Blood was everywhere. [His] face disappeared."

Feeling paranoid and personally vulnerable, Horowitz had secretly taped his two phone calls to Brown about Betty, although he didn't tell Tammy about this at the time of their conversation. The tapes reveal a vicious and vulgar attitude toward Betty by Brown. Worse, they show a callous disregard for the disappearance of a former employee and for the agony of her family. "I'm saying if her daughter hasn't seen her, she should have told her daughter she didn't work for us anymore....She made me so mad it's hard for me even to be concerned about her daughter....She was just stupid....She was just an idiot and she annoyed me....I mean this woman has all our little information and shit...."

When Horowitz pressed her further about whether

she knew anything about Betty, Brown said with irritation, "I don't know where she is. Why call me like I'm some kind of a criminal?...I fired her." When Horowitz pressed her further, Brown snapped, "She disappeared last Friday. She didn't work for us before last Friday....I'm saying she lost this job before." Brown was only concerned with the negative implications Betty's disappearance could have on her campaign and declared her intention to "call [Panther criminal attorney Charles] Garry, just in case the daughter acts too crazy."

The conversations convinced Horowitz that the Panthers were involved in Betty's disappearance. In their talk,

Coppola's private eye in *The Conversation*.) He won the glitzy Nob Hill divorce cases, but he had also developed something of a subspecialty working for left-v attorneys like Charles Garry on cases involving Huey Newton and other Panthers. Nobody was better connected: Lipsett.

After Tammy talked to him, Lipsett made brief inquiries. She took notes when he made his initial report: "The [Panther] headquarters are hot. They know she's missing. You should go to the police now. Leave your fice. Go over to Berkeley to the Police Department report her missing. Now!"

Finally convinced, Tammy down the receiver, hopped BART, and went to the police station. It was more than a week since her mother's disappearance. She thought there's something you should know about my mother," Tam remembers telling a Berkeley detective as she filed her report. "She's the bookkeeper for Black Panther Party." The detective immediately rose and left the room. When he returned, it was with Detective Michael O'Keefe, the *de facto* supervisor of such cases. O'Keefe's involvement elevated the case above that of average missing person report.

During the next week, Berkeley police did all the routine legwork of checking motels and taxi records, interviewing acquaintances and friends. Tammy let police into her mother's house to try to determine when she was last there. (One clue: Betty's birth-control pills had been punched through Thursday.) There were interviews with Black Panthers too, and investigators noted in their report that the Panthers were not forthcoming with details. One officer wrote the following about Jo Kelley, who headed the Panther school: "Kelley was very evasive when questioned about the nature and scope of the victim's employment and the circumstances of her hiring and termination. She would not confirm the date of hiring or of termination, nor provide the specific reason for termination."

More revealing was the investigator's call to Ken Baptiste, Betty's erstwhile boyfriend who was to meet her at the Berkeley Square

the night of her disappearance. Baptiste said that Betty had told him in their last conversation that she had obtained an appointment to see Elaine Brown "regarding her job." He told police that he had stopped by the Berkeley Square to meet Betty, but that regulars at the bar told him she'd just left. Baptiste told police that he had, in fact, made a concerted effort to find Betty that night—first phoning home and then calling some of their other watering holes at the Marriott Hotel bar and Solomon Grundy's on the Berkeley waterfront. More importantly, he'd also called the *Lamp Post*. The police, reported Baptiste's account of that phone call in these words: "At the *Lamp Post*, a male answered the telephone. Baptiste asked that the victim be paged and was put on hold. A woman came back on the line and said, 'That party has left.' Baptiste drew the conclusion that she had been there that very Friday night prior to his call."

It wasn't until January 23, six days after Van Patter's corpse was recovered and after repeated requests from the police to Panther attorney Fred Hiestand, that Elaine Brown finally agreed to meet with Berkeley cops. (An autopsy showed that Betty's body had only been in the water fewer than half of the 36 days she had been missing, which led her children to fear that she had been held under terrifying circumstances while her fate was debated.) They convened in the San Francisco office of the Panthers' longtime criminal defense attorney, Charles Garry. Complaining that she was being blemished with this accusation as a way of harming her city council campaign, Brown told police she'd only had contact with Betty three or so



Bobby Seale and Huey Newton striking a militant pose in 1969.

Brown had unwittingly supplied a possible motive: "Let me tell you something about Betty. Betty wanted to know too much of everything....She started telling me about why [the *Lamp Post*] taxes need to be paid....She started asking me so many questions about stuff that was not her business....She says, 'Well I want to know what you're going to do with your [City Council] campaign'....She's asking too many questions...." Clearly, Brown was worried that Betty would go public.

Tammy Baltar at first ignored Horowitz's urgings that she go to the police. "He didn't explain why or anything," she says today in a voice that still tightens with remembered fear. "I'm just this 24-year-old kid, not really coping with any of this very well. My mother's status at that point gave me reason to believe she just might have gone off somewhere to be by herself if something traumatic had happened."

Besides, in the radical culture of that era, the police were not to be trusted. This was especially true when it came to the Panthers, who had successfully perpetuated the myth that the police were engaging in a "genocidal campaign" against them. So, instead of taking Horowitz's advice, Baltar called Paul Jacobs, the left-wing journalist and social critic who had cultivated the role of the conscience of the radical community. Jacobs, in turn, referred her to the Bay Area private investigator, Harold Lipsett.

Hal Lipsett had made himself into a local legend for such antics as creating the "bugged" olive, which could be placed in a martini so that intimate conversations could be overheard. (He was one of the inspirations for Francis Ford



times in her life. Brown snidely noted that Betty was a flake who had not come to work on one occasion because of an adverse astrological forecast. She further characterized Betty as a whiner who continually complained about her job, "insufficient working space," and her black office assistant. Betty was "high strung and getting on people's nerves."

Elaine had already put out the word through the Panther civil attorney, Fred Hiestand, a white lawyer formerly with Public Advocates and a crony there of Tony Kline, Gov. Jerry Brown's legal affairs secretary and a longtime admirer of Brown, that Betty had been fired on December 6th, a full week before she disappeared. During the police interview, she angrily waved Betty's severance check, dated the sixth, as if the cops were too stupid to figure out that any check can be backdated. (The check, moreover, had not been cashed.)

In any case, others contradicted Brown's claim that Betty had been fired a week before her disappearance. A later police report of an interview with Lillian Weil, for instance, stated, "Weil said that at that time the victim seemed to be very enthusiastic about her work and behaved in a manner totally inconsistent with having been fired a week prior, as is alleged by Elaine Brown...Weil said that Van Patter also told her that the Lamp Post account was made difficult by the practice of payroll kickbacks and of excessive cash expenditures."

Fred Hiestand, Brown's own advisor, told police he had seen Betty on December 10, three days before her disappearance, when he discussed other Panther matters with her. He also told police she had seemed "enthusiastic" about her job. In point of fact, as the taped conversation between Brown and David Horowitz shows, Betty had used the occasion of the meeting with Hiestand to seek a sympathetic ear in which to lodge her complaints about irregularities at the Lamp Post. ("Betty calls me and starts threatening me with 'Look, either you gonna...Do you want me to quit...' and then she goes to Hiestand and tells Hiestand that she thinks what we're doing is shaky at the Lamp Post.") Obviously, Hiestand, after listening to Betty, had reported to Elaine Brown the very next day the contents of the conversation, whereupon Elaine had become outraged that the bookkeeper was meddling in things that didn't concern her.

Tammy Baltar had her own reasons to doubt Brown's story. Her mother had made plans several days after the alleged firing to give her a tour of her office. "Why would Mom invite me to her office if she'd been fired?" she wondered. Moreover, Tammy knew her mother had refinanced a credit loan on Thursday, the day before her disappearance, to fix up her apartment. She wouldn't have done this had she lost her job days earlier.

In her police interview in Garry's office, Brown also lied outright when she told police there was no connection between the Lamp Post and the Panther party. (Later on, in *A Taste of Power*, she would be more truthful: "The Lamp Post was a complete Black Panther Party operation.") In fact, in the conversations Horowitz taped, Brown made it clear that she was responsible for expanding Betty's duties to include the Lamp Post books.

But none of these contradictions were ever explored. Charles Garry abruptly cut off the January 23 interview between Brown and the Berkeley Police. Authorities never again interviewed Brown on the Van Patter homicide. Although they would never admit it, Berkeley police, while they had strong suspicions in the case, were intimidated by all the charges of police brutality and harassment leveled at them by radicals over the years.

Lillian Weil, who believes the Panthers murdered Betty, feels that this was the case. She recalls a conversation with Detective Michael O'Keefe in which he told her, "Well, you know we just can't go after them." O'Keefe was more specific with Peter Collier. When Collier, who had also known Betty at *Ramparts*, called to plead with him to pursue the Panther connection, O'Keefe replied that it was ironic that white radicals who had spent years emasculating the police in cases involving the Panthers would now urge them on when one of their own was the victim.

The suspicions of Weil, Collier, and others that the police were cowed by the Panthers' political muscle and fearful of once again being made to look like "pigs" in the investigation seemed borne out by the abrupt resignation of O'Keefe from the police force. In 1975, he sent Tammy Baltar a private message in which he expressed his sense of "futility" and his sadness that he could not do more for her on the case, leading Tammy to believe that her mother's unsolved murder was perhaps a contributing factor in his decision to leave law enforcement. (O'Keefe today insists the Van Patter case languished because of jurisdictional conflict between San Mateo, where

had been, almost from the beginning, two Black Panther parties. On the one hand, there were the low-level Panther cadres who believed in the School, the Breakfast for Children Program, and the other reformist aspects of the Panther program. But on the other hand, at a deeper stratum, there was the sinister element of criminals known as The Squad, a sort of armed guard with which Newton had surrounded himself in his increasingly demented, cocaine-fueled drive to control the rackets in Oakland. This view is borne out by my own research. Members of The Squad were hand-picked for their street toughness and sealed off from the rank-and-file

engaged in the legitimate programs that gave the Party its protective coloration. The Squad kept out of sight when Newton blandished the white radicals who supported the Panthers for political reasons. After dark, his bullies accompanied him in his voyages into the netherworld of Oakland's ghetto, where he assumed the role of a violent black Scarface.

The memory of this unsolved murder might have faded away altogether if not for the publicity attending *A Taste of Power*. Brown's book contained such false claims and gratuitous nastiness against her mother that Tammy Baltar, whose politics remained leftist in all the intervening years, finally told me what she'd hesitated to say to others before: "I had to admit to myself the Panthers killed my mother."

Tammy came to her conclusions as a direct result of the investigation she and her brothers commissioned detective Hal Lipsett to undertake in 1983, nearly a decade after the murder. Lipsett had simply made a few calls in 1975 when Tammy first contacted him. But in 1983, the family had enough money to pay him for a full investigation. Tammy quotes Lipsett as telling her after working on the case for months, "You should have no doubt that your mother's death was Panther related. They did it." Lipsett also warned that if she were too public in her accusations, he could not guarantee her safety. (Huey Newton was still alive at this point.)

Tammy didn't know how to act on Lipsett's information. And so, once again, she resigned herself to living with her doubts and fears. But with the publication of Brown's autobiography a decade later, Baltar sought out Lipsett again and asked him to review with her the specifics of the case. She has not revealed this information until now.

Retrieving a file in his San Francisco office on April 7, 1993, the famous detective produced one document in his own handwriting. "He flipped to this little message paper...It said: 'Elaine ordered it.' The second line had just Flores Forbes' name. The last line said 'talk with Otis,' meaning Sheldon Otis, Newton's first attorney when he came back to stand charges from Cuba."

Lipsett's information came at the end of a line of inquiry fitfully pursued by others over the years. For some, the logical suspect in Betty's death was Squad member Robert Heard, Newton's six-foot-seven, 400-pound "body guard" who had been the trigger man on other murders. But Flores Forbes, another member of The Squad, was, according to Fred Hiestand, "more manageable than Bob Heard" for Elaine and, in addition to being what Hiestand calls "her driver," Forbes was always with her, just as Heard had been Huey's shadow previously. Private investigator David Feccheimer, who worked on Panther cases as an aide to Hal Lipsett, reports he never met with Elaine without her being in Forbes' company. (In 1977 Forbes, who already had a long rap sheet, was involved in an attempt by members of The Squad to assassinate a witness who was able to testify that Newton had killed Kathleen Smith, the Oakland prostitute. In the confusion of the ensuing gun battle, Forbes killed fellow Panther Louis Johnson and was later convicted of second-degree murder.)

In April 1981, while awaiting trial in Boston for a murder unrelated to Betty's, Heard sent a handwritten note to Alameda County Assistant District Attorney Tom Orloff offering to cut a deal in exchange for telling what he knew



Elaine Brown and Huey Newton delivering the news in 1971.

the corpse was found, and Berkeley, where the missing persons report was first filed, and denies this case triggered his resignation.) Whatever the explanation for the curious circumspection of the Berkeley Police Department, the investigation was eventually deemed inactive with no clear suspects.

Betty Van Patter's murder became one of those unsolved cases that are whispered about in a sort of code by those who have gotten below the surface of the official version. A handful of people had suspicions about what happened to the Panthers' bookkeeper but kept their ideas to themselves for fear of what might happen to them. (In one of their taped conversations, Brown had lightly warned David Horowitz to be careful because she didn't want him to suffer an "accident" that could be attributed to her.) In Berkeley, there was a radical double standard which held that whatever Huey Newton and his organization did was justified by the historical sufferings of black people.

I first wrote about the underside of the Panthers in *New Times* in 1978, when I was still a member in good standing of the radical community. Peter Collier and David Horowitz mentioned Betty Van Patter's death and their suspicions of Panther involvement in their book *Destructive Generation*. Horowitz, in particular, attempted to maintain a drumbeat of remembrance on behalf of Betty. He retained an obsessive interest in discovering the reality behind the Panthers. Over the years, he spoke with disaffected former Party members and pieced together a picture of the organization that suggested there



about "the death of the accountant that was doing the Panther books." He also warned, "If the contents of this letter leaks out, then my family will be murdered."

Orloff flew to see Heard in May, but by the time he got there, Heard had already pleaded guilty to reduced charges in the Boston matter (he served four years for manslaughter) and was no longer interested in talking about Betty Van Patter.

Heard also toyed briefly with me when he was in prison. I telephoned him to ask if he would talk to me for my book on Huey Newton. Heard asked if there might be money in exchange for telling what he knew. When no money was forthcoming, Heard withdrew cooperation. "It would be bad for black people," he said, "and besides, the statute of limitations never runs out on murder."

"It was pretty obvious," says Orloff, who has recently been elected district attorney of Alameda County, "that there was Panther involvement in the murder. First of all was the motive: Betty had been making all those complaints, looking like she might go public; second, because of the contradictory statements Elaine gave, and third because of a lack of any other suspects. But it's a big leap from that to making a case. Certain of her remarks [on the Horowitz tapes] might have strengthened the motive in Elaine's case, but that doesn't necessarily mean she did it."

Even if she did order the killing, Orloff adds, "It's unlikely any witnesses would come forward. It's like Mafia hits: there's a conspiracy of silence."

David Horowitz had developed his own theory about the murder after talking with Newton in 1982 after the fugitive returned voluntarily from his three-year exile in Cuba. Recognizing that Horowitz had been an effective fundraiser for the Panther School, Newton tried to placate him by engaging him in a long and intimate conversation. It soon became clear, however, that the purpose of the meeting was to allow Newton to accuse Elaine Brown, whom he had "expelled" from the



Above: Panthers outside the Alameda County courthouse protesting Newton's trial. Below: The Free Huey movement. Inset: Elaine Brown visiting Huey Newton in Cuba.



Party upon returning from his Cuban exile, of Betty Van Patter's murder. Newton seemed to protest too much. Horowitz realized with the force of an epiphany that Newton was lying and that it was he, Newton, the head of the party even while in exile, who had given the go-ahead on the hit that Brown had obediently carried out.

It was certainly true that when Newton did return from Cuba, Brown was soon on her way out—the perfect scapegoat. Perhaps she had expected Huey never to leave Cuba, although she never stopped working for his return. Perhaps she felt that by acting as an agent of his will she would be secure in her leadership position if and when he did return. It was her fantasy that she would have him back as her lover and that she would rule alongside him as Queen of the Panthers. Having witnessed Newton's unpredictable and murderous side, she should have known better. Some claim that Elaine was badly beaten before she disappeared from Oakland in 1978. She says, however, that she left upon seeing members of The Squad beat up her good friend and Panther colleague, Phylliss Jackson. She herself suddenly fled in the middle of the night, like so many others, submitting a formal letter of resignation months later. After laying low for months following her escape, she surfaced in Los Angeles and then got a job with Motown Records. Eventually she moved to France and met a wealthy white French industrialist, a tile manufacturer who has taken care of her ever since. She stayed underground for years and did not reemerge in Panther circles until she attended Newton's funeral in 1989.

Private eye David Feccheimer recently told me of a conversation he had with Panther attorney Charles Garry, now dead, and Garry's assistant Pat Richards. "They told me the Panthers committed the murder," Feccheimer said. He denied that he learned who carried out those orders and says, "I didn't want to know." But when Lipsett showed Tammy Baltar



the cryptic note containing the four points he had learned about the murder including Flores Forbes's name, Feccheimer's initials and the date of the conversation between the two detectives was on the upper corner of the paper.

In the spring of 1993, as Elaine Brown toured the country touting her autobiography, Big Bob Heard was seen in the Boston audience and Flores Forbes accompanied her to the West Coast. She denies being friendly with Heard and insists that Forbes, who did five years for his second-degree murder conviction, was her bodyguard. She calls him "a decent man and no gunslinger." In fact, Forbes is now a trained city planner with his own film company—Hod Carrier Productions.

The question of who was really running the Panther party while Newton was in Cuba—e.g., who would give the orders to eliminate a perceived enemy like Van Patter—came up again in Berkeley when Brown made her appearance at Cody's bookstore.

Escorted by an admiring Flores Forbes, who positioned himself along the wall in a secret serviceman's protective stance, Brown was still stunningly beautiful and a compelling, witty speaker. Brown's intelligence and abilities as a raconteur remained undiminished, as do her good looks. Dressed for success in a pinstripe business suit dripping with diamonds, she spoke to a standing-room-only crowd. (She had just appeared at a colloquy for Random House in New York hosted by PBS's Charlene Hunter-Gault. There Brown described her politics today as "communist with a small c," to which fellow panelist Stanley Crouch—no doubt in reaction to Brown's similar diamond-studded chic—quipped, "and getting smaller all the time!")

In her talk at the bookstore, Brown presented herself as the harried and triumphant Panther leader, alone at the helm of a besieged organization met with hard times, a woman making it in the most manly of men's worlds. But over the years, I and other Panther watchers have heard from many sources and seen examples of Huey Newton's con-

tinued firm hand guiding the Panther affairs from Cuba through close advisers and friends such as Hollywood producer Bert Schneider or attorney Fred Hiestand. During the question period at Cody's, I asked Brown if she had been in touch with Newton when he was in Cuba. When she hesitated, I asked her about an anecdote in her book in which she tells of smuggling, among other items, \$10,000 in cash in her underpants to Newton in Cuba.

"That must have been quite a wad," I said.

"It was," Brown laughed along with the audience.

"How did that come about? How did you know what to bring?"

Then Brown admitted that she was, indeed, in close touch with Newton. "Quite a bit, in fact," she said. "And I have the phone bills to prove it because he would call collect. It was costing me three and four thousand dollars a month!" But then she went on to insist that they hadn't talked politics. Their talks had been merely the billing and cooing of two lovers, even though Newton was at that point married to his long-time secretary, Gwen Fontaine, who loved him deeply and had accompanied him into exile.

It was clear from Brown's appearance that the woman who probably passed orders for Betty Van Patter's slaying not only got away with it but was thriving. She was the Teflon Panther. Her book, along with David Hilliard's, has been purchased by movie producer Paula Weinstein (*The Way We Were*) for yet another Panther film. She has taken the first steps toward a political rehabilitation that now includes starting a Panther-type school in Oakland for inner-city youths. Even her own literary revelations of her participation in vicious beatings, extortion rip-offs, and thievery from federal and local grants—even her apparent tolerance of unchecked violence by The Squad, her offering to mop up the blood of Newton's innocent victims, her own slapping around of a white woman attorney she hated because she'd involved herself with black men—had done little to alter her image in the media as a smart and savvy survivor.

In our lengthy conversation that night after her Oakland Museum appearance, I found in Brown much of the

old spellbinder who had come close to being elected to the Oakland City Council and who had gone to the 1976 Democratic convention as a Jerry Brown delegate. She did a convincing night club imitation of someone chastened by the experiences she'd gone through as a Panther—sadder but wiser, bloodied but unbowed. She was by turns contrite and tearfully self-exculpating. But the old knife's edge so many had feared in the Seventies entered her voice again when I raised the subject of Panther murders that occurred on her watch, especially the murder of Betty Van Patter: "I knew the woman, and she's not the little nice white lady. She was into some weird shit....I did everything possible for the bitch, and then I fired her."

Brown's position remains that the murder of the bookkeeper was a footnote to the history of the Panthers. Her own involvement is something she can apparently live with. Brown says she stands by the ends of the Black Panther Party and its "social mission."

Tammy Baltar and her brothers were so rankled by Elaine Brown's triumphal book tour and self-reinvention that they (accompanied by Hal Lipsett) met with law enforcement officials to see if there was any chance of reopening the investigation into their mother's death. They were also disgusted by Brown's gratuitously nasty and false charge in *A Taste of Power* that Betty had done time for drug use. As a result of their complaints, the publisher deleted the passage from the book's paperback edition. But that was the extent of their victories. A sadder but wiser Tom Orloff, who had been defeated so often by the Panthers and their attorneys and the white radical community that claimed that any prosecution was a government plot, knew that without a confession from someone involved in the murder there would be no chance of a conviction. He turned Tammy Baltar's request down.

And so, 20 years later, Betty Van Patter's unquiet ghost continues to haunt all those involved—a testament about the times and a reproach to those who didn't want to hear the bad news.



## They Still Don't Get It



Kate Coleman would just as soon not have published this piece in *Heterodoxy*. A lifelong member of the Bay Area Left, she wanted the story to appear in a magazine that spoke to that audience. As she puts it, "I wanted the Left to be up to telling the truth, even if it were bad news about itself and its heroes. I don't like cover-ups by the government. I don't like them any better among my own."

Her first piece about the Panthers—

and the first piece anywhere to discuss the violent underside of that organization—appeared in 1978 in *New Times* magazine. When she decided to do the Betty Van Patter story two years ago, she pitched it to *Mother Jones* and the editors there commissioned it. She finished the story and the editors rejected it, allegedly because she had not "proved" who had killed the bookkeeper but actually because they thought publishing it would cause dissension within their organization. This at the same time that *Mother Jones* founder Adam Hochschild was reviewing books about the Panthers in *The New York Times* without even mentioning the murder of Betty Van Patter. And this despite the fact that Betty's daughter Tammy Baltar worked for a time at *Mother Jones*.

Coleman next went to the other bastion of movement journalism, *The Village Voice*. That was the summer of 1993, the beginning of what Coleman recalls as a "murky, frustrating journey that, had I enough money, would have sent me into analysis or Prozac."

The editor Coleman was working with at the *Voice* became so agitated about the subject matter that he hid the piece in his computer from the new editor of the magazine, Karen Durbin. There was one rewrite after another, each one making the narrative more opaque and sanitized, and less intelligible. The information from the police reports was taken out, as were the contradictions inherent in Elaine Brown's ver-

sion of what had happened. Fact checkers began to nibble the piece to death. One of them told Coleman she thought the piece was "libelous." As Coleman says now, "It finally occurred to me that all of this was really not about libel, but about the will to publish a piece critical of a black revolutionary group in a paper whose readership is now up to half African American."

It was not that Coleman lacked credentials. Her 1978 investigative piece had reached conclusions about a cult of violence around Huey Newton that were later borne out by autobiographies of many Panther leaders (including Elaine Brown's). She also was the first to note that in the famous Oakland shoot-out between Panthers and police, the Panthers, rather than being victims, actually were aggressors, Eldridge Cleaver having set up an ambush of the cops. She was deep into a biography of Huey Newton commissioned by Times Books at the time *The Voice* was dallying with her piece. All this notwithstanding, she found herself treated like an amateur instead of a professional who had gained national recognition for work that often went against the grain of her politics.

Finally, Coleman asked the *Voice* to send her piece back to her. Her dismaying two-year odyssey in the left-wing press had left her exhausted and perplexed and all the more anxious to make sure the important story about the death of the Panther bookkeeper got published.



—The Editors



# Heeere's Johnnie!

By Stuart Goldman



Johnnie Cochran

"By the way, are there any niggers out there tonight?"

Outraged whisper: "What did he say? Are there any niggers out here tonight? Jesus Christ! Is that cruel, or what?!"

Comedian: "I know there's one nigger who works here. I see him back there. Oh, there's two niggers, and—between those two niggers—one kike. Uh, two kikes. That's two kikes, three niggers, and one spic. One spic—two...three spics. One mick, one spic, one hick. Three kikes, one guinea, two micks, one greaseball and two yid spic polack hunky funky boogies...." The point? That the word's suppression gives it the power, the violence, the viciousness. If the President got on the news tonight and said, "Tonight I'd like to introduce all the niggers in my cabinet," and he yelled 'nigger-nigger-nigger-nigger-nigger-nigger' at every nigger he saw, till nigger didn't mean anything any more—'till nigger lost its meaning—you'd never make any four-year-old black kid cry when he came home from school."

—Lenny Bruce

Everybody calls him Johnnie. Not first name, last name, not Mr. Cochran, just...Johnnie. With the exception, that is, of the world's most famous housekeeper, Rosa Lopez, who affectionately refers to him as "Meeester Johnnie." But any way you cut it, Johnnie L. Cochran—the lead defense attorney in the O. J. Simpson case and master of the N-word—is a special kind of guy.

We all know that the Simpson trial is essentially soap opera and that as such it creates the sort of familiarity with the leading players that breeds admiration as well as contempt. Still, you don't hear commentators referring to prosecutor Marcia Clark as "Marcia" or Judge Ito as "Lance." But Johnnie, Johnnie Cochran, is a different story. From the moment you set eyes on him, you feel like you've known him your whole life. Sometimes he seems fatherly; at others, more like a best buddy...a guy you could sit down and tell your troubles to. Everything about Cochran seems to say "trust me," even the spelling of his first name, with its user-friendly "ie" ending instead of the more traditional "y."

When people talk about Cochran, it's almost always in glowing terms. We hear that in addition to his superstar client roster (Michael Jackson, actor Todd Bridges, former football star Jim Brown), he'll take cases from "regular folks." Almost to a man, his peers describe him as "a great trial lawyer." Terms like "brilliant" and "genius" are frequently bandied about.

Maybe it's perverse, but I can't help but think that the constant praise is a bit odd. In my very rich hours of Simpson trial watching (I admit my addiction), I've seen lots of things from Cochran: a savvy courtroom manner, a suave ability to put people at ease, the capacity for manipulating without seeming devious. Yet I can't get away from the (perhaps old-fashioned) belief that a good lawyer is not simply someone who knows how to look good on television, but rather someone capable of delivering impressive argument. Thus I have to say that I've seen nothing from Cochran remotely resembling great lawyering. Cochran's legal arguments often meander all over the playing field. More distressing, when you get past the rhetoric, his statements often have little or no substance. Worse still, he's muckle-mouthed. He'll swallow the first half of a phrase, then proceed to spit out the rest, rapid-fire, and in the process run his words together so badly that it's virtually impossible to understand what he's saying.

Here's Cochran attempting to provide an alibi for his client at 10:10 p.m., the precise time that the murders of Nicole Brown and Ronald Goldman are said to have occurred: "After making the phone call...at the Rockingham location...we now have Mr. Simpson...back inside. Uh...Mr. Simpson...very often will, unnnh...swing golf clubs, uh...which he keeps all over the place...the Bentley, in the

garage or whatever, I think the evidence will be...and that he sometimes will...chip—for those of you who are golfers—he'll chip, or...swing his four wood or three wood, uh...generally over in this direction over here where there's some sand where the kids can play and that sort of thing. So during this period of time, uh...Mr. Simpson, unnnh...at some point...uh, swings his golf clubs or whatever, and at some point, this point, and later...chips, so he's out in this yard area after having made...the call."

Particularly in light of the fact that the defense's position is that Simpson's arthritis was so bad on June 12 that he couldn't possibly have committed the murders, this argument, uh, seems...unnnh, slightly specious...or whatever. What he sometimes lacks in content, however, Cochran makes up for in style. His voice is mellifluous, almost saxophone-like. He woos, he wheedles, he charms, he cajoles. Most importantly, he never loses his cool. When confronted with an uncomfortable question, Cochran responds by rolling his eyes and chuckling deep in his throat as if to invite you to share in his quandary. Without even knowing how it happened, you're on his team.

Johnnie Cochran is so companionable that you don't realize he is wearing a mask and that somewhere behind the mustache and tinted glasses, behind the twinkling eyes and toothy grins, is the real face. But the mask was not put on just for the Simpson trial. It was constructed over years of practice. Its only giveaway is an occasional vacancy in the eyes, glimpsed in an unguarded moment. Virtually everybody agrees about Cochran's effect on a jury. "When Johnnie talks to the jury, it's like a light bulb turning on between him and them," says an associate. Another comment is more on the money. "If Johnnie tells jurors that a turkey can pull a freight train, they'll look for a rope."

I don't know about you, but to me that spells huckster—someone who can convince people despite the facts. Not being able to see the jury, it's impossible to tell whether or not Cochran has succeeded in working his spell on them. As to whether it's worked on everybody else, there's no question that it has.

Judge Ito frequently defers to Cochran, letting him ramble on. Cochran often interrupts Marcia Clark in the middle of her arguments. When Clark does likewise, she is immediately upbraided by the judge. Cochran's buddy-buddy attitude toward the press—he stops at least twice daily (despite a court order stating that it's not allowed) on the courthouse steps to chat up reporters—has endeared

him to the media. Marcia Clark doesn't talk to the press. When Clark's skirts show too much leg (and she's got great ones!), she is called a floozy. When Cochran wears ultra-shiny lavender or mustard yellow suits with lapels that look like they would poke your eye out, he's referred to as "dapper." The word most often used to describe Cochran is smooth. I'd opt for oily. He's the Don King of the legal world. You'd think that people might be put off by the incessant grandstanding, the specious arguments, the never-ending hyperbole, the loopy paragraphs, the constant posing and preening. But with the exception of former prosecutor Vincent Bugliosi (who called Cochran's cross-examination techniques "barely competent"), virtually every one of the network legal experts have steered clear of saying anything even remotely negative about Cochran's performance. Why? Because this is a man who had juice in his profession long before he had the Juice as a client.

Cochran has a rep for being well-connected. A power player. His friendship with former mayor Tom Bradley is well documented, as is his relationship with Los Angeles City Attorney James K. Hahn. In fact, according to attorney David Kyle, who was once partnered with Cochran in a case against the city of Los Angeles, Cochran "owns" Hahn's office. "There are deputies down there who will do anything to get out of a case with Johnnie," says Kyle. "His influence with Hahn is incredible."

In addition, Cochran has a long-standing friendship with Los Angeles District Attorney Gil Garcetti, who once worked under Cochran

in the DA's office. According to the *Los Angeles Times*, Cochran's friendship extended to getting Garcetti votes when he defeated incumbent DA Ira Reiner in 1992. At that time, Cochran asked Rev. William Epps, pastor of the Second Baptist Church where Cochran has been a member for 47 years, to introduce Garcetti to his congregation. "With the Afro American middle-class," Epps said, "Johnnie's political endorsement can be invaluable."

Larry Feldman, the former president of the Los Angeles County Bar Association who represented the 13-year-old boy who accused Michael Jackson of child molestation, indicated that Cochran's connections with Garcetti (Cochran represented Jackson in the case) was a factor in the DA's decision not to prosecute the singer on criminal charges. Garcetti denies that this is the case, although he admits, "I don't deny that Johnnie has access."

But while Cochran's past may seem to stretch out like the yellow brick road, there are hidden potholes. According to the *Los Angeles Times*, in the early '80s, when Cochran served as a Tom Bradley appointee on the Los Angeles Airport Commission, a number of Bradley's friends and fundraisers were awarded choice airport concessions with little or no cash investment required. In 1986, Rep. Julian C. Dixon (D-Los Angeles) hired Cochran to do \$170,000 in legal work. Two months later, Cochran, then the Airport Commission chairman, voted to award a concession to run seven duty-free stores to a company partly owned by Dixon's wife.

In another case, Deputy City Attorney Theodore Heyck asked a judge to remove Cochran from a case "based upon a conflict of interest because [Airport] Commissioner Cochran is a mayoral appointee and a well-known confidant of Mayor Bradley." According to Heyck, LA City Attorney (and Cochran confidant) Hahn ordered Heyck to drop the issue and then suspended Heyck for three days without pay. "I couldn't believe how scared everybody was," Heyck recalled.

Another matter is Cochran's involvement with Black Panther Geronimo Pratt, who was sentenced to life in prison for murdering a school teacher. Cochran had defended Pratt in the original case. Later on, Pratt became one of those political cause celebrities left over from the 60's, a "revolutionary" allegedly framed to stop his political activity. When Pratt's appeal came up, Cochran was working in the DA's office. Prior to the hearing, Cochran sent a mailgram to the parole board recommending Pratt for parole. An



angry District Attorney John Van de Kamp quickly wrote the board stating that his office had not authorized Cochran to write such a letter. Said Girard Courteau, a deputy District Attorney for Marin County who represented the state against Pratt at the parole hearing, "It was a very stupid thing [of Cochran] to do." Yet it was not merely friendship that led Cochran to breach protocol in this matter. Virtually apolitical before representing Pratt, Cochran was purportedly "radicalized" by the experience of defending the Black Panther. His involvement with the case may not have altered his cool demeanor, but it colored his views and may have made him uniquely able to craft a defense for O.J. Simpson based on the N-word and the notion of rampant white racism.

More interesting than his soft spot for black radicals, particularly given the fact that Cochran is representing a client accused of wife battering, were the revelations in a January 29 *Los Angeles Times Magazine* article, which stated that Cochran's first wife Barbara had sought a restraining order against him for beating her. In her 1977 divorce petition, the former Ms. Cochran stated that "During the course of our marriage [Cochran has] without any reasonable cause...physically struck, beat and inflicted severe injury upon the person of the Petitioner."

Cochran told the *Times* that it was all a mistake, that the statements were made "for legal reasons. She knows they are not true and will be happy to talk to you about it." But when the reporter went to see her, Cochran's former wife refused to recant, saying that she would not discuss the matter. She later said she would reveal everything in a book. The following day, Barbara Cochran appeared on the Geraldo Rivera show. Accompanying her was a teary-eyed white woman who identified herself as Patricia Cochran. On the show, Patricia Cochran was identified as having been Johnnie Cochran's mistress for the last 18 years. She is the mother of his son, Jonathan, born in 1973. Cochran still supports both mother and son to the tune of \$4,000 a month.

Frequently stopping to break into tears, Patricia Cochran told viewers that just prior to her appearance on the show, Cochran had threatened to cut her off financially if she went public. When asked by the panel if Cochran had ever been violent, Patricia recounted an incident where Cochran had shown up at her home with cuts and scratches following an altercation with his then-wife Barbara. "He said something about a knife," recalled Patricia, "and that he'd had a fight with Barbara over a candy bar called a Peanut Patty." For the remainder of the show, a bleary Patricia painted a picture of Cochran as a vicious, mean-spirited womanizer who would do and say anything to get whatever he wanted. Her testimonial was interrupted by frequent breakdowns, during which point the ever-smarmy Rivera bowed his head and patted Patricia on the shoulder.

The most interesting thing about the appearance of Patricia Cochran was not so much what she had to say, but what the last 18 years had done to her face. In photos and home movies interspersed throughout her interview, we saw a thin, attractive blonde with a pleasant, if somewhat characterless, countenance. That face is now beset by crows' feet, elephantine eye bags, double chins, and a wattle of sagging skin around the neck.

Such a background might not be particularly relevant were it not for the fact that wife-beating was part of the burden Simpson too carries and that an alleged hatred of interracial couples is at the heart of the defense team's assault on Mark Fuhrman. The tabloid press has had a field day with the foibles of other participants in this extravaganza. Not only have we seen the trashing of prosecution witness Mark Fuhrman for alleged Nazism, but we've heard about Nicole Brown Simpson's alleged lesbian affair, her drug habits, and her promiscuous life style. We've heard about her sister Denise's bout with alcoholism and her affair with Simpson's pal Al Cowlings. Marcia Clark has had her first two marriages dissected ad nauseam, in particular the first, in which her then-husband, a gambler named Gaby Horowitz, was shot in the head by his best friend. And a picture of Clark sunning herself topless on a beach in St. Tropez has also appeared in the *Enquirer*.

Given this climate, coupled with the fact that Cochran continues to deny that O.J. Simpson ever hit his wife (despite the fact that Simpson plead guilty to charges of battering in 1986), Cochran's apparent hypocrisy would seem likely to make perfect fodder for the voracious maw of the press. For the several days following Patricia's appearance on television, I searched the papers for an article on the allegations she'd made. There were none. In the evenings I flipped on the tube, positive that, at the very least, there would be one of those shlocky segments on *Hard Copy* or *A Current Affair* bearing the title, "Johnnie's Other Woman!" or some such thing.

Not a peep.

At this point, one might opt for some sort of a conspiracy theory, but no, there's no way. Cochran can't be that connected. Unfortunately the answer, I am convinced, lies in the ever-expanding, ever more sensitized world of political correctness that lies like a thick blanket over this case.

Johnnie Cochran has forged a reputation as a man who will spare no expense in combating "racist prosecution." To that end, Cochran has spent most of his career doing exactly what he's been doing in the Simpson case: beating up on the police department. The most effective method of doing this, Cochran knows, is to play what the TV commentators seem to love calling "the race card." That's the same race card that, prior to the replacement of Cochran as the defense team's quarterback, Robert Shapiro had promised not to play.

It was probably their only move. With powerful circumstantial evidence against their client mounting daily, compounded by Simpson's miserable flubbing (despite his alleged acting abilities) of his role as the wrong man, the defense had to do what it could to see that the case would be fought on symbolic rather than factual grounds. That meant they had to cloak Simpson in the mantle of victimhood.

Cochran saw this immediately, even if Shapiro did not. Early on in the game, when Shapiro was still running the show, it was rumored that Simpson was going to cop an insanity plea. But then Johnnie arrived, all talk about Simpson making an end run stopped, and Shapiro promptly went to the back of the bus. After all, you couldn't have a guy with perpetual five o'clock shadow—a Jew, for godssakes—defending the world's most prominent black athlete. Shapiro might be slick, but this jury wouldn't cotton to his Borscht Belt-via-Century City shtick. No, you needed someone they could relate to. That someone was Johnnie Cochran.

Cochran didn't come on the case immediately, although Simpson reportedly begged him incessantly. By the time he officially signed on, political pressure had moved the trial from its proper venue in Santa Monica (where the jury would have been white and upper class) to Los Angeles. The result, as we all know, is that the Simpson jury is 75 percent black, a fact that led UCLA law professor Peter Aranella to comment, after jury selection, "The defense team should be dancing in the streets."

Aranella was no doubt aware of the statistics showing that in Los Angeles 74 percent of blacks said they felt sympathetic towards Simpson. Moreover, a "less educated" jury like this one would be more easily confused by the inevitable battle over DNA evidence, Aranella suggested.

The prosecution reacted to Cochran's involvement by adding Chris Darden, a young black DA, to their team, interestingly enough over Cochran's vehement objections. When prosecutor Bill Hodgman was forced to leave the case due to stress, Darden became the second hitter in the prosecution's lineup. Darden and Cochran are as different as night and day. Darden wears his emotions on his sleeve. He openly displays his hostility toward the Simpson defense team. Cochran, on the other hand, kills with kindness. He'll stick the shiv in you with one hand while clapping you on the back with the other. It is part of Cochran's genius that Darden, who has some of the intensity of a young black radical Cochran might have defended in the past, seems somehow "less black" than Cochran himself.

The importance of the racial turf on which the case would be fought was made clear for all to see during the first week of the trial when Cochran and Darden clashed over the use of the dreaded N-word, which had allegedly been employed by detective Mark Fuhrman some 10 years earlier. Darden, who made a desperate plea to the judge not to allow the word to be uttered in court, called it "the most vicious, nastiest, ugliest word in the human language." Cochran responded with equal fervor, saying that he was "ashamed" that Darden would stoop to become an apologist for a "racist cop," adding that he was appalled that Darden had "the temerity, the unmitigated gall" (one of Cochran's favorite phrases) to suggest that black jurors would become inflamed upon hearing the word. Moreover, he said it with a straight face.

The theatrics seemed somewhat forced on both sides but Cochran came out on top, the old counterpuncher outgunning the young slugger by the sheer force of his counterattack. Darden, for the moment, had been turned into an Uncle Tom and in Mark Fuhrman the defense had their whipping boy.

Cochran's protestations about the common-sense abilities of the jurors to decide the case based upon the facts rather than their emotions are interesting in light of a comment he allegedly made to his onetime white mistress Patricia Cochran. According to her, Cochran had said that

if he could get "just one black juror" impaneled he would guarantee a hung jury for Simpson. Theoretically, at least, Cochran can now get nine hung juries.

To fully appreciate the wisdom of Cochran's tactics, one must understand the history of animosity between the black community and the LAPD, which has increased dramatically in the post-Rodney King era. No one would deny that with or without Mark Fuhrman there are undoubtedly plenty of racist cops on the LAPD. But that the LAPD (with whom Simpson was, in fact, quite friendly) would engage in a massive conspiracy to frame Simpson for a double homicide is so absurd that Cochran would not propose it. He is just banking on the fact that the jury will get his drift and entertain this possibility, thus landing in that vast uncharted region known as "reasonable doubt."

It would be one thing for Cochran to create such reasonable doubts on behalf of a radical like Geronimo Pratt. But it stretches the definition of the term "irony" for him to create them for a client who, for his entire lifetime, has sought to remain "colorless." O.J. Simpson is a man, after all, who not only refused to give money to the United Negro College Fund, but who, while living in Brentwood, turned down an invitation to a fundraiser for Jesse Jackson. When asked if he'd ever considered becoming a black Muslim by a reporter, Simpson chuckled and said, "I like bacon too much."

O.J. may just be the least likely candidate in the country to warrant the mantle of victimhood as a target of racism. And, as writer James Ellroy put it, "To offer the historic oppression of blacks as a salient factor of mitigation in an adrenaline-fueled double lust homicide is preposterous."

Maybe so, but it was a slick move. Cochran may not be a great lawyer, but he knows the audience he's playing to. He knows that his arguments don't have to have any foundation in reality. It's the repetition—the drumming of them into the brain—that matters. It's all in the delivery, the rhythm. Jimmy Swaggart knows this. Al Sharpton knows this. And Johnnie Cochran knows it.

He doesn't shout "racism." He does something more subtle. He has made the idea of racial victimhood the white sound humming in the background of the trial. Cochran has played the race card before in an equally absurd context. It was during the Michael Jackson child molestation case, when he actually suggested that Jackson had been targeted because he was black. "For all of us who are African Americans," Cochran opined shortly after Jackson had paid \$20 million to shut his accuser up, "I think there's a real lesson here. If they will try to do that to Michael Jackson, they will try to do it to anyone."

The remedy for this incipient racism, according to Cochran, is "to get away from that plantation mentality, to get away from the self-hatred we've been taught for 300 years." As for role models, Cochran suggests we look to rap artists. (Cochran has represented Tupac Shakur and Snoop Doggy Dogg on assault and murder charges, respectively.) Cochran speaks glowingly of his rap brothers: "They are very Afrocentric. They are the breakthrough." The fact that Cochran would embrace the most racist contingent of black culture—an illiterate group of punks and bigots who make their living peddling anthems of hate—tells us everything we need to know about his true values.

In the film clips shown on the Geraldo Rivera show, in addition to seeing Cochran's former mistress before she'd been used up and tossed aside, we also got a glimpse of a young—and very different—Johnnie Cochran. There was Johnnie sporting a huge Afro, decked out in a Superfly outfit—a ridiculous blue-checked sports coat worn over a shirt with a huge Mod Squad collar. White plastic boots matched the white pants and belt. A large silver medallion dangled from his neck. And there, in this early photo, we saw the man behind the mask.

In the shot, a young Cochran, just barely able to grow a mustache, stares out at you. There's no twinkle in his eyes. No smile. The man appears to be on the verge of scowling. The anger is pent-up; nonetheless, it's a tangible presence. We might imagine a man with this face derisively referring to people he didn't like—as Patricia Cochran said Johnnie Cochran often did—as "stupid" or "psychotic." We might imagine a man with this face calling those who disagreed with him "rednecks" or "hillbillies." It is not a face you would naturally trust, and it doesn't belong to a person you'd refer to familiarly as Johnnie.

Johnnie Cochran has taught us something in a trial that at times seems merely stupefyingly banal. He has helped remind us that racism is indeed alive and well, and that its proponents come in more than one color.

Stuart Goldman is an investigative journalist living in Los Angeles.





# Dancing with the Elephant

By K.L. Billingsley

**L**ate last October, in what would become perhaps the most significant moment in female aviation history since Amelia Earhart dropped from radio contact into the Pacific, Navy Lt. Kara Hultgreen took off from San Diego's Miramar Naval Air Station in a Grumman F-14A Tomcat. The 29-year-old Hultgreen was the first of only two women to qualify as pilots of the Navy's premier fighter since naval policy was changed on the issue of women in combat early in 1993. Everything Hultgreen did, therefore, had the feel of symbolism. She was not only a fighter pilot but also someone who carried the banner of gender equity, whether she wanted to or not—an airborne white female equivalent of Jackie Robinson whom fate had appointed to shoulder others' hopes and fears as she climbed into the cockpit.

On this clear fall afternoon, Hultgreen climbed to cruising altitude and then flew southwest toward the aircraft carrier *U.S.S. Abraham Lincoln*, which awaited her some 50 miles off shore. Setting up her approach, she swung her plane to the "abeam" position 1.1 to 1.2 miles from the ship, at approximately 600 feet in elevation and with 180 degrees of turn remaining before her landing. Her air speed was approximately 155 mph as she prepared to "call the ball," a reference to the visual glidescope provided by a series of Fresnel lenses on the carrier's deck. Just after three o'clock, Lt. Matthew Klemish, the Radar Intercept Officer riding behind the pilot, said, "One oh three, Tomcat ball, Hultgreen," as Lt. Hultgreen swung into her final approach. "Roger ball," replied the Landing Signal Officer (LSO) from the deck as Hultgreen made her final turn.

The starboard engine was spewing exhaust but nothing came from the port engine. Whether because of that or some other problem, Hultgreen swung wide of the centerline, critical for an accurate landing. Her F-14 then began to yaw to the pilot's left. "Wave off," the Landing Service Officer said with relative calm. But then he shouted "Wave off!" twice more with escalating urgency as the plane's air speed dropped dangerously. At that moment, the LSO also used his electronic "pickle" to flash warning lights on deck. "Power! Raise your gear!" he yelled into the microphone from his platform beside the deck, an area surrounded by a net into which the LSOs can dive in dangerous situations. But now Hultgreen's fighter was banking steeply to the left and was in *extremis*, beyond the point of no return. Only one option remained.

"Eject! Eject!" screamed the LSO. Radar Officer Klemish initiated the ejection procedure. His chute opened, and he got one swing in the air before splashing to the surface with only minor injuries. But by the time Lt. Hultgreen had ejected a fraction of a second later, the F-14 had rolled so far that it catapulted the pilot directly into the water. It was not until November 13 that a salvage team discovered her body in 4,000 feet of water, still strapped into the ejection seat that rested some 90 yards away from the sunken aircraft. The first female combat pilot to fly the F-14 had become the first to die.

"A complete understanding of all of the facts leading to this most unfortunate accident will never be known," said Admiral R.J. Spang in the Navy's official report on the accident, released on February 28. Yet despite this apparent agnosticism, the Navy tried to wave off the whole incident by blaming it on engine failure. That

caused promoters of women in combat to declare victory and to attack critics of the new policy such as Linda Chavez, who had written about Hultgreen's death weeks earlier in her *USA Today* column: "It's been almost two years since the Department of Defense started its Brave New World campaign to put woman in combat roles, and the casualties are starting to mount....Morale and military readiness are clearly strained by the Pentagon's attempt to ignore human biology and psychology. [Under such conditions] it's doubtful that any honest investigation into Hultgreen's tragic death is even possible."

These views infuriated California Sen. Barbara Boxer, who said, after the Navy released its report, "I urge Chavez to withdraw the scurrilous and irresponsible charges made about women in the military." In a similar vein, liberal columnist Ellen Goodman wrote: "So it was the engine after all. Not the pilot. Lt. Kara Hultgreen did not die on the altar of 'political correctness' or 'preferential treatment' or 'reverse discrimination.' She died because the F-14 Tomcat stalled as it approached the aircraft carrier." Boxer and Goodman may have thought that they had trumped Chavez in the intramural war among feminists over the meaning of the accident, but the basic issues still remained unresolved after the Navy report's attempt to affirm the idea of women in combat.

It was not accurate to simply say that the Tomcat had "stalled." Even the Navy report said that only one engine malfunctioned. The F-14A can fly, and land, quite well with one engine, and Lt. Hultgreen knew all the procedures for both of these functions before she ever got in the cockpit. "Single engine emergencies are discussed and trained to daily in flight briefs and simulators," the Navy report on the accident says. Whether she was sufficiently good at handling those emergencies is another question.

The fevered statements of Boxer, Goodman, and others worried that the accident would set back women's participation in combat confirmed that they knew little about Naval aviation and had not read carefully the Navy report or the anonymous letters of other Navy flyers who saw the accident as avoidable, letters they simply dismissed as

"vicious" misogyny.

The communications from Navy personnel that followed the accident were anonymous not because those who sent them were cowardly or chauvinistic, or because their authors hated Hultgreen. They were anonymous because, in today's Navy, any public expression critical of gender neutrality, or any complaint about double standards favoring women, can terminate the speaker's career.

Anyone doubtful that this is so should consider the case of Lt. Cmdr. Kenneth Carkhuff, an officer with a superb record—"unlimited potential" and "destined for command and beyond," said his fitness reports—who is being drummed out of the Navy for expressing his belief that women should not be subjected to the violence of combat. At the same time, he told his commanding officers of that belief, he also said he was willing to go into combat with women if so ordered. On January 29, the Navy moved to dismiss him for "substandard performance" in the "failure to demonstrate acceptable qualities of leadership required of an officer in your grade as evidenced by your refusal to support and execute the policies of the Department of Defense and United States Navy regarding women in combat."

Given this reality, I will guard the identities of two of my sources for this story, both F-14 pilots who are former Top Gun instructors at Miramar, each with thousands of hours in the plane. One of them is a Landing Service Officer qualified to land any aircraft in the fleet. The other is a former safety officer as well. These two officers reviewed with me the official materials, the communications sent by anonymous aviators, and the Navy's video of the crash.

The world of Navy aviation is a small one with few secrets, and both men know key players in the incident, though neither had spoken out before this article. They agree with each other in the conclusions they draw about this mishap: Pilot error was indeed involved, and Lt. Kara Hultgreen was given special treatment in training. These two men believe that the record also shows that the Navy has been less than truthful in this incident as well as on questions involving women in combat in general. Instead of candidly facing the conclusions that might



Navy Lt. Kara Hultgreen



be drawn from this incident, these pilots believe, the Navy continues to move forward blindly with policies that could mean the needless death of our troops or of civilians and the loss of expensive equipment, not to mention the loss of a combat engagement to our foes.

As the first exhibit in this case, these pilots point to the plane itself. As Saddam Hussein and others have learned by direct experience, when an F-14 Tomcat is coming after you, you've definitely got a problem. The all-weather F-14A can hit speeds exceeding Mach 2 and soar to altitudes above 50,000 feet. It can track 24 different targets simultaneously and shoot down six of them at once with its Phoenix AIM-54A missiles.

Few pilots get to fly this \$38-million weapon, which also packs several tons of sophisticated air-to-ground ordnance and a Mk-61A1 Vulcan 20mm cannon. But the Grumman engineers who designed the F-14A, operational since 1973, did so without any consideration that any woman would ever fly it. According to the *Navy Times*, there are nine concerns for women with the F-14A and other aircraft: helmets; urine collection devices (there are none for women on most aircraft); torso harnesses; survival vests; anti-exposure coveralls; flyer's coveralls; anti-g suits; and cold-weather and summer jackets and boots.

Of these, helmets are particularly important. Standard helmets are generally too big for women, because their faces are narrower than men's. A shifting helmet is dangerous, and hair worn outside of a helmet is a fire hazard. Navy officials told the *Navy Times* that "politically it isn't acceptable to tell female aviators to have short hair," a confession that politics trump practice and a possible reference to an incident in which Sen. Barbara Boxer chastised a commander who sent a female pilot home for refusing to keep her hair under her helmet.

Custom-designing equipment for women, which the Navy is doing, is a complicated and expensive process. In addition to equipment, there is the plane itself. From the beginning of its career, the F-14 has proved a difficult and, particularly with the TF-30 engine, dangerous aircraft. A relatively small percentage of male Navy aviators has the ability to fly the F-14 successfully.

Among the female ranks the Navy had found only two candidates, Kara Hultgreen and Lt. JG Carey Lohrenz. According to Lt. Cmdr. Tom Pokorski, a Navy investigator and author of a study on muscle strength required for aviators, pilot strength isn't an issue "until something goes wrong. If they lose hydraulics or an engine or two engines, it gets really tough to fly the plane." Having said this, Commander Pokorski is quick to add, "The thing is we don't want to discriminate against anyone."

The Miramar Top Gun trainer and Landing Service Officer who gave background for this article boasts an impressive physique but says that he often required two hands on the stick. Kara Hultgreen herself told the *Navy Times* that flying the F-14 was like "dancing with an elephant—you have to be very careful and stay one step ahead of the airplane."

Despite charges that those critical of the Navy's waffling on the accident were anti-woman, most of the naval flyers who spoke out about the crash were respectful of Hultgreen and felt that her death was a loss to the service. "There is no dishonor or disgrace in making a mistake in the most difficult task in aviation—landing on a carrier deck," editorialized the *Navy Times* on March 13. "[Hultgreen], like her male colleagues, dead or alive, are heroes for risking their lives every time they catapult." The two pilots who spoke to me agree with that sentiment, and it pained them to watch the video of the crash.

Kara Hultgreen, who aspired to be an astronaut, held a degree in aerospace engineering from the University of Texas. As the *Navy Times* observed, "Hultgreen had been one of a group of female pilots outspoken and active in pushing the Navy and Congress toward dropping combat exclusion for women." And when the exclusion was lifted she said "it was sort of like women being able to vote for the first time. It was historic. I felt super."

The analogy was a stretch. Anybody can vote, but not anybody can land a fighter on the heaving deck of an aircraft carrier in a space of several hundred feet. That's what they do in the Navy, all over the world, day and night, 24 hours a day. The pilot who can't put the aircraft down "on the boat," however smooth his or her landings on dry land, is out of his or her league here. It's dangerous business, as the six Navy aviator fatalities during Desert Storm indicate.

"Any landing is a controlled crash," says one of the former Top Gun instructors whom I interviewed. The massive F-14A NATOPS manual (Naval Aviation Tactical Operating Procedures Standardization) is replete with EXTREME CAUTION warnings. "Every time you see that, it's written in blood," says the other F-14 pilot who agreed to speak for this article. "It means that someone has been injured or killed during that procedure."

Kara Hultgreen would have been familiar with all those danger warnings and the procedures for landing with one engine; she would have memorized a number of steps to take in emergency situations. She had flown the EA6B for years, logging what the Navy said was "considerable flight time" before moving on to the F-14, a plane that is far trickier to land. "The F-14 is the most difficult airplane to land aboard," she told the *Navy Times*. "The lineup to land is very difficult.... It was the challenge they made it out to be." She made that statement just days before crashing as she attempted that very maneuver. At the same time, she also told the *Times* that there had been "incredible pressure to perform" and that was why she and Carey Lohrenz, the other female combat pilot, had asked the Navy to keep the media away during their training.

Much of that "incredible pressure" came as a result of the Tailhook scandal of September 1991 in Las Vegas. That wild affair launched a witch hunt and gave anti-military types in Congress such as Pat Schroeder a powerful pretext to use in inflicting a PC agenda regarding women on the armed forces. "There was social engineering well before Tailhook," says one of the Top Gun trainers. "That just brought it into the forefront and gave Schroeder something to hook on."

After Clinton's election, the restrictions on women flying in combat were soon lifted. The Navy, knowing that a Democratic Congress would be eyeing the military budget, was desperate to shake the Tailhook stigma by finding and showcasing qualified women pilots, who lobbied Congress in uniform and appeared for the press in flight suits, both breaches of the rules. Hence the pressure to perform for their two prime candidates. And with it the temptation to cut them some slack.

Hultgreen came to San Diego's Fighter Squadron VF-213 known as the Black Lions in May 1993. She worked out of Miramar, home of the Replacement Air Group or RAG. The RAG commander, interestingly enough, was Tom Sobieck, who had caught considerable flak over Tailhook even though, as with many other officers, it was far from clear whether he had actually done anything wrong. But officers under Sobieck's command say that he felt he was "under the gun" and that pushing women in combat was part of his atonement. "The man was capable of putting pressure on his junior officers," says one of F-14 veterans who spoke to me.

Combat pilot training usually takes six to seven months, and there are few rights to privacy. Every landing is filmed and graded, with the grades posted in order of achievement in the "ready room." These grades follow pilots wherever they go. One term used in the Navy's Tactical Shipboard Training Assessment (TSTA) is a "down," which indicates an unsatisfactory performance in a critical area. As the term clearly denotes, such a mistake could mean a plane and pilot going down.

On February 28, 1995, when the Navy released its report on the Hultgreen accident, I attended a press conference at the North Island Naval Air Station in Coronado at which I asked Admiral Jay B. Yakeley, commander of Carrier Group Three, if Lt. Hultgreen had any "downs" on her record. Momentarily startled, Yakeley responded that she did indeed have one but did not elaborate and quickly added that many other pilots also have them. The Navy report released that day does not use the term "down," but it does refer to a "mishap" by Hultgreen that was "being counted as a wave-off," adding that the pass "should not be included on [Hultgreen's] landing grade calculations," which the Navy calculated as 3.083 (out of a possible 4), a performance "slightly below average compared with the rest of the Air Wing."

Was this "mishap" the "down" to which Admiral Yakeley referred? I have asked the Navy, in writing, to provide the circumstances of Lt. Hultgreen's down, whether there were any injuries, what sort of boards reviewed her action, and what kind of remedial training she was required to undertake. The Navy has yet to respond.

The Navy also told the *San Diego Union-Tribune* that last July Hultgreen scored 3.24 on field carrier landing practice, placing third in a class of seven. On her day landings on the carrier she scored 3.22, with a boarding rate of 89 percent, first in class of seven. Her night grade 2.82 with a 71 percent boarding ranked her sixth in class

of seven. One of the naval flyers who called in to a San Diego radio station in the aftermath of the crash said that, as a trainer, he had voted to take away the wings of pilots with grades of 3.4 to 3.6. A third F-14 pilot I interviewed agreed that such a ruling would not be unusual.

The Navy considered Hultgreen a fully qualified and above-average pilot. But both Top Gun pilots, one of whom has landed on carriers out of fuel and with his plane shot up, say there is more to the story.

All combat pilots must be able to land on carriers, day or night. But that situation, as tricky as it can be, does not approach the physical demands of actual combat, a supersonic slugfest that can easily stretch the human frame and mind beyond the breaking point. Pilots must contend with g-forces that can black them out, hot conditions in the cockpit, and, of course, a well-armed foe trying to kill them. Based on the clear strength differences, it remains dubious if women could compete with men on an equal basis in a shooting situation. And, as George Will has pointed out, sending the second-best in a military situation is like having the second-best poker hand. You have two choices: Bluff or fold.

One of the Miramar Top-Gun trainers has heard reports from other aviators that Hultgreen failed to even get her wheels down on deck during a night-landing exercise. (Pilots need six of these to qualify.) According to this pilot and others, a mistake of that magnitude at that stage of training would be enough to get most pilots cashiered. The *Navy Times* noted that Hultgreen "had disqualified during her first trip to the carrier during F-14 training this April [1994]," adding however that such a development was "not uncommon among student pilots."

The Navy says that about 25 percent of pilots disqualify their first time. But both of the flyers who spoke to me say that, following a "down," the normal procedure is some sort of formal review, such as a Fleet Naval Aviators Review Board followed by remedial training. Apparently Hultgreen had not been subjected to such a board hearing, something that would have been standard for any male flyer. "Maybe she would not have survived the Fleet Naval Aviators Review Board decision," said one naval aviator in a fax to a local radio station, "but she would be alive."

In April 1994, about the time Hultgreen was failing to qualify, Lt. Ellen B. Hamblet, a Navy reservist and former intelligence officer for an early-warning squadron, wrote an article in the Navy journal *Proceedings* entitled "Who's to Blame When Women Don't Measure Up?" Hamblet cited the case of a female pilot who blew a tire and ran off the runway. This pilot was "praised by top leadership for keeping her wits about her but the general consensus among the junior officers was that if a male pilot had done the same thing, he would have been severely disciplined."

Hamblet also notes the case of "a woman near the bottom of her class being allowed to continue at the training command...because the commanding officer needed to keep a female instructor." Hamblet further charged that women were "being allowed to carrier qualify, although they didn't meet the required standards." And while stories of mishaps involving male aviators seem to end with the words "so he lost his wings," stories about women often end in "and can you believe she is still flying?"

Many female Navy personnel, including some pilots, share Hamblet's views, which correspond to those of the anonymous Navy faxer who wrote a San Diego radio station after the accident that Hultgreen "was an accident waiting to happen, every one of her squadron mates knew it, but they could not speak up for fear of reprisal." The Top Gun F-14 trainers I spoke to agree and note that special treatment continued after the accident. It is a view corroborated by the *Navy Times*, which wrote: "Two Navy internal messages sent in the days after the mishap—which outline that Hultgreen had gone too wide on her approach and caused her engine to stall as she tried to correct it—were quietly recalled."

The Navy gave Hultgreen an elaborate funeral at Arlington, with many dignitaries in attendance. It is not normal practice to retrieve downed planes from depths of 4,000 feet (downed male pilots, says one F-14 veteran, are regularly abandoned "to become part of the food chain" and their planes left in the drink), but the Navy did so without hesitation in Hultgreen's case. The Navy estimates this cost at \$100,000. In another unusual move, the Navy gave a copy of Hultgreen's flight grades to her mother, Sally Spears of San Antonio—but not to the press. And two days before the Navy released its February 28 report to the press, Mark Galpin, a commander



in Hultgreen's unit, flew to San Antonio to brief Spears on the results of the investigation and to present her with a complete copy of the 6-inch thick official report and the Navy video of the accident.

It might be noted that when the Navy released its first report on the Tailhook scandal virtually nobody believed it. The document only confirmed press suspicions that there was more to the story than the Navy was letting on. But the Hultgreen report, since it had a politically correct message, elicited the opposite response. When some reporters asked for the full report, the Navy told them they would have to file a Freedom of Information Act request. Yet what was released for public consumption is enough to raise doubts, if reporters had taken the time to study it.

The report blames the crash on a mid-compression bypass valve, but it also states that "No indications of pre-impact failure was found in the Flight Control Systems, the Air Inlet Control System, Hydraulic Power Systems, Electrical Power Systems, Fuel Supply Feed System or Cockpit Throttle Command."

The report concedes that Hultgreen was "relatively inexperienced in the F-14." She had logged 217 hours in the aircraft, compared to 460 hours for her radar officer Matthew Klemish. (Klemish did not appear at the North Island press conference, and word around Miramar is that the Navy is keeping him from reporters.) "There existed a very small window of opportunity through which to recognize a deteriorating situation and to make critical flight control inputs," says the report. "If these critical flight control inputs are not performed quickly and correctly, then the aircraft will be placed in extremis. In this accident, the window of opportunity for a successful recovery was missed. Finally, inexperience prevented the crew from recognizing the point at which recovery was impossible and ejection the only alternative." (Note the report's evasive passive-voice construction in this passage: "the window of opportunity was missed.")

Further, there was "a delay in recognition of the extremis condition, either due to preoccupation with correcting the overshooting start, or the timing of the

stall warning system." In addition, "the Landing Service Officer call for wave-off was extremely timely, but subsequent pilot technique permitted Angle of Attack to increase to a point where rudder effectiveness began to be reduced to nil and departure from controlled flight was imminent."

The report further says that in Hultgreen's trend analysis, "her tendency was to make large power additions on the start due to a lineup or perceived glidescope deviation which caused her to go high in the middle to in close and make adequate corrections on the ramp to catch middle wires." So she had apparently made similar lineup errors before—and the Navy knew it. (*The San Diego Union-Tribune*, citing Navy sources, said in early April that the Navy had rigged the tests.)

And if, as the report said, the exact cause of the accident will never be known, then attempts by the Navy to duplicate the situation in flight simulators can never be more than speculative. Further, in mid-March *Newsweek* magazine picked up leaks of the Navy's Mishap Investigation Report (MIR). This report, written to exacting standards and for Navy consumption only, is sharply critical of Lt. Hultgreen and even notes that the faulty bypass valve doesn't fully explain the one or more left-engine stalls Hultgreen's plane suffered.

Both pilots contacted by *Heterodoxy*, and many other Navy personnel, say the Navy can salvage something from this tragic accident by using it as an opportunity to review its policy on women in combat. But that does not seem to be what they have in mind. At the February 28 press conference, a reporter asked Admiral Yakeley if this accident would cause the Navy to make any change in the policy of training female pilots. "Absolutely not," Yakeley responded. And in a March 19 interview with the *San Diego Union-Tribune*, secretary of the Navy John Dalton said he was pleased with current gender policies and argued that all but a few die-hards in the Navy were too.

But some point the finger elsewhere. "The fault is not with women," writes Lt. Ellen Hamblet, "but with

Navy leaders who allow subordinates to continue doing jobs for which they are not qualified....The true fault lies with senior officers who refuse, for whatever reasons, to offer honest feedback and criticism and to enforce tough, unpopular decisions. They are perpetuating a terrible disservice to the poorer performers, who are allowed to continue in an atmosphere where they cannot compete safely. At the same time, they also are cheating most of the outstanding personnel—both men and women—who crave and deserve a challenge to perform to their utmost capacity, operating in an atmosphere of excellence."

These tough words from a female officer are backed up by the tough editorial of the *Navy Times*, which said that "the Navy, still sensitive over Tailhook and gender, has gone out of its way to reach a predetermined conclusion about the cause of Hultgreen's fatal crash" and that "the apparent Navy dishonesty—the shading of truth for fear of admitting a mistake or saying something politically incorrect—undermines Navy credibility."

The overall record suggests that it is not conservative critics such as Linda Chavez—who was, after all, right about the Navy investigation—who need to apologize. Rather, it is the liberal Schroeders, Boxers, and Goodmans who promoted the double standards that needlessly took a young woman's life and have made today's Navy a perilous place indeed.

They might pay heed to another prophecy of the anonymous Navy faxer who wrote the San Diego radio station two days after the accident, "This death of Lt. Hultgreen was tragic, absolutely could have been avoided, and is waiting to happen again."

They might even pay attention to the testimony of Lt. Kara Hultgreen herself. "Guys like you have to make sure there's only one standard," Hultgreen told Rear Admiral Robert Hickey last year. "If people let me slide through on a lower standard, it's my life on the line. I could get killed."

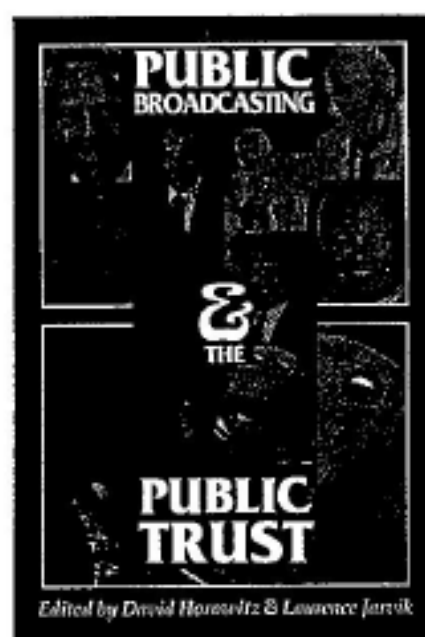
K.L. Billingsley writes regularly for *Heterodoxy*.



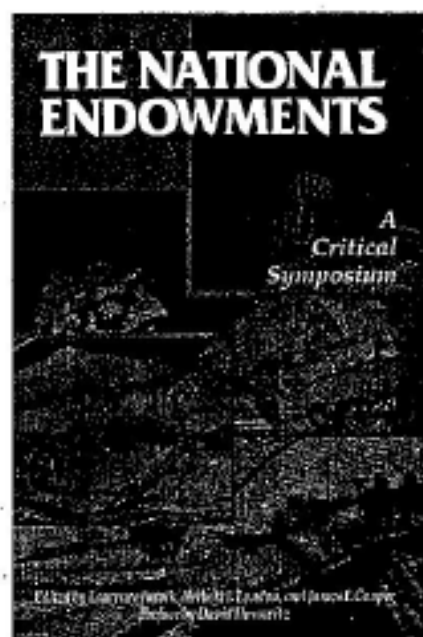
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Texas, continued from page 1

School. These changes in the admissions policy apparently were forced onto TWU by Title IX of the federal Higher Education Act Amendments of 1972. The language of Title IX seemed to allow TWU to continue discriminating on the basis of sex in its admissions into the general studies undergraduate program, which it continued to do until the regents' vote on December 9, 1994.



Steve Serling in front of Texas Woman's University, the school he sued to get into.

Actually, the Texas legislature originally intended that TWU (founded in 1901 as the girls Industrial College) be exclusively for "the white girls of the State of Texas." In 1957, the name of the university was changed (for the third time) to Texas Woman's University and reference to race was omitted. TWU is the largest "woman's" university in the nation, with men currently representing about 8 percent of the total population of almost 10,000 students. (Formerly all-male Texas A&M went coed in 1963 and is now half female.) Although men have been on campus for more than two decades, the official mission of the state-supported university is still to "provide...education...in a learning environment that empowers and affirms the full development of women" and "to encourage women to develop intellectual, humanitarian, and leadership skills."

When the Board of Regents changed its admissions policy to allow men into all degree programs, it went out of its way to affirm TWU's gendered reason for being, suggesting that it was embracing the change so that it could be "controlled" instead of rammed down the university's throat. But this did not placate the crowd that objected to the new policy. The students who packed the regents' meeting delivered a petition reportedly containing the signatures of 850 students dedicated to keeping the status quo. The local chapter of NOW organized the petition drive. Kimberly Hampton, president-elect of the Student Government Association, said: "Texas Woman's University does not exist for the exclusion of men but for the inclusion of women."

That evening, after the regents' open meeting, leaders from various student organizations (including the local chapter of NOW, the NAACP, the gay and lesbian organizations, and the Hispanic student group) met at the house of Dawn Tawwater-King, president of NOW's local chapter. They plotted strategy, formed the TWU Preservation Society, and passed around a hat for donations. Tawwater-King, a self-styled social activist, was formerly coordinator of the Dallas Peace Center, which organized protests against the Persian Gulf War.

The TWU refuseniks implemented their strategy within 24 hours. Saturday morning 100 students staged a rally against the regents and began lobbying the press. (One student, a Miss Ameisha Brown, told a reporter, "We're petrified; we're terrified of what this means for our university.") Protests and rallies continued over the next several days, with some students wearing black arm bands. Rally placards with the slogans "Raped by Regents" and

"Say No To Men" proliferated. For a few hours one afternoon, protesters occupied the admissions office to keep men from enrolling in the university.

In an effort to disarm the controversy, the recently appointed TWU president Carol Surles (third female and first African-American to hold the position) met with students and faculty to plead with them to "push forward" with the regents' directive. Apparently trying to rechannel

their angry energy into something positive, or at least quiet, she asked the protesters to serve on a task force charged with devising measures to incorporate men into undergraduate programs while ensuring that the university's goal to nurture and empower women remained intact. Surles called on the protesters to view the change as a "challenge." The protesters viewed the change as "our death."

The protesters do have a point: Can TWU go completely coed and still legally and practically retain its mission to nurture and empower women? What about Title IX, which forbids discrimination on the basis of sex? On other campuses across the country, for instance, men's athletics teams are being de-emphasized in favor of women's to attain compliance with Title IX. Will TWU, nationally known for its women's gymnastics team, now be forced to fund men's programs at the same rate? What about the cheap housing for single mothers? Will single fathers get the same break? Michael Williams, a Fort Worth attorney who specializes in Title IX, said, "If women at Texas Tech University and Baylor can argue that both colleges' women's programs aren't sufficient to men's, then, men too, can wage a similar argument at places like TWU."

On December 28, a "Coalition" of 37 women—students, faculty, and alumni—filed a lawsuit challenging the regents' decision in state district court. The 32-page lawsuit against the members of the Board of Regents, collectively and individually, basically alleges that they violated the Texas Open Meetings Act and exceeded their authority in changing the admissions policy. The suit also asks the court to determine the constitutionality of the single-gender admissions policy. Describing himself as "probably the only civil rights lawyer in town," Mike Whitten, the attorney for the plaintiffs, admitted, "There's no question that the state has the authority to decide that TWU can go coed. The question is who has the authority to make that decision."

Pointing to the absurdity of going coed and remaining committed to empowering women, Mr. Whitten noted (in a somewhat peculiar metaphor, given the context) that "It's like that old cliché about being a little bit pregnant. You're either coed or you're not." Since 1972, TWU has been "a little bit" coed.

Whitten believes that the regents had no ground for their decision but "just panicked." Panicked about what? Or better yet, who? According to most observers, that role goes to Steve Serling, military veteran, aircraft mechanic, and small town resident. Serling himself tries to disclaim the honor: "I'm not the person who caused the controversy

at TWU, I'm the person who brought it to the attention of the public."

After being accepted into TWU's nursing program, Serling talked with a counselor about degree planning in the spring of 1994. He explained that he wanted a double-major in nursing and biology. His counselor informed him that he could take biology classes but they would not count toward a degree in biology. "What offended me," says Serling, "was that it was a public institution. If you're going to take the public money, you better let the public in."

Serling started a letter-writing campaign to protest the exclusionary policy in the University General Divisions. Letters went to his congressman, the EEOC, and whoever else he could think of. The EEOC wrote to Serling, saying that they wouldn't help him. Then-governor Ann Richards responded that the matter was not within her office's jurisdiction. U.S. Congressman Dick Armey's office concluded vaguely that "resolution of the issue must be through the judicial system."

On August 19 of last year, Serling went public. *The Dallas Morning News* featured him and his complaint at TWU. State Sen. Steve Carriker told the *Morning News* that he had contacted TWU's Board of Regents after receiving a letter of complaint from Serling and had asked school officials to review their policy "to make sure that it's in line and constitutional." Former Rep. Ben Campbell said that he had asked the legislative counsel to review the legislative history of the admissions policy.

After that initial story, as we say in Texas, all hell broke loose. Other articles appeared around the state. Serling let it be known publicly that he was considering suing TWU, having already started to talk to attorneys. This publicity is apparently what inspired Dawn Tawwater-King to begin petitioning to preserve the exclusionary status quo at TWU in September. Serling debated the TWU issue with Tawwater-King on a radio talk show—accidentally. After agreeing to go on the radio show, he realized too late that Tawwater-King was also on the line. He says that she responded to his statement that "equality is for all of the people all of the time, and not just some of the people all of the time" by saying that he was "a typical white male sexist who uses the language of the women's movement against women." Serling says that when he pointed out that men and women are part of the same species, Tawwater-King disagreed.

Serling calls himself a Forrest Gump-type figure and simply says that he believes the law is on his side. He points out that Mississippi University for Women fought changing the admissions policy and lost at the Supreme Court level. Indeed, *Mississippi University for Women et al. v. Hogan* (1982) is oddly similar to TWU. MUW is a state-supported university and from its inception limited its enrollment to women. Like TWU, the legislature originally created the college for the "White Girls of the State of Mississippi." And the state of Mississippi maintained no other single-sex public university or college. Also, MUW had already let men into classrooms—in the MUW case to allow them to audit courses and participate fully in continuing-education classes. MUW saw its mission as "the moral and intellectual advancement of the girls of the state," an old-fashioned version of TWU's dedication to a "learning environment that empowers and affirms the full development of women."

The Supreme Court of the United States, unpersuaded by MUW's claim that the Mississippi legislature intended the single-sex policy to compensate for perceived discrimination, ruled that Mr. Hogan could not be denied access to the nursing program on the basis of his sex. Said the court, "Rather than compensating for discriminatory barriers faced by women, MUW's policy tends to perpetuate the stereotyped view of nursing as an exclusively woman's job." The MUW case did not decide if a male student, such as Steve Serling, could be legally denied admission to an all-female general studies program, such as TWU's.

More recently, a federal appeals court did rule that two single-sex universities could exclude the opposite sex (Virginia Military Institute and The Citadel) but only under very special circumstances. Earlier this year, the U.S. Court of Appeals for the Fourth Circuit ruled that V.M.I.'s proposal to provide a single-sex military-style program for women at Mary Baldwin College, instead of on its own campus, was constitutionally permissible. And the stay that prevented Shannon Faulkner from enrolling in the regular program at The Citadel is still in effect. Assuming that the appeals court also approves The Citadel's proposal for a women's leadership program at another university, the bottom line is that both universities' single-sex policy will have withstood constitutional challenge.

But is this recent ruling enough for the TWU plaintiffs to hang their hat on? True, the federal appeals court did hold that a state may sponsor single-sex education with-



out violating the Equal Protection Clause of the Fourteenth Amendment but only under very special circumstances and only if that particular education was "provided to both genders." The court in the V.M.I. case relied heavily upon the type of pedagogy practiced at V.M.I.—"adversative military-type training"—and on the fact that "homogeneity of gender" is essential to that training.

Sharon Snow, a TWU student and protester, called me back after I left a message on the TWU Preservation Society Hotline. Snow let me know that the protesters were very heartened by the recent ruling in *The Citadel* case. I asked her if she meant the V.M.I. case, and she informed me that V.M.I. and *The Citadel* were the same. (In fact, *The Citadel* is located in South Carolina.) I asked whether she thought that Shannon Faulkner should be let into *The Citadel*. Snow very patiently told me that the protesters got a lot of questions like this, "but it's like comparing apples and oranges."

Snow said that the federal court found that "as long as there is a comparable education elsewhere, it's OK for *The Citadel* to remain single sex." So I tried again: "Do you think that as long as a comparable education in military training is offered for women elsewhere that Shannon Faulkner should be denied entry into *The Citadel*?" In response, Snow began to lecture me about affirmative action: "Men are not the oppressed group. Women are dominated and a minority. Men are not a minority. Minority groups are people without power and prestige. That's the sociological definition of 'minority'—it's not numbers, but power and prestige. Look at Congress—all you see are old, white men. Look at all the CEOs, they're white males. People with power and money are all white males. TWU is like affirmative action—it's supposed to close the gap—whether gender or race."

Talking as though she'd been through all this with benighted journalists before, Snow continued: "Studies show that women who go to all-women's colleges are better equipped for the world. Eighty-five percent of women in professions came from female institutions. Coed schools have failed at equipping women to go out into the real world. Coed universities have failed women miserably."

Snow didn't have the study proving all this with her, but she remembered reading it once in *The Dallas Morning News*. Suspecting that I was perhaps not yet convinced of the justness of her cause, Snow continued: "You have to remember that female children are taught to think that they can't do anything. They're bright and assertive at the age of five, but by the time they get to the seventh grade they can't do science, and they don't speak out. Coed education does this to them. Little boys dominate the classroom, not because they are bad little boys, but because that classroom is a reflection of the larger society which dominates women.... Women's institutions equip the woman to go out into the real world and support herself."

After the "coalition" filed the lawsuit, the "Preservation Society" continued with campus protests. Protesters posted a sign over the university bookstore reading "Girlcott TWU Bookstore." To what extent the store had a role in the decision to go coed is not clear, but Dawn

Tawwater-King explained that the "girlcott" is symbolic, demonstrating the economic power of the protesters.

Criticism of the protests also became more vocal. One morning the demonstrators arrived on campus to find their graffiti smeared over. The sheets on which they had hand-painted their protest slogans were shredded. One disenchanted female student told a reporter, "I am so tired of a lot of women trying to make themselves into victims."



Dawn Tawwater-King

But Tawwater-King and her colleagues stepped up the pressure by creating their camp out. Although the tent dwellers had received a lot of press (CBS news had dropped by a few days earlier), I was the only journalist there that afternoon. I asked two of the tent dwellers, Syndee and Candice, both TWU undergraduates, about their intentions. (They were on their way home to set their VCR's to record the CBS coverage.) Syndee said conclusively that they would stay "until it no longer serves our purposes to stay." Both repeated that the tent city protest had been "a really positive experience."

Both Syndee and Candice were white. All the people that I had seen hanging out in tent city were white, a fact that would be unremarkable were it not for all the placards

celebrating diversity and ethnicity posted near their settlement. Earlier that week, Tawwater-King had admitted to a reporter, "We're white middle-class girls with tents from Bloomingdale's, and if we want something to eat all we have to do is call out for pizza." I didn't see any pizza trucks, but by early Saturday evening everyone in the tent city had gone out for dinner.

I quizzed some of the students passing by about what they thought of Preservation Nation. One black female with a small boy in hand said, "If the men want to come, then let them come. It's equal rights for everybody." Another Hispanic woman, amused by the "Better Dead than Coed" graffiti spray-painted on the curb, said "I really don't care if they let men come in. I already have men in my classes." Another black woman, probably a freshman, stated, "It's stupid.... What's the big deal if we let men in here?" An older white male doctoral student said he had no idea what was going on.

Later in the week, a rumor raged across campus that a legislator was going to propose a merger between TWU and the University of North Texas, a coed state university two miles away. Close to 200 protesters showed up at tent city for an impromptu rally. An administration representative, Dr. Joanne Kuhn, made an appearance to inform the students that the rumor was false, but also to let the tent dwellers know that the national exposure was causing some in Austin (the president of TWU happened to be in Austin testifying before the House Appropriations Committee) to feel that the protests were perceived as "anti-male" and hurting "the cause." Kuhn implored: "Consider taking the tents and signs down until the legislative session is over. Are you helping or are you hindering?" The protesters vowed to stay.

The next morning at around 4:50 a.m., a 14-year-old son of one of the protesters sustained minor burns on both of his hands when he attempted to put out a fire in his tent caused when a propane heater ignited his sleeping bag. The fire was extinguished, and the boy received medical attention at a nearby hospital, but the administration had had enough. Later that day, employees of TWU arrived at tent city with an ultimatum: Remove the tents in 30 minutes, or we will do it for you. All but one of the tents came down: Six female students zipped themselves up into the one remaining and refused to leave. One of them said, "I'm doing this to show how I feel physical embodiment to this tent city." The TWU police chief told the women that if they didn't come out, they would be arrested. Not wanting to feel physical embodiment to a jail cell, the young women voluntarily went to the campus police department "hand-in-hand."

Despite the "More Men? No Way!" signs posted at the beginning of the protest, as of this January, TWU admitted 64 new male students, 5 of whom were admitted to the College of Arts and Sciences. How many more men will enroll for the next semester is uncertain. According to Ann Hatch, director of public information, TWU officials believe that the change in the number of men attending TWU will be "minimal."

Karen Carlisle Duban is a writer living in Texas.



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# George Orwell's Secret

By Stephen Schwartz

More than a decade has passed since 1984, the fatal year made famous long before its time by George Orwell's novel. Not long before the year itself arrived, Norman Podhoretz published a provocative essay in *Harper's* magazine titled "If Orwell Were Alive Today," in which he argued that if Orwell had been around in the 1980s, he definitely would have been a neoconservative. I would go further to suggest that Orwell was a forerunner of neoconservatism, in having been one of the first in a long line of left-wing intellectuals who came to discover more saving moral and political wisdom in the instincts and mores of "ordinary" people than in the ideas and attitudes of the intelligentsia.

Another premature neo-con, Lionel Trilling, identified Orwell as "the man who tells the truth." Trilling's praise was largely based on Orwell's role as a truthful witness to the deceit practiced by Soviet agents in the 1936-39 Spanish Civil War, a moral witness embodied in his book *Homage to Catalonia*. In Spain, Orwell learned that the claims of leftist intellectuals about that war were false and propagandistic, and he began to perceive that the simpler comprehension of "ordinary" man, as alluded to by Podhoretz, was a vessel of greater truth.

Unlike other leftists disillusioned by the conduct of Stalin and his henchmen in the Spanish war, Orwell was not a victim of disappointment at the failure of a Trotskyist or other abstract political theory. He was driven by more profound and frightening insights; he had seen deeply into the soul of the monster itself. For George Orwell seems to have had a secret. Although his modesty prevented him from fully revealing it in *Homage to Catalonia*, Orwell was not merely an observer of Russian secret police terror; he was a significant target of it, and barely escaped with his life.

The source of this discovery provides an interesting sidelight on contemporary history. A considerable uproar has been generated by the opening of archives in Russia and other former Communist countries and the probability that such would provide many revelations of Communist criminality in the Spanish war. However, except in one remarkable case, that of the Soviet terror murder of the Catalan writer and politician Andreu Nin—of which, more in a moment—researchers on Communist misdeeds in Spain have found better documentary evidence of Stalinist atrocities in Spanish government archives that contain papers seized by the Franco forces in 1939.

The Spanish government holdings, kept in Salamanca and Madrid, include materials seized from Communist-controlled police, from the Spanish Socialist party, Freemasons, and the regional governments of the Basque country and Catalonia. These records were held in closed files until the death of Franco in 1975. They have since been opened and are being mined by Spanish and foreign scholars, with much less fanfare than has accompanied the archival releases in Moscow.

A major discovery in Spain is a thick file on the trial by the Communist-influenced Spanish Republican government of the leaders of the Partit Obrer d'Unificació Marxista or POUM, the anti-Stalinist leftist party in whose militia Orwell served at the front in Aragon, where he was severely wounded. Among these documents we find an electrifying entry: notes prepared by Stalinist investigators in the case of "Enric Blair," i.e. Orwell himself (Enric is the Catalan-language equivalent of Eric; Blair is Orwell's original surname). His is among a set of commentaries on foreigners involved in the Spanish anti-Stalinist opposition, most of whom were arrested and at least two of whom



Eric Blair, a.k.a. George Orwell

were killed.

These "assessments" were produced by the State Special Information Department, a Communist-controlled Spanish police body, for use in the POUM prosecution. The notations on Blair are slender but ominous. The document is dated July 13, 1937, three weeks after Blair-Orwell and his wife Eileen had escaped from Spain, but was kept active as of November 26, 1937, the date of a cover letter attached to the original memorandum.

Blair and his wife are, first of all, described as "pronounced Trotskyists" on the basis of their correspondence. They are also said to be members of the British Independent Labour Party, in whose "committee" at the Aragon front Orwell is alleged to have served.

In the document, a sinister cast is given to a credential signed by Georges Kopp, Orwell's commander in the militia and later brother-in-law, whom he tried to rescue from the Communist police in Spain (as described in *Homage*). The credential is presented as a document for use by Eileen Blair during the May 1937 street fighting in Barcelona, capital of revolutionary Catalonia, between Communists and the police, on one side, and the anarchists and POUM, on the other (also described in *Homage*). The charge of possessing secret or subversive credentials may be seen as evidence of a clear intent by Stalin's agents to at least imprison, if not to liquidate, Orwell if he was located and detained.

Farther on, another deadly reference appears, although it is cryptic. There is a notation reading "Contact with Moscow" that clearly refers to the Blair couple. It is absurd to imagine that Orwell in Spain had contacts with Moscow; but it is not absurd to conceive of the Stalinist police fabricating such links in the interest of a Moscow-style trial of the kind then in full cry in the Soviet Union. The fate of foreigners implicated in the Moscow purge trials through such faked or exaggerated contacts with nearly always death.

In chapter 13 of *Homage to Catalonia*, Orwell rather light-heartedly mentioned that, while he had gone into hiding during the Stalinist raids in Barcelona, his correspondence had been seized by Communist police from his wife's hotel room. It is very likely that the document I have cited here originated with the police analysis of that sequestered archive. But Orwell himself somewhat downplayed the interest shown in him by Stalin's minions, writing simply,

"I was not guilty of any definite act, but I was guilty of 'Trotskyism.' The fact that I had served in the P.O.U.M. militia was quite enough to get me into prison."

In reality and in light of the cited document, this comment seems to be both an exaggeration and an understatement. POUM militia service was not enough to result in the arrest of any person, even foreigner. The POUM and its militia included tens of thousands of people who served on the battlefronts, in local administrations, and on the borders of the Republican state until the war ended; even the Stalinists were not reckless enough to directly confront such a force, and none of the anti-Stalinists was persecuted in Spain for such associations alone.

However, the Stalinists were definitely intent on decapitating the POUM and destroying its leadership, and the involvement of any individual, Spanish or foreign, with the top political stratum of the POUM was an extremely serious matter. The document I have cited identifies Orwell as a liaison [enlace] between the POUM and the British I.L.P. Thus, Orwell's correspondence, indicating to the Stalinist police that he was a prominent foreign supporter of the POUM rather than a rank-and-file member of its militia, would have made him eligible for disappearance and execution, not simply imprisonment. That, in fact, was exactly the fate of a man who could be described as Orwell's German-speaking counterpart, a dissident Marxist of Austrian origin named Kurt Landau. Landau was kidnapped by Soviet agents in Barcelona and murdered.

Orwell was under a much more terrible danger in Spain than we have thought, and worse than even he may have realized. Had the Soviet secret police caught him he would probably never have lived to tell any part of his tale or, in his own words, "to spill the Spanish beans."

A lesser secret kept by Orwell may explain how he came to the attention of the Soviet terror agents in the first place. He modestly presented himself in *Homage to Catalonia* as a fairly unsophisticated and obscure individual when he went to Spain. In reality, he was publicly hailed on his arrival there by the POUM press. An unsigned notice on Orwell appeared in a POUM bulletin published in English, *Spanish Revolution*, in the February 3, 1937, issue. It was headed "British Author with the Militia" and said, "At the beginning of January, we received a visit in Barcelona from Eric Blair, the well-known British author, whose work is so much appreciated in all English speaking left circles of thought. Comrade Blair came to Barcelona, and said he wanted to be of some use to the workers' cause. In view of his literary abilities and his intellectual attainments, it appeared that the most useful work he could do in Barcelona would be that of a propaganda journalist in constant communication with socialist organs of opinion in Britain. He said, 'I have decided that I can be of most use to the workers as a fighter at the front.' He spent exactly seven days in Barcelona, and is now fighting with the Spanish comrades of the POUM on the Aragon front. In a postcard which he sent us, he says: 'When I have persuaded them to teach me something about the machine gun, I hope to be drafted to the front line trenches.'"

Orwell's familiar voice is present in the postcard quote, though it is impossible to know whether or not the opening remark about his appreciation by the left is ironical, and we may be sure he grimaced at the ugly phrase "propaganda journalist." In any event, the Soviet terror operation centered on the Spanish Republic, from which Orwell escaped by a hair, was something much more than propaganda. The attack on the leaders of the POUM was a central chapter in a murderous Western assault by agents of the NKVD, predecessor of the KGB, assisted by Soviet-controlled Spanish police along with other agents drawn from Communist ranks. The broad outlines of this campaign have long been known, but certain details have been confirmed with publication of two books in English,



*Deadly Illusions* by John Costello and Oleg Tsarev and *Special Tasks* by Pavel and Anatoli Sudoplatov.

These accounts, based on direct access to the survivors and archives of the relevant NKVD/KGB operations, offer the most substantial revelations yet to emerge from the much-touted Moscow files. They show that in autumn 1936, some months after the Spanish civil war began, Stalin decided to furnish "aid" to the embattled republic's government. But food and weapons were sent in the company of a horde of "advisers"—military technicians and international volunteers in public, but police agents, torturers, and killers in private.

This decision coincided with two others: Stalin had appointed a new secret police head, Nikolai I. Yezhov, who began organizing the first great public show trial of Bolsheviks, headed by two comrades-in-arms of Lenin, Zinoviev and Kamenev. The execution of the 16 defendants in that trial stunned the world. At the same time, Stalin and Yezhov also formulated an extensive agenda of terror attacks in the West. Yezhov (soon replaced in the onrushing purges by Beria) assigned the operational control of the Western assault to an agent famous in his own right, M.I. Shpigelglas (who would later be replaced by Sudoplatov).

The main target in the Western assault was Trotsky; in 1936 he was exiled to France, and he soon moved to Norway, then to Mexico, where in 1940 the Beria-Sudoplatov team succeeded in killing him. There were also secondary, but important, targets on the Western death list. Among them were Trotsky's son Lev Sedov, who died under mysterious circumstances in Paris, probably as the result of poison, in 1938; the writer and POUM leader Andreu Nin and his friend and collaborator, the Austrian Landau, both kidnapped and killed in Barcelona in 1937; a Ukrainian nationalist leader named Evhen Konovalec, blown up by a bomb in 1938 (an act for which Sudoplatov admits personal responsibility in his memoir).

Other victims who wandered or were pulled into the path of this gang of killers in Republican Spain, with fatal results, included an Italian anarchist, Camillo Berneri; two Trotskyists, the Czech Erwin Wolf and the Pole Hans Freund; and Mark Rein, the journalist son of an exiled

Russian Menshevik. In addition, the highest ranking Soviet secret agent ever to defect to the West, Ignacy Porecki-Reiss, was killed in Switzerland, while Rudolf Klement, a minor Trotskyist figure, and a Russian anti-Communist exile leader, General Y.K. Miller, disappeared in Paris and were almost certainly murdered. The role of Beria and Sudoplatov and their executioners in several other deaths, all in the Western Hemisphere, remain to be elucidated: those of the German revolutionary and Marx biographer Otto Rühle, the Italian-American photographer Tina Modotti (former lover of Edward Weston), the American Communist Juliet Stuart Poyntz, and the Italian-American labor leader Carlo Tresca.

Orwell fell into the category of those who came under the gaze of the beast but, like Victor Serge and a handful of others, were able to evade its claws for one reason or another.

The extraordinary expenditure of energy and resources to liquidate such relatively obscure and mainly ineffectual critics of Stalin demonstrates the extent of Kremlin paranoia. The elaborate preparations involved in the Western assault included, in the Trotsky case, operations in Paris, New York, California, and Mexico. Similar intrigues were dedicated to the murder of Andreu Nin, as shown by a 1992 television documentary, *Operation Nikolai*, produced by the Catalan television network TV3. Journalists from TV3 went to Moscow and obtained materials on the killing of Nin from the files of the long-defunct Communist International as well as from the Russian Federal Counterintelligence Service or FSK, successor to the KGB. Indeed, the disclosures on Nin are the sole revelations of substance yet permitted by the FSK about such operations. The TV3 team sought information on the deaths in Barcelona of Landau, Wolf, and Freund and were shown file covers but no more.

The Catalan-language documentary, which has been shown to great applause in France and Germany and has been issued with English subtitles, is a greatly disquieting portrait of the Russian terror in Spain. Orwell is shown as a POUM militia volunteer, but most of the film outlines the chilling measures taken to capture and kill Nin, based on the operational reports submitted from the scene by

Russian agents.

Nin, who had gone to Russia soon after the Bolshevik Revolution and returned to Spain in 1930 as a Trotskyist, with his Russian wife and two Russian-speaking daughters, excited an almost Dostoyevskian malice on the part of the Soviet agents in Spain. The operation against him was handled at the highest level by top secret police and intelligence officers of Russian and Hungarian origin, assisted by a Brazilian mercenary gunman and by a team of Spanish police. They arrested Nin, interrogated and tortured him, and, after a few days, when it became clear he would not admit to false charges, brutally murdered him.

Nin's comrades in the POUM always insisted that Stalin sought, above all, a "Moscow trial" outside Russia, which would legitimize the horrors of the purges and the grotesque campaign in which Trotsky and other Old Bolsheviks were labeled as fascist spies.

Much of what we today call political correctness originated with leftist support for these trials and lies that, to paraphrase the French surrealist and anti-Stalinist writer Andre Breton, opened a wound in Western intellectual life that has yet to be healed. While it would be an exaggeration to suggest that a slight reference to "Contacts with Moscow" in Orwell's Barcelona file meant he might have been spirited to Russia as a defendant in such a trial, it is entirely possible he was marked for inclusion in a similar proceeding on Spanish soil.

In the Russian trials, as described by Arthur Koestler in *Darkness at Noon*, the accused were compelled to plead guilty to false charges. But Nin's steadfast refusal to do so prevented a similar show trial in Spain. Although the remaining POUM leaders were tried, they were not forced to confess and were not executed. While Nin perished in ghastly fashion, he doubtless saved the lives of his POUM comrades and thousands of other anti-Stalinist anarchists and socialists. The courage and resourcefulness of those Spanish dissidents may also, in turn, have saved George Orwell.

Stephen Schwartz is a leading writer on the Spanish civil war and a frequent contributor to *Heterodoxy*.



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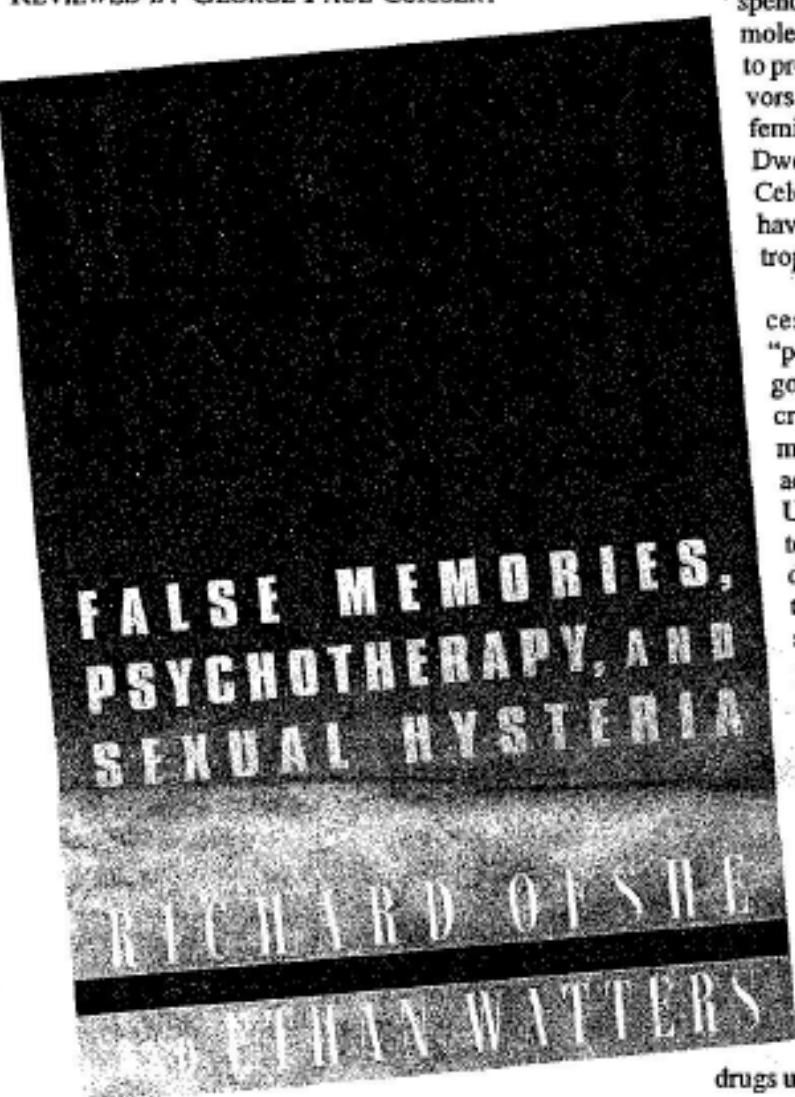
## REVIEWS

## Remembrance of Things Past

***Making Monsters: False Memories, Psychotherapy, and Sexual Hysteria*, by Richard Ofshe and Ethan Watters, Scribners; 322 pages; \$23.00**

***The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse*, by Dr. Elizabeth Loftus and Katherine Ketcham, St. Martin's Press; 336 pages; \$22.95**

REVIEWED BY GEORGE PAUL CSICSERY



The recent PBS documentary, *Divided Memories*, raised the issue at the heart of these two books: Is recovered memory therapy the greatest breakthrough in the history of psychotherapy or is it an example of politically motivated pseudo-science?

In *Making Monsters: False Memories, Psychotherapy, and Sexual Hysteria*, Richard Ofshe and Ethan Watters systematically dissect the recovered memory movement's ideas and practices in an all-out attack that will make the most ardent believer wince. The book is a fiery indictment of recovered memory therapy as the most destructive movement in the history of psychotherapy.

A core belief of the recovered memory movement, the authors point out, is that sexual abuse is psychologically more damaging "than physical abuse, or the effects of poverty, or the death of a parent, or even surviving experiences like the Holocaust." Sexual abuse is so horrible that a child's consciousness can only cope with it by repressing it—or so Ofshe and Watters were told by Ellen Bass, co-author with Laura Davis of the recovery movement's Bible, *The Courage to Heal*, which has sold three quarters of a million copies. Years later adults can recover these long-buried memories of childhood abuse.

In most cases, there is no prior awareness of abuse until the memories are retrieved with the help of a mental health professional. It is at this point—and *Making Monsters* provides ample evidence—that their problems really begin. Patients are soon reduced to putty in the hands of therapists who suggest, cajole, and implant the most horrible narratives of childhood abuse. With the therapist's assistance, the patient can experience the physical symptoms of having been violated all over again, "with all the appropriate emotion, fear, and psychological pain that would be appropriate to the actual event."

How exactly this return to an uncovered traumatic experience helps people is a question recovered memory therapists answer only with vague theories. Ofshe and Watters supply sufficient evidence to indicate that such practices are harmful. This is especially true if the recovered memories are of events that never happened. Often memories of abuse are coupled with memories of satanic rituals involving human and animal sacrifice. Many abuse patients who recover repressed memories are also diagnosed as suffering from Multiple Personality Disorder (MPD), and some also claim to be victims of UFO abductions.

Purportedly one out of every three women and one out of six men is a survivor of sexual abuse. Reading the tabloids or watching *Oprah*, *Sally*, *Geraldo*, or *Donahue*, one could easily conclude that most American adults spend their free waking hours concocting new ways to molest children. A vast culture and industry are in place to provide support for this army of sexual abuse survivors. Big guns like recovery guru John Bradshaw and feminist opinion-makers Gloria Steinem and Andrea Dworkin have endorsed recovered memory therapy. Celebrities like Roseanne Barr and Suzanne Somers have touted their own abuse narratives as if they were trophies, becoming survivor role models.

In recovered memory therapy the healing process requires confronting the perpetrators—or "perps," as they are known in abuse industry jargon—and exacting retribution through lawsuits, criminal complaints, and other forms of public humiliation. An epidemic of repressed memory-based accusations has ensued. Elderly parents across the United States are confronted by their adult daughters with lists of accusations and then, just as suddenly, cut off from all contact with them. By now thousands of accused parents are reporting their stories to the False Memory Syndrome Foundation, a Philadelphia-based group founded in 1993 to collect information on repressed memory cases.

In *Making Monsters* we learn that therapists often fail to distinguish between literal truth and the "narrative created in therapy—mistakenly believing that they are one and the same." The stories of patients who have made accusations and then recanted follow a pattern: A woman seeking help for an eating disorder or relationship problem is diagnosed as a sexual abuse victim who has repressed the memory of her abuse.

In therapy she is subjected to hypnosis and/or drugs until she retrieves the repressed memories and becomes completely dependent on her therapist. The pain of reliving the memories incapacitates her further. She becomes suicidal and is hospitalized.

Richard Ofshe, a professor of social psychology at the University of California, Berkeley, and an expert on cults, mind control, and interrogation techniques, was drawn into the fray in 1989 when he was retained by the prosecution in the now-famous case of Paul Ingram, a Thurston County, Washington, deputy sheriff who had been confessing to routinely sexually abusing his daughters in elaborate satanic rituals. After meeting the prisoner, Ofshe surmised that Ingram, a highly religious and suggestible individual, would go into a trance state and visualize the details of the scenes presented to him by his interrogators. To prove his hypothesis, Ofshe fabricated an incident involving Ingram that he knew to be false and asked Ingram if he remembered it. Ingram promptly supplied a full confession, complete with lurid details. Ofshe explained his interpretation of what had occurred to investigators, but to no avail. Paul Ingram's confessions resulted in a 20-year sentence.

One harrowing case history after another makes it impossible to ignore the authors' conclusion "that practice of uncovering repressed memories, along with the attendant theories of multiple personality disorder and satanic-cult abuse, are fads as widespread and as damaging as any the mental-health field has produced this century."

No less forceful an indictment of these fads is *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse* by Elizabeth Loftus and Katherine Ketcham. This work covers much the same territory as *Making Monsters* (whole chapters describe the same cases and events), although in a completely different style. The book traces Elizabeth Loftus' personal odyssey as her work in memory research collides with recovered memory therapy and the theories supporting it. Loftus lets us eavesdrop on her conversations, debates, phone calls, and mail in order to show that she is sympathetic to the complaints

of her critics. We are privy to behind-the-scenes developments when she testifies at an important recovered memory trial, and we watch her squirm as she is turned into a straw man on a TV talk show. What emerges is a highly readable, often even suspenseful, treatment of the debate over repressed memories. In 1990, Loftus, a University of Washington psychology professor, testified as an expert for the defense in the San Jose murder trial of George Franklin. Franklin was accused of murdering his daughter Eileen's 8-year-old playmate in 1969. The only evidence: Eileen's suddenly recovered memories in mid-life of having witnessed the murder 25 years earlier. Loftus' expert testimony and arguments that memories are not always reliable was countered by the prosecution's own expert, Lenore Terr, a passionate believer in the validity of repressed memories. Terr's scenario—that Eileen Franklin-Lipsker's recovered memories were a credible record of how her childhood playmate died—won the day. Franklin was convicted and is serving a life sentence, and Eileen Franklin-Lipsker's triumphant tale became a high-rated movie of the week.

Both *Making Monsters* and *The Myth of Repressed Memory* present riveting analyses of the Franklin trial, highlighting the inadmissible evidence George Franklin's jury never heard. Eileen Franklin-Lipsker, it seems, repeatedly revised her story of how she recovered the memory of her friend's murder until she produced a version that satisfied the prosecution and was consistent with Lenore Terr's theory. Since the publication of these books, the Franklin case has been in the headlines again. Earlier this year, Eileen's mother, once a staunch supporter of her daughter's recovered memory of Susan Nason's murder, told reporters she no longer believes her daughter. She now feels that Eileen's memory was a false one. And then on April 4, an appeals court reversed the conviction on the grounds that the jury had been told to interpret Franklin's silence on certain issues as evidence of guilt.

The Franklin trial's outcome spurred Loftus to concentrate her memory research on learning how memories are created and how they match more objective records of events. Several of her experiments are widely cited as proof that it is easy to implant a false memory. But challenging the beliefs of the recovered memory camp is not without risk. "You offer a burlesque of therapy, a sarcastic parody," a psychotherapist friend tells Loftus. "And as a result you distort and minimize the reality of sexual abuse, thus increasing the probability that people who were damaged by abuse will be further harmed by a skeptical society's disbelief."

Aware that she has angered clinicians and believers, Loftus goes to great lengths to stake out a politically neutral position in the war over memory. Not wanting to be perceived as siding with the extreme skeptics, she refuses to collaborate on a paper with Richard Ofshe. But this and other gestures are wasted on her critics. "I was no longer Elizabeth Loftus, Ph.D., a specialist in the malleability of memory," she writes, "but a careless academic who had allowed and even encouraged her laboratory studies to be used in a campaign against children, women and victims...I had become the Evil Pedophile Psychologist from Hell."

This writer was present at a May 1993 American Psychiatric Association panel on Adult Memories of Childhood Trauma, when Loftus was attacked in exactly this vein by Judith Herman of Harvard. Herman is the author of *Trauma and Recovery* and a leading feminist researcher whose studies are part of the recovered memory canon. The bitterness and anger in Herman's voice were palpable as she all but accused Loftus of supporting the perpetrators of sexual abuse. "Highly contrived studies, such as those of Loftus, are only marginally relevant to our understanding of the psychopathology of traumatic memories," Herman said. "Such studies deflect our attention from the already substantial body of knowledge that we do have and do nothing to further our knowledge."

In this book, Loftus recounts several episodes of being the target of repressed memory advocates. On one occasion she sits next to a recovered memory therapist on a flight. When the woman discovers her identity, she ends up beating Loftus over the head with a newspaper. Most of the violence done by advocates of recovered memory is more painful and long lasting.

George Paul Csicsery is an independent filmmaker and writer currently producing a documentary about a repressed memory case in Pennsylvania.





## FINAL ANALYSIS

# Activists Close Airport, Protest Slaying of Gulls

By Judith Schumann Weizner

**H**undreds of members of an organization calling itself Birds of a Feather shut down New York Municipal Airport yesterday to dramatize their demand for an end to what they term 'a reign of terror' against the gulls that live in the marshes by the airport. Laurie Smew, president of the group, says the blockade will continue as long as it takes to get the Port Authority, which operates the airport, to cease its campaign to rid the airport of gulls.

Thousands of gulls living in the marshes near the runways have become a hazard to air traffic because they can be sucked into the planes' engines during take-off. Sharpshooters attempting to kill large numbers of gulls before dawn Friday were prevented from doing so when BOAF members ran onto the runways, forcing the riflemen to hold their fire and distressing the gulls, which fouled the runways prodigiously in the ensuing chaos.

While airport police made scores of arrests, the activists quickly posted bail. Most were back on the runway before the maintenance crew could finish cleaning the tarmac.

The gulls have long been an annoyance to airport personnel, but within the last year they have become a serious problem, having been implicated in at least two, possibly three, crashes and numerous aborted take-offs.

Following the first failed take-off caused by gulls having been sucked into the engine intakes the Port Authority ordered a massive gull hunt, but Birds of a Feather got a temporary injunction from Judge Harvey Vogelhorn to prevent the slayings. While awaiting a permanent decision, the Port Authority was permitted to place scarecrows along the runways at intervals, but the gulls became accustomed to the scarecrows and began pecking them apart and using the materials for nest-making.

While the Port Authority and Birds of a Feather were wrangling in court, PanAir flight 4023 crashed on take-off, killing 60 people. Relatives of the victims then filed a class-action suit charging the Port Authority with negligence in allowing the presence of a known hazard on the runways. The PA settled out of court for \$300 million.

Meanwhile, Judge Vogelhorn extended the injunction forbidding the shooting of gulls pending the outcome of an environmental impact study.

The study was barely underway when a cargo plane loaded with down pillows lost power on take-off, failed to clear the end of the runway, and crashed into the marsh. The smoke from the resulting general-alarm fire closed the airport for 10 hours. (Interviewed in his hospital bed, the pilot said it almost seemed to him that the gulls had thrown themselves at the engines, rather than being sucked



LAURIE SMEW, PRESIDENT OF BIRDS OF A FEATHER

in. Asked to comment on the pilot's observations, Ms. Smew said she was not at all surprised, and quoted a monograph by Dr. Evan Starling that seemed to lend support to the possibility that the gulls could have been protesting the plane's cargo.)

The Port Authority then petitioned the court for permission to rig cannons with blank charges set to go off at random intervals during the day and night in an attempt to annoy the birds into finding another home. Permission was granted. However, residents of the surrounding area, whose nerves have been frayed for years by the noise of low-flying jets, sought an injunction against the cannons. Before arguments could be heard, the pilot of an Air East commuter flight suffered a heart attack when one of the cannons fired a double salvo as he was taxiing and his take-off had to be aborted.

The cannons were retired and speakers were set up to blare rock music during flight hours. This discouraged the gulls, but attracted large crowds of young people who refused to leave the area even after police explained to them that constant exposure to jet engines could cause significant hearing loss. When two teenage siblings were brushed by a commuter plane as it landed, their parents sued, charging that the airport had become a hang-out where the Port Authority was guilty of maintaining an attractive nuisance. Since the teens had suffered only a few broken bones, the Port Authority got off with a \$1.2-million settlement.

The speakers were removed, and the gulls returned—

more of them than before. The Port Authority then decided reluctantly to poison the birds, since the injunction specifically forbade only shooting. The poison killed large numbers of gulls but attracted equally large numbers of rats which, while they managed not to be sucked into the engines, created a slippery mash on the runways as they fought the gulls to the death over the poisoned bait.

Advised of the situation, Ms. Smew had the Port Authority charged with cruelty to animals on the grounds that using bait, which promoted fights between rats and gulls, was equivalent to bear baiting or cock fighting. The Port Authority was enjoined from poisoning the gulls and ordered to donate \$200,000 to the SPCA. The PA appealed the decision, but the order forbidding poisoning remained in effect during the appeal, and the gull population quickly returned to its previous level.

**F**ollowing last month's crash of the Superair Express shuttle to Washington, D.C., in which 48 people perished, the Port Authority, violating the original injunction, secretly embarked on a program of nightly raids by sharpshooters armed

with high-powered rifles equipped with laser scopes and silencers.

Yet despite stringent secrecy precautions, the press learned of the shootings and, following an article in *The New York Times*, hundreds of members of Birds of a Feather descended on the airport, running into the line of fire, halting the gunfire, and bringing air traffic to a standstill. Judge Vogelhorn immediately charged the Port Authority with contempt for disregarding the injunction and sentenced its chairman to 30 days in jail.

In an interview on the tarmac late yesterday afternoon as thousands of squawking gulls milled about her feet, Ms. Smew told reporters that BOAF intends to institute a class action on behalf of the gulls to enforce their right to the peaceful enjoyment of their habitat. Since, in order to bring a class action the party named in the suit must be a member of the class in whose behalf the suit is brought, Ms. Smew is taking steps to change her legal residence to the marsh on the north shore of the airport.

The suit, which will chart unexplored legal territory, is expected to take years to resolve and will probably go all the way to the Supreme Court of the United States. Ms. Smew did suggest that she might be willing to drop the suit if the Port Authority agrees to move the airport to another location.

Judith Schumann Weizner's last article was in the February issue.



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