

Great Events from History

Modern Scandals



1904 - 2008

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Volume 1
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PUBLISHER'S NOTE

An entirely new reference set, *Great Events from History: Modern Scandals* treats subject matter that has never been covered as broadly and thoroughly in any other reference publication. The 388 articles in this three-volume set describe and analyze some of the most important scandals of the twentieth and early twenty-first centuries. Each essay focuses on a single event, or series of closely related events, that has been deemed scandalous by media and society. While seeking to reconstruct the chronology and key figures of these events, the essays discuss both what happened to make the event scandalous and how scandals have influenced modern history.

Modern Scandals is the eleventh installment in Salem Press's ongoing *Great Events from History* series, which was launched in 2004 with the two volumes of *Great Events from History: The Ancient World, Prehistory-476*. That set was followed by *The Middle Ages, 477-1453* (2 vols., 2005), *The Renaissance & Early Modern Era, 1454-1600* (2 vols., 2005), *The Seventeenth Century, 1601-1700* (2 vols., 2006), *The Eighteenth Century, 1701-1800* (2 vols., 2006), *The Nineteenth Century, 1801-1900* (4 vols., 2007), *The Twentieth Century, 1901-1940* (6 vols., 2007), *The Twentieth Century, 1941-1970* (6 vols., 2008), and *The Twentieth Century, 1971-2000* (6 vols., 2008). In 2007, Salem added to the series the first set focusing on a single subject area: *Gay, Lesbian, Bisexual, Transgender Events: 1848-2006* (2 vols., 2007). *Modern Scandals* is thus the second set in the series built around one theme. The series contains more than 5,400 essays covering significant events in world history, from ancient times through the year 2008.

"SCANDALS"

The concept of scandals is more elusive than one might at first appreciate. As the term is used in this set, it typically applies to events that garner considerable media attention and public discussion but nevertheless often remain poorly understood. A "scandal" is generally understood to be some form of misbehavior or a wrongful act. However, acts

considered to be scandalous are not necessarily illegal, and illegal acts are not necessarily scandalous. The essence of scandal is the damage to reputation brought on by violations of codes of morality, propriety, or ethics to which the transgressors are normally expected to adhere. It therefore follows that a given act committed by one person may be considered scandalous, while the same act committed by another person may not be.

When persons murder, their acts are generally regarded as heinous crimes but not as "scandalous." By contrast, when respected religious or community leaders publicly admit to having committed such acts as adultery, their behavior is apt to be considered scandalous but not necessarily criminal. The essential difference is that criminals are expected to commit crimes, while religious and community leaders are expected to conduct their lives within the bounds of their communities' moral and ethical standards. *Modern Scandals* contains more than 40 articles concerning murders; in virtually all these selected cases, the murders are considered scandalous more because of *who* is involved than because of the nature of the crimes themselves. Likewise, the set contains many articles on public figures whose sexual misconduct has been considered scandalous because of the figures' public positions or reputations.

Another dimension of the concept of "scandal" is reputation. Scandals are scandalous because they tend to be very public affairs. For misbehavior to become a public scandal, those involved generally have public reputations that can be shamed or damaged. Moreover, given the growing proclivity of the modern news media to exploit scandals involving public figures, minor incidents can quickly grow into major scandals, as intense media attention uncovers broader patterns of misbehavior.

The selection of events in *Modern Scandals* encompasses virtually all types of scandals, involving politics and government, business and finance, education, religion, science, sports, entertainment, literature, and the arts. Many essays cover high-profile

events that are already familiar to the general public. Examples include the turn-of-the-twentieth-century espionage case of the French army officer Alfred Dreyfus, the Teapot Dome oil lease scandal that plagued U.S. president Warren G. Harding's administration during the early 1920's, Alger Hiss's 1950 perjury trial, the sensational murder trial of former football star O. J. Simpson during the mid-1990's, the corporate fraud of Enron in 2001, and the plagiarism of journalist Jayson Blair that severely damaged the credibility of *The New York Times* in 2003.

Other events covered in this set may be less well known but nevertheless deserve closer study. These events include the deaths of thirty-five Irish girls in an orphanage fire in 1943; the plagiarism cases of historians Stephen Ambrose and Doris Kearns Goodwin; and the falsified scientific research of Stephen Breuning, Jan Hendrik Schön, Ranjit Kumar Chandra, and others. Regardless of the level of public notoriety of any individual topic, every subject covered in this set is significant for studies of history, society, and culture.

SCOPE OF COVERAGE

Modern Scandals comprises 388 essays that were commissioned to meet the needs of this set. None has appeared in any other publication. Every effort has been made to ensure that the geographical, chronological, and thematic coverage of *Modern Scandals* is broad enough to meet the needs of students at the high school and undergraduate levels.

As the *Geographical Index* in volume 3 demonstrates, most of the set's articles pertain to North American topics, but the scope of the set is worldwide. Of the approximately 60 percent of articles on North America, the bulk concern the United States. Outside North America, Europe is the best-represented region, followed by Asia, the Middle East, Canada, Latin America, Australia and the Pacific, and Africa. Each of these world regions is represented by at least 9 essays.

Following the example of other *Great Events* sets, *Modern Scandals* organizes its essays chronologically. The first article is about corruption charges made against U.S. president Theodore

Roosevelt in 1904. The final article covers the collapse of financial markets in the United States that began in earnest in September, 2008. Scandal is as old as history, but it is fair to say that media and public attention to scandals has grown greatly in modern times and particularly in very recent times. Indeed, there now is scarcely a moment when a broad range of scandals is *not* in the news. It should thus not be surprising that the chronological distribution of topics in *Modern Scandals* is heavily weighted toward the present: Two-thirds of the topics cover events that happened since 1970; more than one-quarter explore events occurring since 2001. However, despite this emphasis on recent decades, every decade of the twentieth century is represented in no fewer than 12 essays, and all but three decades are represented in at least 20 essays.

A clear benefit of this emphasis on recent times is that *Modern Scandals* is up to date. Indeed, the set contains 4 articles on events in the year 2008 alone. In addition to the essay on the collapse of American financial markets, the 2008 topics include New York governor Eliot Spitzer's resignation because of a prostitution scandal, a rap singer's acquittal on child pornography charges, and a professional-basketball referee's being sentenced to prison for betting on games. New scandals developed as this reference set was going to press. In one particular case, Rod Blagojevich, the governor of Illinois, was arrested in early December, 2008, for allegedly attempting to sell his appointment of a successor to President Barack Obama in the U.S. Senate. He denied the allegations, refused calls for his resignation, and was impeached January 8, 2009.

The subjects of the 4 essays on 2008 events are an accurate reflection of the overall mix of subject matter within *Modern Scandals* as a whole. Nearly 40 percent of the articles concern events affecting politics and government, more than 20 percent concern sex and sex crimes, more than 15 percent concern business and finance, and nearly 20 percent concern events in the entertainment and sports worlds. The Category Index in volume 3 lists all the essay topics under more than 50 subject headings. Every topic is listed under an average of 4 to 5 headings.

FORMAT

With a few exceptions, all essays in *Modern Scandals* are of a uniform length of about 1,600 words, or 3-4 pages. The exceptions are the essays on the Teapot Dome scandal, Watergate, the Iran-Contra affair, the Roman Catholic priests sex-abuse scandal, and the collapse of the American financial markets. Because of their importance and complexity, each of these topics is treated in an essay of 2,500 to 3,000 words.

All essays, regardless of length, are identically formatted. As in other *Great Events* sets, each article offers the kind of ready-reference top matter components that students welcome:

- the most precise *date*, or date range, of the event
- a *descriptive title*
- a *summary paragraph* that further identifies the event and its historical significance
- an *also-known-as* name for the event, as appropriate
- the main *locale* where the event occurred
- the principal *subject categories* to which the event belongs
- a list of *key figures*—the persons most significantly involved in the scandal, with their birth and death dates, brief descriptors, and regnal dates or terms of office, as applicable

The main text of every essay is divided into the following subheaded sections:

- *Summary of Event*, which provides a detailed chronological description of the facts of the event
- *Impact*, an assessment of the event's historical, social, or cultural significance
- *Further Reading*, an annotated list of sources for further study
- *See also*, cross-references to other related essays within *Modern Scandals*

OTHER SPECIAL FEATURES

Accompanying selected essays are an additional 76 sidebars, which include extracts from primary source documents that help illuminate the event. Also included are more than 250 photographs, including portraits and images of the places where the events occurred.

Every essay is followed by a section titled *Further Reading* that contains an up-to-date and annotated listing of books and articles that are both appropriate to the needs of students and reasonably accessible. The appendix section in volume 3 also contains a *Bibliography* that lists more general sources on scandals.

In addition to arranging the essay topics chronologically and providing cross-references to articles on related topics, *Modern Scandals* offers several additional finding aids. At the beginning of each volume is a *Keyword List of Contents* that lists all essays in the entire set alphabetically under the keywords in each essay title. For example, the article for March 17, 2005, "Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use" is listed under "Baseball," "McGwire," and "Steroid Use."

Volume 3 contains these additional appendixes and indexes:

- The *Chronological List of Entries* organizes the contents chronologically in one place for ease of reference.
- The *Geographical Index* lists essays by world regions and individual countries.
- The *Category Index* lists essays under more than 50 subject headings.
- The *Personages Index* lists all Key Figure names and other important persons discussed in the essays.
- The *Subject Index* includes persons, concepts, terms, works of literature, organizations, and many other topics of discussion.

USAGE NOTES

The worldwide scope of *Great Events from History* often results in the inclusion of names that must be transliterated from languages that do not use the Roman alphabet. Most transliterated words in this set follow American Library Association and Library of Congress (ALA-LC) transliteration forms. Pinyin transliterations are used for Chinese names.

In the listing of Key Figures and in parenthetical material within the text, "r." stands for "reigned," "b." for "born," "d." for "died," and "fl." for flourished. Wherever date ranges, such as "1920-1997,"

MODERN SCANDALS

appear appended to names with none of these designators, readers may assume that they signify birth and death dates or, where the contexts indicate, terms of political office.

THE CONTRIBUTORS

Salem Press would like to extend its appreciation to the more than 190 scholars who have written for *Modern Scandals*. Special thanks go to Professor Carl L. Bankston III of Tulane University, who de-

veloped the list of topics and wrote the coverage notes that helped contributors to make their articles as relevant as possible to high school and undergraduate curricula. The essays have been written by historians, political scientists, regional studies specialists, and other experts. Without their contributions, a project of this nature would not be possible. A full list of their names and affiliations immediately follows this note.

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Great Events from History

Modern Scandals

1904-2008

1904

THEODORE ROOSEVELT IS ACCUSED OF ACCEPTING CORPORATE FUNDS

Theodore Roosevelt was known as an opponent of corruption and corporate excess. During the 1904 presidential election campaign, his opponent, Democrat Alton B. Parker, called the president's reputation into question when he asserted that Roosevelt had received campaign donations from large corporations in return for promised favors. Several businesses admitted giving money to the president, leading Roosevelt to call for campaign finance reform after his election.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; politics; banking and finance; government

KEY FIGURES

Theodore Roosevelt (1858-1919), president of the United States, 1901-1909

Alton B. Parker (1852-1926), Democratic candidate for U.S. president in 1904

George B. Cortelyou (1862-1940), U.S. secretary of commerce and labor, 1903-1904, and chairman of the Republican National Committee, 1904-1907

SUMMARY OF EVENT

Theodore Roosevelt was sworn in as president of the United States in September, 1901, following the assassination of President William McKinley. Roosevelt began to vigorously enforce antitrust laws, which McKinley had largely ignored, and established the U.S. Department of Commerce and Labor, with authority to collect information on the activities of large corporations. By 1904, when he was nominated by the Republican Party to run for another term, Roosevelt had gained a reputation as a trust-buster and had given the leaders of big business cause to hesitate before they decided that it was in their best interest to support him over his Democratic opponent, Alton B. Parker.

In September, 1904, Roosevelt handed over con-

trol of his presidential campaign to the Republican National Committee, which was chaired by his former secretary of commerce and labor, George B. Cortelyou. When reports surfaced that the campaign was receiving large contributions from corporations—a practice that was legal and was part of McKinley's two campaigns for the presidency in 1896 and 1900—the stage was set for the defining controversy of the 1904 campaign, a controversy over the influence of big business on politics.

Parker was a New York judge from the conservative wing of the Democratic Party who disassociated himself from the issue of silver backing for currency, an issue that had been the centerpiece of Democrat William Jennings Bryan's campaigns in 1896 and 1900. This left the Democrats in search of a new issue, and for a time they tried to win over voters by criticizing Republican policies concerning the Philippines. The campaign proceeded rather uneventfully until October 1, when newspaper publisher Joseph Pulitzer, an ardent backer of Parker, printed an open letter to Roosevelt, asserting that the president had relaxed his crackdown on monopolies and in return was receiving contributions from corporate treasuries. Pulitzer had been apprised of these contributions by former secretary of war, Daniel Lamont, who three weeks later repeated his allegations to Parker. Lamont, a friend of Parker, added that the insurance industry was so certain that Roosevelt would win the election that his victory had already been underwritten. Appalled by this news, Parker, in an October 24 speech, attacked the Republicans for scandalously accepting corporate contributions. He argued that the contributions amounted to outright bribery and would give corporations four more years to harm the public through monopolies and high prices.

Press reaction to Parker's charges was at first tepid, but then a reporter wrote of seeing a check for \$100,000 from Standard Oil to the Roosevelt campaign. Roosevelt was particularly sensitive to the



Theodore Roosevelt. (Library of Congress)

association this could create between himself and the Rockefeller-owned oil company, so he immediately directed Cortelyou to return the check, if it existed. Sensing that he had found an issue worth pursuing, Parker gave a series of speeches in late October and early November that made increasingly shrill attacks on the Republicans for accepting corporate money and attacks on Roosevelt for not admitting or ending the practice. Parker also put the alleged scandal in a more conspiratorial framework, implying that some of the money donated to the Republicans had been funneled to the Socialist and Populist parties to draw away Democratic voters and, thus, help the Republican cause. Parker also suggested that a deliberate plan was behind the appointment of Cortelyou to head the Department of Commerce and Labor in 1903: to shift him from head of this department to the Roosevelt campaign as head in 1904, which would provide the campaign more leverage in getting money from corporations.

Roosevelt harbored fears that he might somehow lose the election. He decided to strike back at Parker close to election day to prevent Parker from having time to offer a rebuttal. On November 4, Roosevelt issued a statement categorically denying any impropriety in accepting perfectly legal contributions from corporations. He then characterized Parker's charges as slanderous, unsupported assertion. Roosevelt also defended Cortelyou for his integrity; Cortelyou also had been reluctantly spared from the cabinet only after other equally qualified persons had turned down the position of party chair. Roosevelt vowed that he would go into his second term unhampered by promises or obligations beyond serving the best interests of the United States. On November 8, the voters went to the polls and gave Roosevelt one of the most decisive presidential victories in decades: Roosevelt beat Parker by more than 2.5 million votes.

Neither Roosevelt nor Parker, however, escaped from the 1904 election with an unblemished record on corporate contributions. Roosevelt received almost \$2.2 million in campaign contributions, 70 percent of which came from corporations. While this amount did not approach the scale of the corporate funding McKinley received in his presidential races, stories persisted for years of an alleged secret meeting at the White House in October, 1904, in which Roosevelt was said to have begged a group of business tycoons for contributions, promising to leave their respective businesses alone during his second term. Roosevelt denied these allegations, but in testimony in 1912 before a U.S. Senate subcommittee, he did concede that in 1904 he had asked railroad magnate E. H. Harriman to raise \$250,000 to help ensure a Republican victory in the New York gubernatorial election, an outcome related to Roosevelt's own prospects in carrying the state.

Parker told the same Senate subcommittee that he did not know who contributed to his 1904 campaign nor did he know the breakdown of those contributions; the funds he received were substantial, however. Parker was apparently unaware that tobacco and transportation magnate Thomas Fortune Ryan had been reviled by William Jennings Bryan

MODERN SCANDALS

as the epitome of Wall Street influence on the Democratic Party and was a generous contributor to the 1904 Parker campaign.

IMPACT

Roosevelt was destined to win the 1904 presidential election, regardless of Parker's allegations. Indeed, this election, and its scandalous allegations of colluding with big business, would have received little more than a footnote in U.S. political history if it had not inspired campaign finance reform. After the issue became public knowledge, neither candidate would dare dismiss its significance. Parker took a hand in promoting reform in New York, and although it took until 1907, New York lawmakers passed an act that placed their state in the forefront of states that prohibited corporations from making political contributions. Roosevelt made a call for federal campaign finance reform in his annual messages to the U.S. Congress in 1905 and 1906, and in 1907 his administration achieved success when the Tillman Act (named for its primary sponsor, Senator Benjamin Tillman of South Carolina) became law. The act prohibited political contributions by any bank or corporation organized under the laws of Congress, and it began a long process of federal reform that eventually produced such milestone legislation as the Federal Corrupt Practices Act of 1910 (amended 1911, 1925) and the Federal Election Campaign Act of 1971.

—Larry Haapanen

*Roosevelt Is Accused of Accepting Corporate Funds***FURTHER READING**

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SEE ALSO: Jan. 23, 1904: Senator Joseph R. Burton Is Convicted of Bribery; Dec., 1904: Boston Alderman Is Reelected While in Jail for Fraud; 1932: Insull Utilities Trusts Collapse Prompts New Federal Regulation; May 20, 1936: British Cabinet Member Resigns After Budget Information Leak; Sept. 23, 1952: Richard Nixon Denies Taking Illegal Campaign Contributions; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; June 17, 1972-Aug. 9, 1974: Watergate Break-in Leads to President Nixon's Resignation.

January 23, 1904

SENATOR JOSEPH R. BURTON IS CONVICTED OF BRIBERY

U.S. senator Joseph R. Burton was indicted for illegally accepting fees from the Rialto Grain and Securities Company and then was convicted of bribery, the first time a senator was convicted of a crime. Burton, acting as an attorney for Rialto while in office, attempted to influence pending federal legal action against the company. The political scandal led to a federal law that prohibits members of the U.S. Congress from serving as attorneys for businesses having interests with the federal government.

LOCALES: Washington, D.C.; St. Louis, Missouri

CATEGORIES: Corruption; business; government; politics; law and the courts

KEY FIGURES

Joseph R. Burton (1852-1923), U.S. senator from Kansas, 1901-1906

Theodore Roosevelt (1858-1919), president of the United States, 1901-1909

Elmer Bragg Adams (1842-1916), U.S. District Court judge

SUMMARY OF EVENT

U.S. senator Joseph R. Burton of Kansas was caught up in a swirl of controversy that included an extended trial and his dismissal from the Senate. Burton's case is notable because he was the first U.S. senator to be convicted of a crime. As a consequence, federal law now mandates that senators and members of the House of Representatives—as well as federal department heads and other high-level officials—cannot legally represent any business with whom the U.S. government has an interest. Burton was charged with illegally accepting fees from a company that had a vested business interest with the U.S. government.

A colorful character, Burton was born in Mitchell, Indiana, in 1851. He practiced law in Indianapolis the year that he was accepted to the Indiana bar—1875. Three years later, he moved with his wife to the new territory of Abilene, Kansas, during the

state's struggle for identity as either a free state or a slave state. He set up legal practice there, and, as in Indiana, became involved in state politics as a Republican. He was elected to the Kansas legislature in 1882, reelected for two additional terms, and appointed a member of the World's Fair Columbian Commission at Chicago in 1893, representing Kansas. In 1901, he was elected to represent Kansas in the U.S. Senate. Before Burton resigned in 1906, he served as chairman of the Committee on Forest Reservations and Game Protection.

Burton and U.S. president Theodore Roosevelt had a long-standing rivalry, and Burton was known to harbor deep-seated animosity toward Roosevelt. One of Roosevelt's major presidential efforts was to cultivate economic relations with Cuba on several levels. On one level, Cuba could fill America's ever-growing addiction to sugar. However, the United States had its own sugar-producing regions—of which Kansas was a part. Kansas and neighboring states were part of the sugar-beet industry. Burton considered Roosevelt's promotion of relations with Cuba as a direct attack on the economic strength of the state he represented. Additionally, Burton had sought appointment for some of his friends to the Roosevelt administration. Roosevelt not only refused but also reprimanded Burton publicly. In no time, Burton became one of Roosevelt's most vocal opponents.

It was in this tense political climate that Burton was exposed for his relation to a certain private company in 1904. He was found to have accepted nine checks from the Rialto Grain and Securities Company, a St. Louis-based brokerage firm. Rialto had been under investigation for several months for internal monetary problems. Investors had concerns about the company's solvency, and investigators scoured the company for possible corruption. It was soon realized that Burton had a hand in this tangle.

Rialto earlier had hired Burton as its attorney, a sort of side job for the senator. Between November 22, 1902, and March 26, 1903, Burton accepted

several five-hundred-dollar checks issued by the company's president, Hugh C. Dennis, and company officer W. B. Mahaney. Rialto had been investigated for financial troubles earlier, and Dennis and Mahaney were indicted in both state and federal courts and convicted on several counts.

Dennis's and Mahaney's testimony implicated Burton, who was then indicted by a federal grand jury in St. Louis on January 23, 1904. The case against him in the U.S. District Court of St. Louis ended on March 25. The court convicted him of illegally accepting fees. During the trial Burton contended that he had "lost heavily in a financial panic" and needed the monthly fee of five hundred dollars. Apparently, he had assured company officials that his job as a senator had no bearing on his job as a company attorney.

Testimony by Dennis and Mahaney, however, revealed that they had sought someone in government who could intercede with the postmaster general, the chief postal inspector, and other upper-level post office officials to prevent the issuance of a fraud order against the company, which would have restricted the company's use of the postal system. In other words, they were looking to hire someone with connections to Washington, D.C., and to the political process. Burton was the one they hired.

Burton testified before Judge Elmer Bragg Adams of the District Court that he had inserted specific language in his contractual agreement with Rialto, which stated he would not represent the company before any U.S. government body. However, letters written by Burton were presented in court, showing that the senator was using his influence in Washington to prevent the issuance of the fraud order against Rialto. Rialto employees testified that they were ordered to destroy Burton's letters to avoid a paper trail. Ultimately, however, enough incriminating letters were preserved, leading to much testimony against Burton.

Burton stood in his own defense and maintained that he had asked the chief postal inspector, W. E. Cochran, in Washington to notify him if his actions as a Rialto general counsel and senator conflicted. Cochran testified in court that Burton had not approached him with such a request—in fact, quite the

opposite happened. Cochran said Burton had interfered in post office operations and sought favorable treatment for Rialto.

Burton ultimately fought the case and demanded a speedy trial. During sentencing, Judge Adams criticized Burton for using his trusted name and elected position for personal gain. It became clear that Burton lied about his motives, was self-serving, and sought personal wealth behind the guise of legitimate political office. He also was exposed as a vindictive politician who sought favors for himself and political allies. He was punished for his failure to uphold the obligations that he had agreed to undertake as a senator.

Burton was fined and sentenced to six months in the state penitentiary in Ironton, Missouri. He then appealed the case to the U.S. Supreme Court, which reversed the district court's decision. A second trial followed, in which he again was found guilty. A second appeal to the Court sustained the lower court's decision, and Burton's conviction was secured. He resigned as senator on June 4, 1906, and then returned to his home. In late March of 1907, he spoke to a packed theater, where he castigated President Roosevelt on a number of counts. Burton took up legal practice and also the newspaper business in Abilene. He died in 1923.

IMPACT

Burton's indictment and conviction affected American political history on a number of levels. Even though Burton was immune to arrest while the Senate was in session, he still faced indictment later and became the first U.S. senator convicted of a crime. Second, Burton's case prompted a federal law that forbids members of Congress, heads of federal government departments, and all other government officers from serving as attorneys or legal counselors in cases involving the U.S. government.

—Alison Harper Stankrauff

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SEE ALSO: 1904: Theodore Roosevelt Is Accused of Accepting Corporate Funds; Dec., 1904: Boston Alderman Is Reelected While in Jail for Fraud; June 13, 1907: San Francisco Mayor Schmitz Is Found Guilty of Extortion; May 12, 1924: Kentucky Congressman John W. Langley Is Convicted of Violating the Volstead Act; May 22, 1939: Kansas City's Boss Pendergast Pleads Guilty to Income Tax Evasion; Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; June 4, 2007: Congressman William J. Jefferson Is Indicted for Corruption.

December, 1904

BOSTON ALDERMAN IS REELECTED WHILE IN JAIL FOR FRAUD

Boston politician James Michael Curley won reelection to a city board of aldermen while serving his jail sentence for fraud. His reelection not only revealed the fractious nature of American politics at the turn of the century but also brought to light the epic conflict between Irish Americans and Boston Brahmins over civil service and other Progressive reform.

LOCALE: Boston, Massachusetts

CATEGORIES: Corruption; government; politics; social issues and reform

KEY FIGURES

James Michael Curley (1874-1958), governor of Massachusetts, 1935-1937, four-term mayor of Boston, and U.S. representative, 1911-1914, 1943-1947

Thomas Curley (1873-1943), Massachusetts politician and coconspirator with James Michael Curley

Francis Cabot Lowell (1855-1911), Boston legislator and federal district court judge

SUMMARY OF EVENT

James Michael Curley, the Democratic political boss of Ward 17 in Roxbury, Massachusetts, near Boston, took a civil-service examination under a false identity; Curley's coconspirator was Tammany Club cohort and state politician Thomas Curley (the two were not related). The politicians sat for the exam as immigrant campaign workers Bartholomew Fahey and James Hughes on December 4, 1902. Fearing they would fail the exam because they were barely literate, Fahey and Hughes had called upon members of the Tammany Club to help. Curley and

Curley offered to take the exam as Fahey and Hughes, respectively.

In November, 1901, federal law had directed that employment for the post office required examination, a prerequisite detrimental to many immigrants, who had limited abilities in English speaking and writing. On the scheduled test day in December, James Curley and Thomas Curley sat for the examination in place of Fahey and Hughes. Curley and Curley, ever brazen in their efforts, not only completed the exam successfully but also made the mistake of duplicating each other's incorrect responses on twelve different items, a point the judge later emphasized in his verdict in the criminal case against them.

Believing they had succeeded in the ruse, Curley and Curley confidently returned to the rough-and-tumble of politics, but their tactics were detected by lieutenants of a rival Democratic bloc headed by former ally Timothy McCarthy. Ripe for revenge against James Curley, who had earlier defected from the McCarthy camp to form the rival Tammany Club, McCarthy staff publicized their discovery. By February 11, 1903, the Tammany Club's activity became the focus of a major news story in the *Boston Herald*, the facts of which nearly ended James Curley's promising political career.

Born in 1874 to immigrant parents residing in the south end of Roxbury, Curley experienced the sting and degradation of poverty. After his father died unexpectedly from an accident when young James was only ten years old, the boy left school to work tirelessly to support his family. Even at this young age he observed the local politicians—their parades, fund-raisers, and public appearances—and became intrigued. By carefully aligning himself with local ward bosses, Curley eventually utilized this tutelage to his personal advantage. He vowed to amass great power and fortune and to use his influence to further the cause of social justice for the immigrant poor. The Brahmins had a brand of reform that was institutional rather than personal, which angered Curley because he believed himself pure of spirit and able to rival the Boston Brahmin in style, grace, and influence.

On September 23, 1904, the criminal trial began.



James Michael Curley. (Library of Congress)

It lasted one day and pitted the Irish Americans against one of the Boston elite: federal district judge Francis Cabot Lowell. Lowell, of distinguished lineage, convicted the two of fraud and ordered them to serve two months in the Suffolk County Prison (also known as the Charles Street Jail). Lowell set bail at twenty-five hundred dollars and released the defendants after they petitioned the verdict (on the advice of their lawyer). The case was sent to the U.S. Circuit Court of Appeals. The Tammany Club stood by its proud sons and raised the money needed for their additional defense. Always defending his actions, James Curley had assumed after extensive research that his penalty would merely restrict him from sitting for future civil service examinations. He had not expected to receive a jail sentence.

Judge Lowell was disturbed by the unrepentant attitude of both Curleys. Lowell would later chastise their supporters for being ignorant of the law

and electing the two to major office within months of their convictions. *The New York Times* had reported one month earlier that several allies of James Curley actually applauded the two schemers as they exited the courtroom.

Turning a nearly devastating defeat into an opportunity, James Curley successfully used the conviction to mass a campaign against civil service, deriding it as a ploy to discriminate against immigrants who would be well suited to perform various state jobs if not for the examination requirement. Curley contended without remorse that Irish immigrants need not suffer at the hands of Yankee Progressive reformers, whose only goal was to bar newcomers from the best jobs. Hence, Curley's brief prison term became not a source of shame but a vehicle to illustrate his selflessness and commitment to the plight of the poor. His victory that year (a reelection to the thirteen-member board of aldermen) would validate his questionable methods. Thomas Curley would win reelection to the U.S. House of Representatives soon after his own conviction as well.

IMPACT

Although James Curley would lead a successful political career that spanned more than four decades, serving terms as mayor, governor, and state legislator, he would forever be excluded from the inner circles of Brahmin politics. In an age of the growing professionalization of government, Curley was looked upon by the elite and well-bred Progressive politicians as a crude anachronism. Curley's only recourse, therefore, was to mock them and their professional institutions. Eventually, his obsession with money and power would lead to his downfall.

In response to Curley's excesses, a group of Massachusetts reformers founded the Good Government Association (GGA), seeking to eradicate "machine" politics. In 1909 the GGA successfully adopted a new city charter that eliminated the common council and board of aldermen and replaced these bodies with a city council. Ironically, Curley served the new council after five years on the board of aldermen, and he remained an undisputed political boss, successfully sidestepping a concerted ef-

fort by his political foes to unseat him as mayor in a recall election.

Curley's brief prison term won for him a reputation as a champion of working people, especially immigrants. However, his method of governing eventually led to an unhealthy reliance on old-fashioned personal politics. Actively utilizing the spoils system, he continued to cultivate his immigrant following, but as the population gradually adopted New Deal reform during the 1930's, his methods became costly and out of step with the changing times.

After a time in the U.S. Congress as representative of the eleventh district, Curley captured another term as mayor in 1945. Then, in a near-repeat performance, Curley again was under scrutiny by a federal grand jury for mail fraud. However, as a respectful gesture to the politics of yesteryear, U.S. president Harry S. Truman pardoned Curley. The Curley political era was unquestionably at its end.

—Debra A. Mulligan

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1906-1909

EMPEROR WILLIAM II'S HOMOSEXUAL "CIRCLE" SCANDALIZES GERMANY

Journalist Maximilian Harden alleged that German emperor William II had close homosexual associates and confidants, a "circle" led by Philipp, Prince of Eulenburg-Hertefeld. The scandal, which in its lurid detail captivated the public for years, created international discussions of homosexuality and possibly precipitated the emperor's military aggression that culminated in World War I.

ALSO KNOWN AS: Eulenburg affair; Harden-Eulenburg affair; Liebenberg circle

LOCALE: Germany

CATEGORIES: Royalty; sex; publishing and journalism; politics; military

KEY FIGURES

William II (1859-1941), emperor of Germany and king of Prussia, r. 1888-1918

Philipp, Prince of Eulenburg-Hertefeld (1847-1921), German diplomat, writer, and composer

Maximilian Harden (1861-1927), German journalist and editor

Kuno von Moltke (1847-1923), military commandant of Berlin

SUMMARY OF EVENT

In 1906, newspaper editor Maximilian Harden published accusations of "abnormal" sexuality among close friends of German emperor William II. In par-

ticular, Harden targeted military leader Kuno von Moltke and diplomat Philipp Eulenburg. In one of his first articles, published in the weekly *Die Zukunft* (the future) and pompously titled "Dies Irae" (day of wrath), Harden thinly veiled those he accused as the Harpist (Eulenburg), Sweetie (Moltke), and Darling (William II). Many journalists had an inkling that a major scandal was in the making, and so the witch hunt began.

In 1886, Eulenburg had met Crown Prince William, soon to be Emperor William II, and became part of a close-knit group of homoerotically inclined generals, civilians, diplomats, and politicians known as the Liebenberg circle (named for Eulenburg's retreat, which translates as "mountain of love"). Eulenburg's meteoric rise included appointments as envoy to Bavaria and ambassador to Austria-Hungary, and he was elevated to the title of prince in 1900. Eulenburg had eight children with a Swedish countess but reportedly never cared for his wife.

In 1902, prompted by blackmail, Eulenburg retired from politics. In the same year, revelations surfaced that Friedrich Alfred Krupp, Germany's largest industrial magnate, had been consorting with boys on the island of Capri. (Krupp was found dead shortly thereafter, apparently from suicide.) Furthermore, a staggering number of gay-related suicides, resignations, and courts-martial had been hushed up in the military. Worse, at a cross-dressing evening at

court, a high-ranking soldier, performing as a ballerina, dropped dead from a heart attack. Finally, in a climate of xenophobia, a French spy who had abused Eulenburg's confidence caused more political fallout. The scandal could no longer be contained.

The final straw for Harden, a liberal concerning issues of sex and sexuality, was the 1906 Algeciras conference, in which Germany suffered a diplomatic defeat by having to cede control over Morocco to France. The conference confirmed an Anglo-French alliance and led to Germany's increasing isolation. Although the scandal involved homosexuality (and to many people nothing was more scandalous), Harden really had a political motive.

After Harden's allegations, which legally entailed a violation of Paragraph 175 (the German law that made homosexual activity a criminal offense), Eulenburg turned himself in to a "friendly" district attorney, insisted he was innocent, and was cleared after a lukewarm investigation. (Moltke's wife,

during the late 1890's, had sued for divorce on grounds of his "deviant" sexuality.) Moltke challenged Harden to a duel, which Harden refused. Moltke then sued him for libel in civil court. Harden was acquitted, but—on highest orders—the verdict was overturned. In the second trial, now in criminal court, Harden was found guilty. Once again, the case was retried. With the possibility of appeal, the sensational scandal could drag on indefinitely, and it became clear that there was little judicial impartiality in the case.

Harden eventually agreed to an out-of-court settlement (the government secretly paid for his expenses and declared that Harden had acted out of patriotism), but not without dropping a bombshell in a trial he had staged earlier in Munich. (Bavaria was out of reach for the Prussian judiciary.) A milkman and a fisherman—two men not of Eulenburg's social class—admitted having had sex with Eulenburg. As a result, Eulenburg was arrested for perjuring himself in the Moltke-Harden trials and in a related trial, in which Adolf Brand, an advocate of homosexual emancipation, had alleged that Chancellor Bernhard von Bülow had engaged in sexual intercourse with his male secretary, or "better half." For reasons of poor health, Eulenburg was never convicted. Friends had counseled him to do the "honorable" thing and commit suicide.

The newspapers could hardly get enough of the scandal because there was no dearth of salacious detail. For example, Moltke's wife testified that her husband had placed a pan of cold water between them to discourage intercourse, all the while cherishing one of Eulenburg's handkerchiefs. Also, Moltke had been seen wearing makeup in court, heightening his effeminacy, and Eulenburg was so feeble that he had to be carried into the courtroom in a litter. Moreover, the milkman and fisherman had rendered their services in exchange for extravagant trips to places such as the pyramids in Egypt. Finally, the chancellor allegedly had bestowed a passionate kiss on another man at an all-male gathering.

More detail surfaced during the trials: The



Emperor William II. (Library of Congress)

THE DECLINE OF AN IDEAL HOMOSEXUALITY

Philipp Eulenburg wrote a letter to Kuno von Moltke soon after the Emperor William-Eulenburg-Moltke scandal became public in 1906. In the letter, excerpted here, Eulenburg laments the declining significance of homosexuality as an ideal form of friendship among men because of a "modern" outlook on life and living.

In the moment when the freshest example of the modern age, a Harden, criticized our nature, stripped our ideal friendship, laid bare the form of our thinking and feeling which we had justifiably regarded all our lives as something obvious and natural, in that moment, the modern age, laughing cold-bloodedly, broke our necks. . . . The new concepts of sensuality and love stamp our nature as weak, even unhealthily weak.

Source: Isabel V. Hull, *The Entourage of Kaiser Wilhelm II, 1888-1918* (New York: Cambridge University Press, 1982).

cuirassier's uniform was considered alluring to soliciting homosexuals, who had invited soldiers to outrageous champagne parties and group orgies. This evidence was provided by witnesses peeping through keyholes. Even a "key" to the trials was published in 1907: J. L. Caspar's *Das Treiben der Homosexuellen: Volle Aufklärung zum Verständnis der Andeutungen und "Halben Worte" im Moltke-Harden Prozeß*, translated as "what homosexuals are up to: full disclosure for the understanding of the insinuations and 'half words' in the Moltke-Harden trial."

Cartoons about the scandal proliferated as well. There were four topics that recurred: the threat to national honor and security, the infiltration of the military and its Prussian prowess, the decline of traditional morality, and the subversion of gender roles as codified by the state and the church.

IMPACT

Politically, the scandal proved disastrous. William, after suffering a nervous breakdown, completely distanced himself from a group of men that often mitigated his fierce outbursts, constant mood swings, and hawkish politics. Some maintain in hindsight that Eulenburg and his friends could have steered William's militant militarism in a different direction; they also might have averted World War I.

The emperor himself (whom most historians would describe as bisexual, although William would never have admitted that, not even to himself) was no longer above suspicion. The epistolary correspondence between Moltke and Eulenburg revealed a titillating term for William: *Liebchen* (a diminutive of darling); similarly, former chancellor Otto von Bismarck had dismissed William and Eulenburg as *cinaedi* (faggots).

The scandal also revealed what many already knew: The military included homosexual men. Abroad, this perception proved disastrous, for Germany's army

was seen as perverse and effeminate and hence weak. Furthermore, Harden came under attack because he was Jewish, renewing fears of a Semitic conspiracy that played into the hands of the Nazis during the Weimar Republic. Indeed, after the Night of the Long Knives on June 30, 1934, when Ernst Röhm, the head of the Sturm Abteilung, or SA (storm troopers), was assassinated, Adolf Hitler purged all known and suspected gays from the army.

Finally, the cause célèbre had implications for the history of sexuality. Isabel Hull, in her 1982 study of the scandal, quotes a letter by Eulenburg that was composed shortly after the scandal. The letter alludes to homosexuality being criminalized and made into a pathology during modern times, social changes that dealt the final blow to Platonic love, homosocial bonding, and Romantic friendship.

—Nikolai Endres

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March 2, 1906

PSYCHOANALYST ERNEST JONES IS ACCUSED OF MOLESTING MENTALLY DISABLED CHILDREN

Welsh psychoanalyst Ernest Jones was accused of sexually molesting mentally disabled children at a children’s hospital in London. Though the accusations generated much scandalous newspaper coverage and a criminal trial, the claims were subsequently forgotten, except for a brief account in Jones’s autobiography and occasional mention in psychoanalytic publications. The scandal resurfaced in 2002, when historian Philip Kuhn brought to light contemporary records that provided a powerful indictment of Jones.

LOCALE: London, England

CATEGORIES: Sex crimes; psychology and psychiatry; families and children; law and the courts; cultural and intellectual history; publishing and journalism

KEY FIGURES

Ernest Jones (1879-1958), Welsh psychoanalyst and associate of Sigmund Freud
James Kerr (1862-1941), medical officer
Archibald Bodkin (1862-1957), Jones’s legal counsel

SUMMARY OF EVENT

Ernest Jones was Sigmund Freud's biographer, his first English convert, and a lifelong proselytizer of Freudian psychoanalysis. In 1906, already under the influence of Freud's writings (though he did not meet him until two years later), Jones was working in London in various medical and scientific positions. In one of these jobs, for the London County Council (LCC), he tested students for medical and speech problems at the Edward Street School for mentally disabled children in southeastern London. It was here that he allegedly molested several children, the first of three similar incidents in about five years.

On his third visit to the school, Friday, March 2, Jones spent a little under two hours examining about two dozen students. Individual conferences with each student thus averaged not much more than four minutes apiece. Later that day, four students (one boy and three pubescent girls) individually complained to the head teacher, Amelia Hall, that Jones acted inappropriately during his interviews. Hall reported the complaints to her superiors.

The following Monday, March 5, LCC's medical officer for education, James Kerr, took Jones back to the school to investigate the claims made by the students. Ten-year-old Walter Johnson's complaint remained vague. Thirteen-year-old Elizabeth Overton said that Jones had asked her an "objectionable question." Fanny Harrigan, about twelve years old, said that Jones had spoken and acted in "a grossly indecent manner." Dorothy Freeman, thirteen years old, complained that Jones had "interfered" with her clothing, asked her "an improper question," and acted in "a grossly indecent manner."

Kerr believed there was no substance to the allegations, but Freeman's mother and father took their complaint to the police, which led to further investigation and Jones's arrest. Jones was defended by the eminent attorney Archibald Bodkin, who later became famous for banning Irish novelist James Joyce's book *Ulysses* in 1922. After four hearings before a magistrate, Jones was exonerated, but the scandal would resurface almost one century later.

In 2002, historian Philip Kuhn extracted from

contemporary records a more complex story of the Jones scandal. Though the newspaper reports of the time had used veiled language, Kuhn showed in his scholarly article "'Romancing with a Wealth of Detail': Narratives of Ernest Jones's 1906 Trial for Indecent Assault," how to read between the lines to unveil another history. In this article, Kuhn points out that, according to the prosecutor, Freeman and Harrigan claimed that Jones had "indecently exposed himself." Kuhn goes on to interpret Freeman's testimony as meaning that Jones asked her to touch his genitals and then forced her to do so. Harrigan is reported as testifying similarly, but adding (as was first revealed in an interview with police just over one week after the event) comments that led investigators to a tablecloth in the examination room. This tablecloth (and, according to some reports, the carpet) had stains, said police surgeon Dudley Burney, "of such a character that they should not have been there." Kuhn interprets this to mean that Harrigan said Jones had ejaculated. Kuhn writes, "none of the reports explicitly mention semen. But what other stains could possibly explain Jones's arrest and subsequent prosecution?"

The girls' accounts were dismissed, as Kerr had testified that "mentally defective children" were given to "romancing" and often made groundless accusations. Harrigan had not told him anything to draw his attention to the tablecloth, and he "gave evidence to account for the stains." In the end, the magistrate judged the physical evidence inconclusive (perhaps because, even if the stains were semen, there was no way to connect them directly to Jones), and believed no jury would convict Jones on the words of children alone. According to Jones, the magistrate sent him a friendly letter after the acquittal, and colleagues helped defray the costs of his defense.

Kuhn found that Jones, in a letter to Freud in 1913, characterized his life as "a story of . . . ten years of uninterrupted success, then a series of foolishness and failures." Jones's alleged impropriety was followed by additional incidents, at least two within four years, which changed the direction of his life. This revelation of additional improper acts could affect how the 1906 incident is viewed.

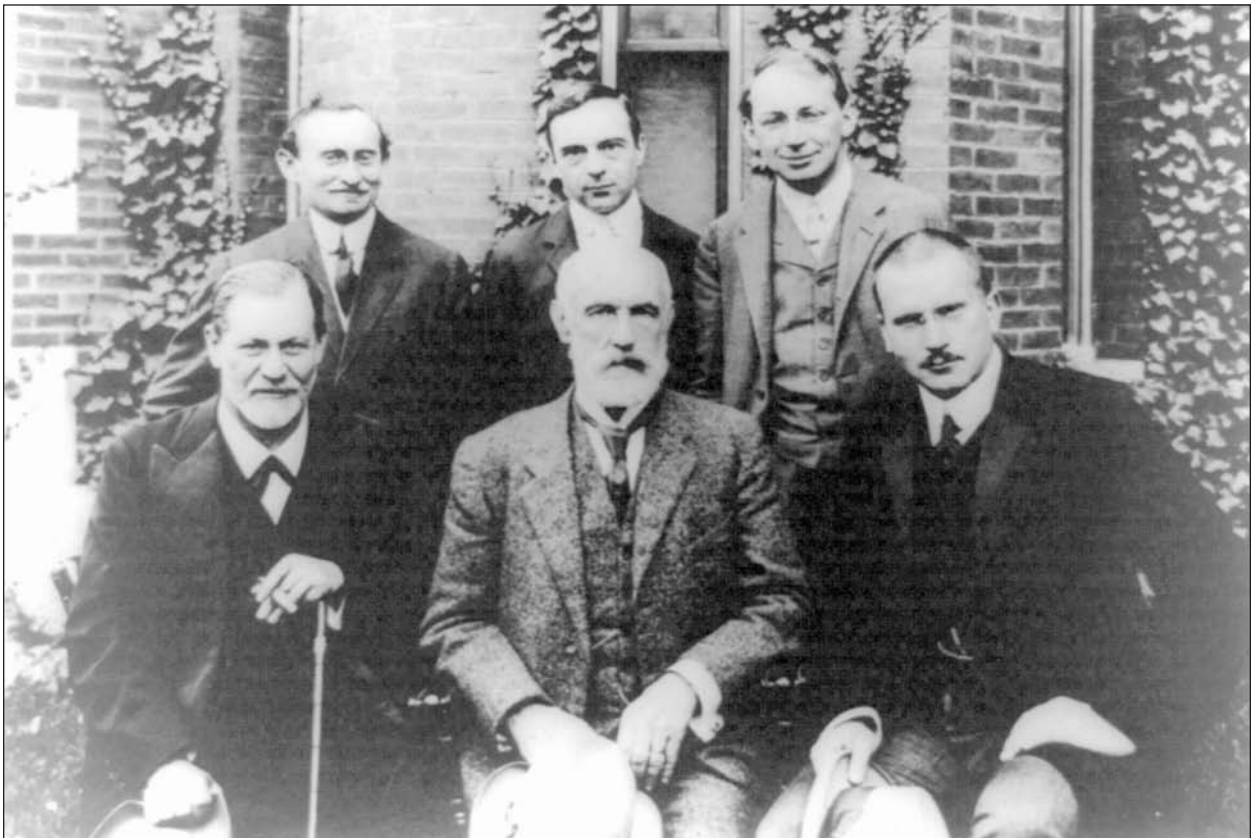
Following the 1906 incident, Jones discussed sexual matters with a ten-year-old girl (a patient, but not his own) at West End Hospital in 1908. According to Jones, this discussion was part of an attempt to provide a Freudian explanation for the girl's hysterical paralysis. The girl talked to others about the discussion, leading to Jones's forced resignation and, a few months later, his relocation to Canada.

The third incident took place in Canada between late 1910 and early 1911 and involved allegations by a former patient (not a minor) that Jones had had sex with her. Jones perhaps refers to this incident in a 1922 letter to Freud, to whom he wrote, "It is over twelve years since I experienced any temptation in such ways." Though Jones was exonerated after a university investigation, lingering suspicion nonetheless contributed to his decision in 1913 to leave

Toronto, Canada, and return to London, where he became a central figure in the development of British psychoanalysis.

Kuhn claims that there were probably additional incidents. Jones confessed to Freud in 1910 that he had "always been conscious of sexual attractions to patients," and that in subsequent years Freud sometimes suspected him of what are now called "boundary violations." Apparently, only the 1906 and 1908 incidents involved children.

Despite Kuhn's refusal, for philosophical reasons, to deem Jones guilty or innocent for the 1906 incident, commentators have recognized a compelling case. First, several children accused Jones, and they did so more or less immediately and more or less consistently. Second, some sort of physical evidence seemed to support the accusations. Third, the incident is part of a recurrent pattern of sexual scan-



Clockwise from top left: Abraham A. Brill, Ernest Jones, Sandor Ferenczi, Carl Jung, G. Stanley Hall, and Sigmund Freud at Clark University in 1909. (Library of Congress)

dal in Jones's early life and possibly his later life as well. His acquittal seems to have been based merely on class and gender bias. Several writers have suggested that Jones's guilt is clear, and they have even employed the word "pedophile" to describe him.

On the other hand, Jones's examinations of the children were brief, and they took place in an open medical setting. Adults came into the interview room unpredictably on at least four occasions during the proceedings, including during Jones's examination of Overton. How plausible is it that Jones would expose himself even once, let alone several times? If he did not, why did the children complain that he did?

Jones could have been sexually impulsive, and it remains clear that he felt enormous guilt about what in 1912 he called "various wrong tendencies in myself." It is also possible that he could have been self-destructive. Freud congratulated Jones on his successful return to London in 1913, writing, "But you must promise formally never to spoil it when you have got it at last, by no private motive."

IMPACT

Psychoanalytic historians have been indulgent. Renowned historian Peter Gay, in his biography *Freud: A Life for Our Time* (1988), notes that Jones had been "twice accused of misbehaving with children he was testing and examining." Gay also believes Jones had provided "frank and reassuring detail" of the events in his autobiography and that he found it plausible that the children had "projected their own sexual feelings"—essentially Jones's own account. In her 2001 biography of psychoanalyst Melanie Klein, French theorist Julia Kristeva briefly mentions that Jones was "accused of using indecent language with some of his child patients." The scandal was essentially forgotten—and its impact minimal—until Kuhn's reexamination was published in 2002.

Additionally, it is possible that, absent the 1906 scandal, Jones might have held his ground in the 1908 incident, not been forced to resign, and therefore not gone to Canada. In terms of the development of psychoanalysis, this might have been fateful, because Jones's scholarly activities in Canada

and the United States proved influential to the history of the development of psychoanalysis outside Europe.

—Edward Johnson

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June 25, 1906

MILLIONAIRE HEIR MURDERS ARCHITECT STANFORD WHITE

While having an affair with showgirl Evelyn Nesbit before she had married playboy Harry Kendall Thaw, Stanford White was shot and killed by Thaw. At trial Thaw pleaded temporary insanity and was sent to an institution for the criminally insane. The media followed the scandalous story with an intensity never before seen for a murder trial and depicted Thaw as a hero who had defended his wife by murdering the man accused of raping her.

ALSO KNOWN AS: Trial of the century; murder of the century

LOCALE: New York, New York

CATEGORIES: Communications and media; drugs; law and the courts; murder and suicide; publishing and journalism; sex crimes

KEY FIGURES

*Stanford White (1853-1906), New York architect
Harry Kendall Thaw (1871-1947), wealthy son of a Pittsburgh coal and railroad magnate
Evelyn Nesbit (1884-1967), New York showgirl and artists' model*

SUMMARY OF EVENT

On the night of June 25, 1906, one socially prominent but emotionally unstable millionaire playboy, Harry Kendall Thaw, murdered another wealthy bon vivant, architect Stanford White, in New York City. Thaw shot White in the face during the finale of *Mam'zelle Champagne*, a musical comedy performed on the roof of Madison Square Garden II, a building designed by White. The identity of the murderer was never in question, and the motive, as described by Thaw, was the defense of his wife, Evelyn Nesbit, a showgirl who had been involved with White before her marriage to Thaw. Thaw's defense and the subsequent trial in which he pleaded temporary insanity was as riveting to the media as the sensational 1995 trial of football star

and actor O. J. Simpson for the murder of his former wife and her friend.

The events that led to White's murder began in 1901, when forty-eight-year-old White met Nesbit, a sixteen-year-old showgirl and later artists' model. The way the murder and trial unfolded was inextricably tied to the moral values of the time. During the early twentieth century, women were expected to remain chaste before and during marriage to devote themselves to home and family. Wealthy men such as Thaw and White, however, lived public lives of ostentatious luxury and, often, scandal. They were free to indulge in vices such as heavy drinking and in criminal activities such as gambling, drug use, domestic abuse, and the seduction or rape of young girls. Society, including the wives



Harry Kendall Thaw. (Library of Congress)

of wealthy men, generally tolerated, or at a minimum ignored, these vices.

In 1901, White was one of America's best-known architects. Born into a wealthy family, he studied architecture both in the United States and Europe, then joined two other architects, Charles McKim and William Mead, to form the New York City firm of McKim, Mead, and White. White gained fame and wealth by designing public buildings, churches, and mansions for rich industrialists from Baltimore to Boston. Although he married and had children, White's scandalous parties involving seminude showgirls and free-flowing champagne frequently were reported in the tabloid press. His wife apparently chose to ignore his lust for girls.

Nesbit was born into a middle-class family in Tarentum, Pennsylvania. Her father died when Nesbit was eight years old, and soon the family became impoverished. Nesbit was stunningly beautiful. After her father's death, she supported the family by posing as an artists' model, first in Pittsburgh then in Philadelphia, and finally, at the age of fifteen, in New York. In New York she posed for artist Charles Gibson and became one of his famous Gibson Girls. She became the sex symbol of her age; her popularity was built on her looks and the attention paid her by the tabloid press. Abandoning modeling, she obtained a role in the popular, sexually suggestive musical review *Floradora* and was noticed by White. After being introduced, White showered Nesbit with gifts and promoted her career. He eventually took her to the luxurious apartment he maintained for his private use in New York City. (His family's home was on Long Island.) Nesbit later claimed White drugged and raped her at that apartment. Nevertheless, Nesbit continued as White's mistress.

Thaw began sending Nesbit gifts, even though she was still involved with White. Since childhood, Thaw had been prone to violence and had been expelled from several preparatory schools as well as Harvard University. He was a regular user of morphine and cocaine and had the reputation of being sexually violent against women. Thaw and White competed for Nesbit's favors, but White began to lose interest in her. Thaw then took Nesbit and her



Evelyn Nesbit. (Library of Congress)

mother to Europe and proposed marriage, but Nesbit refused. He later beat and raped her. She married him in 1905, realizing that any wealthy, respectable man would be unlikely to want her as a wife.

Thaw's murder of White was clearly premeditated. He reportedly harbored a long-standing grudge against White for having been the one to take Nesbit's virginity. Thaw was armed when he arrived at the theater on June 25 and waited until the final musical number before walking up to White and shooting him in the face. Thaw then calmly left the theater but was immediately arrested.

Thaw later claimed that he shot White to defend his wife's honor, although Nesbit was not at the theater the night White was shot. Thaw's mother spent a fortune hiring defense lawyers and spreading the tale in the press of how White had abused Nesbit and how it was her son's duty to redress the abuse. As a result, Thaw became a media hero for defending his wife's reputation. Thaw's mother also of-

REPORTING WHITE'S MURDER

On the day following the murder of Stanford White by Harry Kendall Thaw, the press detailed the crime for readers. The following excerpt comes from an article in the June 26, 1906, issue of The New York Times:

Thaw had a pistol concealed under his coat. His face was deathly white. According to A. L. Belstone, who sat near, White must have seen Thaw approaching. But he made no move. Thaw placed the pistol almost against the head of the sitting man and fired three shots in quick succession.

BODY FELL TO THE FLOOR

White's elbow slid from the table, the table crashed over, sending a glass clinking along with the heavier sound. The body then tumbled from the chair. On the stage one of the characters was singing a song entitled "I Could Love A Million Girls." The refrain seemed to freeze upon his lips. There was dead silence for a second, and then Thaw lifted his pistol over his head, the barrel hanging downward, as if to show the audience that he was not going to harm any one else.

With a firm stride Thaw started for the exit, holding his pistol as if anxious to have some one take it from his hand.

Then came the realization on the part of the audience that the farce had closed with a tragedy. A woman jumped to her feet and screamed. Many persons followed her example and there was wild excitement.

ferred Nesbit \$1 million and a divorce from Thaw if she testified that White had beaten and raped her. Nesbit did testify, as requested by the Thaws, although there remains some doubt about the truth of her testimony. She got the divorce from Thaw in 1915 but never received the promised money.

Thaw had two trials in which he pleaded temporary insanity. The first resulted in a deadlocked jury. The second jury found him not guilty by reason of insanity and he was sent to a mental hospital for the criminally insane. He had virtually no restrictions on his activities and used his wealth to buy himself a comfortable lifestyle. He left the hospital without permission, fled to Canada, was re-

turned to the United States, and was freed in 1924. For much of the rest of his life, he continued to be violent and in trouble with the law. He died in 1947 at the age of seventy-six.

Nesbit's career declined after her divorce from Thaw. She eventually remarried and then was divorced from actor Jack Clifford. She died in 1967 at the age of eighty-two in a nursing home in Santa Monica, California.

IMPACT

Thaw's killing of White affected both the legal system and popular culture. The murder was sensationalized by the tabloid press, which featured stories about White's debauchery and sexual abuse of young girls. The press then portrayed Thaw, whose drug use and violent behavior were considered morally repugnant, as a hero who had defended his wife by murdering the man who had raped her. Ignored by the media, however, was Thaw's abuse of Nesbit. Thaw's second trial marked a rare case—rare at the time—in American legal history in which the plea of temporary insanity had been successfully used as a defense in a murder case. The success of this defense was likely due, in part, to the way Thaw was portrayed as a type of folk hero by the media.

A number of books and films were developed to tell the story of the Nesbit-Thaw-White saga. The best-known films include *The Girl in the Red Velvet Swing* (1955) and the best-known novels include *Ragtime* (1975) by E. L. Doctorow. In 2001 the Public Broadcasting Corporation produced a television movie on the White murder, *Murder of the Century*, as part of its *American Experience* series, and in January, 2005, White was profiled on the television series *Biography*.

—Martiscia S. Davidson

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July 12, 1906

FRENCH COURT DECLARES ALFRED DREYFUS INNOCENT OF TREASON

The anti-Semitism, intrigue, and injustice revealed by Alfred Dreyfus's wrongful conviction and subsequent exoneration for espionage placed this French political scandal in the world's spotlight. The affair led to rioting and other violence, exposed deep divisions within French society, and profoundly affected French politics for decades.

ALSO KNOWN AS: Dreyfus affair

LOCALE: Paris, France

CATEGORIES: Law and the courts; espionage; civil rights and liberties; military; social issues and reform; violence

KEY FIGURES

Alfred Dreyfus (1859-1935), French army officer
Georges Picquart (1854-1914), chief of French army intelligence in 1896

Émile Zola (1840-1902), French writer and reformer

SUMMARY OF EVENT

On July 12, 1906, the French Supreme Court of Appeal annulled Alfred Dreyfus's conviction for treason. In an ordeal that began twelve years earlier, Dreyfus had been convicted by a secret military tribunal. He was publicly humiliated by being stripped of his military ribbons while having his

sword broken in half before a hostile and anti-Semitic crowd and then spent more than three years in solitary confinement on the infamous Devil's Island in the penal colony in French Guyana. He was completely innocent of the crime with which he had been charged.

In the last half of the nineteenth century, anti-Semitism in Western Europe had been exacerbated by the immigration of hundreds of thousands of Jews from Eastern Europe. At the same time, racial bigotry was legitimized by the early advocates of the so-called race sciences: eugenics, modern anthropology, and Darwinian biology. It was with this backdrop that the aloof and upper-class Dreyfus began his military career.

Dreyfus was the son of a wealthy Alsatian family that had made its fortune in textiles. He and part of his family had retained their French nationality by leaving Alsace for Paris when Germany annexed that region during the Franco-Prussian War (1870-1871). Growing up in Paris, Dreyfus attended the military school at the École Polytechnique and later received specialized artillery training at Fontainebleau. His scholastic performance gained him admission to the prestigious École Supérieure de Guerre. Despite having his overall grades lowered by bad marks from one of the members of the panel who stated that Jews were not wanted on the staff, he had graduated ninth in his class and was assigned to the French army's general staff headquarters, becoming the only Jewish officer there.

Shortly after he began his assignment, however, a cleaning woman discovered a handwritten note in the wastebasket of Major Max von Schwartzkoppen, the German military attaché in Paris. The note, or bordereau (a detailed memorandum), contained French military secrets being passed to Schwartzkoppen. The cleaning woman, Marie-Caudron Bastian, was an agent of French military counterintelligence under the command of Colonel Jean Sandherr.

Because of the technical contents of the note, the French Defense Ministry concluded that its author must have had an artillery background. Suspicion immediately fell on Dreyfus because he visited his father in German-held Alsace at least once a year

and also because he was a onetime artillery officer. To add to their case, army authorities declared that the handwriting on the bordereau was similar to that of Dreyfus.

Given the anti-Semitic sentiment in the French military at the time, there is little doubt that Dreyfus's Jewishness also was suspect. He was arrested and charged with treason on October 15, 1894, and for reasons unclear for decades, the military proceeded with a swift and determined prosecution of the hapless young officer.

In less than three months, on January 5, 1895, Dreyfus had been convicted of treason by a secret military tribunal and was exiled for life to Devil's Island in French Guyana. The case seemed closed, and might have remained so, had not Colonel Sandherr retired because of ill health. His replacement turned out to be an unlikely but effective advocate of Dreyfus's cause.

At the age of forty-two, Georges Picquart was the youngest lieutenant colonel in the French army. Although, like many of his colleagues, he was unashamedly anti-Semitic, he also was hardworking and intelligent. It quickly became apparent to him that Dreyfus was not the author of the bordereau. When he recovered a discarded note from Schwartzkoppen that was intended for French major Ferdinand Walsin Esterhazy, he began a quiet investigation of Esterhazy. His investigation convinced him that Esterhazy wrote the bordereau and that Dreyfus had been wrongfully accused and convicted.

Even if Dreyfus's antagonists believed that he was guilty when they convicted him, the evidence Picquart's investigation had uncovered would have convinced them as early as 1896 that they had exiled an innocent person to Devil's Island. Nonetheless, the cover-up continued. When the deputy chief of staff, General Charles-Arthur Gonse, told Picquart that no one would ever know about the wrongful conviction if he kept quiet, Picquart told him that he would not keep quiet forever. As a result, Picquart was reassigned.

Esterhazy, meanwhile, faced a military tribunal. In spite of the considerable evidence against him, he was acquitted on January 11, 1898, and retired to England, where he received a pension from an un-

known source until his death in 1923. Two days after Esterhazy's acquittal, on January 13, an open letter to the president of France appeared in the Paris literary newspaper *L'Aurore*. The now-famous article, *J'accuse!*, was written by French novelist and reformer Émile Zola. In the piece Zola declared that Esterhazy was the real culprit and that his acquittal had been a farce. The article detailed how Dreyfus had been railroaded, and it named the officers who were participating in the cover-up. Indeed, Zola hoped to be charged with libel so that the facts of Dreyfus's case could be made a matter of record during his own trial.

Zola's article started a shift in public opinion in favor of Dreyfus, and because of Zola's international reputation, the world's attention was on the case. On January 17, anti-Semitic riots raged throughout France. In February, Zola was tried for criminal libel. Evidence showed clearly that Esterhazy was the guilty party in the case and that Dreyfus was innocent. Nonetheless, Zola was convicted, sentenced, and given the maximum penalty of one year in jail and a fine. Zola fled to England to avoid his sentence but returned after an appellate court ordered that Dreyfus be retried. The charges against Zola were eventually dismissed.

An appellate court reversed Dreyfus's conviction and ordered a retrial in 1899. Even without evidence of wrongdoing, the court retrying the case convicted Dreyfus nonetheless and sentenced him to ten years in prison. However, on September 19, 1899, he was pardoned by French president Émile Loubet and then released.

Almost seven years later, on July 12, 1906, the French Supreme Court of Appeal finally annulled Dreyfus's conviction and formally adjudged him innocent. A day later he was readmitted into the army with the rank of major and soon was made a Knight of the Legion of Honor. After his early retirement he volunteered to return to duty during World War I and held several commands, including front-line duty in 1917. He was promoted to Officer of the Legion of Honor in November, 1918. Dreyfus died on July 12, 1935.

In later years a compelling case was made by French military historian Jean Doise that the entire

affair had been engineered by French military counterintelligence as an exercise in disinformation. Doise argued in his 1994 book (in French) that the affair had been designed to keep the Germans from learning of the newly developed French 75 mm field gun, the famous French 75.

IMPACT

In France, the affair exposed deep divisions within French society, and for decades had a profound affect on French politics. Many of France's political divisions, even into the twenty-first century, can trace their origins to the ties that were formed during this crisis. Furthermore, the reputation of the French army was devastated by the participation of so many of its officers in this complex conspiracy.

To suggest that the Dreyfus affair affected anti-Semitism in Western Europe would be to ignore the rise of Nazi Germany and Vichy France in the years that followed. The affair's impact on human consciousness cannot be denied, however. For example, Theodore Herzl, a Jewish journalist credited with founding modern Zionism, had covered the Dreyfus affair for an Austro-Hungarian newspaper and was greatly influenced by what he saw. He stated in his diary that witnessing the anti-Semitic crowds in Paris and hearing their cries of "death to the Jews" convinced him that it was useless to try and combat anti-Semitism in Europe and that a Jewish homeland was needed. It is possible that without the energetic efforts of this influential writer and activist, there would be no state of Israel.

—Wayne Shirey

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December 8, 1906

FORMER U.S. SENATOR ARTHUR BROWN IS MURDERED BY LOVER

U.S. senator Arthur Brown, a Utah Republican, was married to his second wife when he became involved with Anne Bradley, a married woman. The affair created a public scandal when the two were arrested for adultery in 1901. The scandal deepened when Bradley killed Brown in 1906, apparently after he had expressed interest in having an affair with yet another woman.

LOCALE: Washington, D.C.

CATEGORIES: Murder and suicide; sex; families and children; law and the courts

KEY FIGURES

Arthur Brown (1843-1906), U.S. senator from Utah, 1896-1897

Anne Bradley (1873-1950), Brown's lover

SUMMARY OF EVENT

On December 8, 1906, after a scandalous love affair, Anne Bradley, the longtime mistress of one of Utah's first senators, Arthur Brown, shot him at a hotel in Washington, D.C. He died from his

wounds. Bradley pleaded temporary insanity and was acquitted of the murder.

Brown was born near Kalamazoo, Michigan, in 1843. He earned a law degree from the University of Michigan in 1864 and soon married his first wife, L. C. Brown. They had one child. Brown, a loyal friend to many but a dreaded legal foe, specialized in criminal and mining cases and his law practice flourished.

Early in his career, Brown began an affair with a newsstand worker, Isabel Cameron, the niece of a senator from Pennsylvania and the daughter of a Michigan state senator. Brown left his wife in 1876, after she confronted him in his Kalamazoo law office and attempted to shoot him because of the affair. Given the local scandal, Brown moved to Salt Lake City, Utah, in 1879 with an eye on politics. Brown divorced his wife and married Cameron. They soon had their first child.

According to Bradley's 1907 court testimony, she met Brown as early as 1890. By 1896, Brown had become one of Utah's first two U.S. senators; the other was Frank J. Cannon. However, at the



Arthur Brown. (Courtesy, Utah State Historical Society)

1898 Republican Convention in St. Louis, Isabel introduced her husband to Bradley, a fellow Poet's Round Table (a women's literary group) member and secretary of the Republican state committee. Bradley also had been secretary and treasurer of the Salt Lake Woman's Club (another literary group) and a member of the Women's Press Club. Brown was thirty years older than Bradley.

Bradley (born Anne Maddison in 1873) was a Kansas City, Missouri, native. She had joined her family in relocating to Salt Lake City in 1890. Three years later she married Clarence Bradley. They had two children. After seeing Brown at the Republican Convention in 1898, Bradley expressed such interest in Brown's career that Bradley and her husband separated. Bradley and Brown then began an affair, which led to the birth of a son, Arthur Brown Bradley, in February, 1899. At one point after the two met, Bradley moved to Colorado, and Brown pursued her with frequent visits and professions of love and promises of marriage.

In 1901, Brown's wife, Isabel, had her husband and Bradley arrested for adultery. However, Arthur persisted in promises to Bradley that he would leave his wife. He gave Bradley an engagement ring and separated from Isabel in 1902. To calm the scandalous situation, Brown reconciled with Isabel a month later and began denying the paternity of Arthur Bradley Brown. With the assistance of his attorney, he promised to stay away from Bradley. The Browns offered Bradley a home and one hundred dollars per month to keep her distance from the former senator. Bradley refused the offer.

Soon thereafter, Brown and Bradley resumed their affair. Isabel and her family attorney caught Arthur and Bradley at a hotel in Pocatello, Idaho. A physical confrontation between Isabel and Bradley led Isabel to attempt to choke Bradley. Ironically, Arthur then gave Bradley a gun for protection, the same gun that Bradley used to shoot him years later. That same night, Brown denied Max Brown was his son and claimed he was Arthur Brown Bradley's father. The night ended with a proposed divorce settlement for Isabel so that Arthur and Bradley could marry.

An angry Isabel accused the two of adultery, threatened to make love letters from Bradley to her husband public, and refused to grant the divorce. In early 1903, Bradley and Brown were arrested for adultery, for a second time. Brown provided substantial tabloid fodder by reacting with protestations that police time might be better spent. While Bradley pleaded guilty to two charges of adultery, Brown had the charges against him quashed after arguing that Isabel could not legally testify against him. On November 24, Bradley gave birth to a second son. Brown, although back with Isabel, continued his promises to marry Bradley. In 1905, Isabel died of cancer. Brown urged Bradley to get a divorce, which she did that same year, and so she waited, anticipating a June wedding; but Bradley stalled.

On December 1, 1906, Brown headed to Washington, D.C., for a legal case before the U.S. Supreme Court. He spoke to Bradley three days before about her plans for a trip to San Francisco to shop for a business that she intended to begin. With four

children to support, her business idea was important because she began to doubt Brown's long-standing promises of marriage. Brown had a staffer arrange Bradley's transportation, but Brown left without a word to her. A suspicious Bradley changed her train ticket for one to Washington, D.C.

After five days of travel, Bradley arrived on December 8. She got a room at the Raleigh Hotel under the name Mrs. A. Brown. That afternoon, she had a maid open the door of Brown's room, where she saw a letter to Brown from the famous actor (and his former lover) Annie Adams Kiskadden. From the letter, Bradley assumed that there was an impending marriage between Brown and Kiskadden. Bradley later returned to her room, which was on the same floor. Bradley heard Brown's footsteps as he returned to his room, then she knocked on his door. She insisted that he keep his promise of marriage to her. He did not respond but attempted to leave the room. At that point Bradley shot him—some assume accidentally—after a scuffle, because the gunpowder residue was on Brown's hand.

According to a contemporary news story in *The New York Times*,

A maid who heard two shots called the hotel manager, Theodore Talty, who found the former senator dressed and lying on the floor with Anne Bradley standing nearby. She was also fully dressed with hat in hand and wearing a single glove. Arthur Brown told Talty "she shot me." Talty instructed Anne to leave, but she refused, saying quite calmly, "I will remain here, I am the mother of his two children."

Brown was taken to a hospital emergency room in critical condition and had surgery. He had been shot in the hand and abdomen. The second bullet lodged in his pelvis; after two hours of surgery it could not be removed. Nevertheless, Brown was expected to recover. Bradley was taken into custody. At the police station, a rather calm Bradley did not apologize for her actions but was relieved to hear that Brown was expected to recover. She stated repeatedly, "I loved the ground he walked on." She received a mental evaluation and was deemed too fragile to be told immediately of Brown's death.

Brown had lived a few days, but he died on December 13.

Bradley was charged with murder. Her legal team argued that she was temporarily insane when she shot Brown. Witnesses included Bradley's mother, an attorney friend of Brown, Bradley's medical doctor during her incarceration, a physician to Bradley at the birth of her two children, and a reporter who spoke to her soon after the shooting.

IMPACT

The almost thirty-five-year-old Bradley said she had come to Washington, D.C., to demand Brown's hand in marriage. She explained that Brown facilitated her divorce, fathered her two children, and with the death of his wife promised to focus his life on Bradley. However, Brown delayed in this matter. Public sympathy for Bradley and against Brown was swift and plentiful, making the public's reaction the main significance of the scandal.

At her trial, a sobbing Bradley testified in her own defense for about four hours, bringing some jurors to tears. To add to the drama, Kiskadden's letters were read in court. They included references to physical affection between her and Brown. However, Kiskadden, a Utah native herself, denied having anything but a platonic and business relationship with Brown, whom she had known for about twenty years.

As it turns out, Brown did not acknowledge his children with Bradley in his will, a fact that became public during the trial. This seemingly callous act on the part of Brown garnered Bradley even more significant sentiment from the public, and her jurors, who acquitted her on December 3, 1907.

—Camille Gibson

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1907

ELINOR GLYN'S NOVEL *THREE WEEKS* SHOCKS READERS

The publication of Three Weeks, Elinor Glyn's story of an extramarital, child-producing love affair between a young English nobleman and a Balkan queen, was a scandal. Even as it shocked readers and faced censors, the novel nevertheless became a best seller and film. It introduced women's erotic fiction, or the romantic novel, to mass-market Western literature.

LOCALES: United Kingdom; United States

CATEGORIES: Literature; law and the courts; publishing and journalism; royalty; sex; public morals; women's issues

KEY FIGURES

Elinor Glyn (Elinor Sutherland; 1864-1943), British novelist, screenwriter, and film director
George Nathaniel Curzon (1859-1925), British statesman, viceroy of India, and cabinet minister

Alfred Milner (1854-1925), British statesman and colonial administrator

SUMMARY OF EVENT

Elinor Glyn was born into a distinguished British family and experienced as a young woman the cosmopolitan societies of Paris and London. After her family ran short of funds, she married Clayton Glyn, a supposedly wealthy landowner. Elinor soon found that her husband was living on borrowed funds. Moreover, he was not the romantic hero

Elinor had expected him to be. By the time their second daughter was born in 1898, the marriage was collapsing. Bored with her life and desperate for money, Glyn began to write articles about her social set. She then transformed her early diaries and letters into the novel *The Visits of Elizabeth* (1900). The book was a critical and popular success. Four more novels followed, including the scandalous *Three Weeks* (1907).

Three Weeks, Glyn's sixth novel, is the story of a handsome young Englishman, Paul Verdayne, who is sent abroad after being caught kissing the parson's daughter. At his hotel in Lucerne, Switzerland, he notices a black-haired woman in her thirties, whose white face reminds him of a magnolia. The woman he calls the Lady invites him into her flower-filled apartment, where she drapes herself seductively on a couch covered with a tiger skin. The next day Paul buys her a tiger skin, and that night, their honeymoon begins. Paul soon finds out that she is a Balkan queen and has an abusive husband. The lovers proceed to Venice, Italy, but learn that they are being followed. One morning, Paul awakens to find his Lady gone. Some time later, he receives a note informing him that she has given birth to their son. Paul then learns that the Lady's husband has killed her. Five years later, he finally sees his son, and his grief vanishes.

In *Three Weeks*, Glyn abandoned her detached tone in favor of passion—adulterous passion. *Three Weeks* reflected a dramatic change in her own atti-

tude toward extramarital relationships. By 1903, when she met the powerful statesman Alfred Milner, she no longer felt compelled to remain faithful to her husband. However, Milner was too busy to let their relationship become anything more than a close friendship. Interestingly, it was in a letter to Milner written in 1906 that Glyn first mentioned another statesman, George Nathaniel Curzon. Curzon would be the love of Glyn's life.

The model for the hero of *Three Weeks* was a young guards officer, Lord Alastair Innes-Ker, with whom Glyn had been involved as well. She incorporated into her tale two places she had visited, likely Lucerne and Venice, and included mention of the tiger skin she had bought in Lucerne. The story she invented was so clear in Glyn's mind that after she returned home to Essex, it took her only six weeks to finish the novel.

Glyn was warned by many of her friends that if *Three Weeks* was published, she would be shunned

by society. However, Milner liked the novel and did not anticipate trouble. He was wrong. When *Three Weeks* appeared in June, 1907, all who read it did so privately; in public, however, they voiced their disapproval of the novel. Reviewers condemned it as glorifying adultery. Glyn's friends crossed her off their lists. Edward Lyttelton, the headmaster of Eton College, banned the book and refused to lift the ban even after he had read and enjoyed the copy Glyn sent him. Also, Glyn would be haunted by the following verse, composed by a critic:

Would you like to sin / With Elinor Glyn / On a
tiger-skin? / Or would you prefer / To err / With
her / On some other fur?

Neither condemnation nor mockery could prevent *Three Weeks* from becoming a commercial success, however. According to the author's best estimate, by 1933 it had sold more than five million copies.

Three Weeks first faced censorship in the United States. In 1908, Boston's Watch and Ward Society asked booksellers to not sell the book. At the request of Duffield, the novel's New York publisher, Joseph E. Buckley sold a copy to an inspector with the Boston police. The result was an important U.S. legal case, *Commonwealth v. Buckley* (1909), in which a jury called the book obscene; Buckley was fined one hundred dollars. The Supreme Judicial Court of Massachusetts upheld the decision, arguing that words such as "obscene" did not have to be defined for a jury. In 1916, a British judge dismissed Glyn's suit against the company that had made the 1915 comic film *Pimple's Three Weeks* (*Without the Option*), which was based on Glyn's novel. The judge insisted that Glyn's book was too indecent to deserve copyright protection (*Glyn v. Weston Feature Film Co.*, 1916).

Nevertheless, in the United States, *Three Weeks* became a best seller. After being assured that she would find herself treated far better in the United States than in England, Glyn traveled to New York, where she was entertained by socialites, warmly welcomed by U.S. president Theodore Roosevelt, and praised for her writing by the eminent author Mark Twain. In Rawhide, Nevada, a group of miners gave a banquet in her honor, presenting her a



Elinor Glyn. (Library of Congress)

small gun as a token of their respect for her courage.

Back in England, after having already written a dramatic version of *Three Weeks*, Glyn put on a charity matinee, which, as she had hoped, led to a contract for a West End production. However, the proposal was turned down by politician Neville Chamberlain, evidently because the British Foreign Office did not want to offend Russia. Two years later, Glyn was kidnapped in Warsaw, Poland, but was rescued shortly after. She always suspected that her references to Russian royalty in *Three Weeks* had come too close to the truth.

In 1920, Glyn was invited by Hollywood to develop her novels into screenplays. She had to alter her story considerably to pass censors, but the film, *Three Weeks: The Romance of a Queen* (1924), became a box-office success in the United States. However, in England, Chamberlain's office made extensive cuts and also eliminated the title *Three Weeks*. The film was shown in Britain as *The Romance of a Queen* (1924).

IMPACT

The publication of *Three Weeks* changed Glyn's life forever. Although unwelcome in some segments of English society, she became recognized as a professional author. Though the scandal associated with *Three Weeks* made it impossible for Glyn and Curzon to marry, Glyn recovered from their breakup and moved on to an exciting career in Hollywood. She returned to England financially secure and eventually was welcomed back into the society that had shunned her.

The court action in Massachusetts strengthened the power of the Watch and Ward Society, which was able, for the next ten years, to keep many fictional works out of state. Elsewhere, however, booksellers and publishers could not deny that this supposedly obscene novel had racked up millions of sales. Clearly there was money to be made from novels that were branded as shocking.

Moreover, Glyn's torrid novel and the romances she wrote later were especially appealing to members of a rapidly developing group of readers, middle-class and working-class women who yearned for romance but also were tired of being controlled

by their husbands. They were drawn to strong, self-sufficient heroines such as those of Glyn's novels, who not only inspired men but also controlled them, just as the Lady controlled Paul in *Three Weeks*. In its outspoken descriptions of sexual passion, *Three Weeks* anticipated the distaste for hypocrisy that followed World War I, but there were also hints of the kind of feminism that would not come into its own for another half century.

—Rosemary M. Canfield Reisman

FURTHER READING

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June 13, 1907

SAN FRANCISCO MAYOR SCHMITZ IS FOUND GUILTY OF EXTORTION

Supported by a major political boss, Mayor Eugene E. Schmitz shocked constituents when allegations of graft, extortion, bribery, and corruption within his administration came to light. Although he was eventually acquitted, his political career was ruined and an era of corruption came to an end.

ALSO KNOWN AS: Schmitz-Ruef regime; graft prosecutions

LOCALE: San Francisco, California

CATEGORIES: Corruption; organized crime and racketeering; government; politics

KEY FIGURES

Eugene E. Schmitz (1864-1928), mayor of San Francisco, 1902-1907

Abraham Ruef (1864-1936), San Francisco lawyer and political boss

William J. Burns (1861-1932), U.S. Secret Service investigator, and head of the Bureau of Investigation, 1921-1924

SUMMARY OF EVENT

Eugene E. Schmitz was elected mayor of San Francisco in 1901, although not many people had taken his candidacy seriously. He had been nominated as the Union Labor Party candidate by lawyer Abraham Ruef, whose political machine was extremely powerful. Ruef had managed to accumulate the necessary number of votes to elect Schmitz through a variety of channels, some more questionable than others.

As soon as Schmitz took office in 1902, Ruef began to place his supporters in prominent positions. He even organized the Schmitz Club, forcing all holding government office in San Francisco to be a member. Ruef was amply compensated (reportedly with an annual salary of twenty-five thousand dollars) for starting and running the club. Soon, Ruef was the driving force behind San Francisco politics.

Although Schmitz was technically the mayor, most people believed that Ruef was the one who was calling the shots.

Schmitz was born in San Francisco, California, on August 22, 1864, to a German father and an Irish mother. As a child he got a job at the Old Standard Theater in San Francisco as a drummer boy. He continued to work in the music industry, mainly as a violinist, and eventually became the leader of the orchestra at the California Theater, also in San Francisco. Because of his work in the music industry he was a member of the Musicians' Union. It was through this membership that he met Ruef.

Ruef was born in 1864 in San Francisco and was a bright student who graduated from the University of California in 1883, receiving highest honors. He then attended Hastings College of Law in San Francisco, where he became active in politics in 1888, initially as a Republican. However, differences with the party soon led him to become active in the Union Labor Party, and he became the party's head.

Although Schmitz was elected mayor for a second term in 1903 and then a third term in 1905, whispers of scandal and corruption in city hall soon followed. Accusations were made as well against the board of supervisors, the police and fire departments, and elections commissioners, a charge that was not surprising given that Mayor Schmitz had been elected for his first term as a virtual unknown. Although some of these charges were investigated, none materialized into convictions. Members of the police force who detected wrongdoing in government were dismissed, and other tactics were used to hush up scandals and close investigations. The rumors continued to circulate and build, but soon, with an impending natural disaster, the public had other, more important, things about which to worry.

In 1906, a massive earthquake rocked San Francisco, and Mayor Schmitz had a crisis on his hands. Large sections of the city were burning, and there were dead and injured people who needed medical

treatment. There also was a significant level of looting. Schmitz decided to act, issuing orders that looters and others committing crimes were to be shot dead on the spot, no questions asked. This order is believed to have led to the deaths of five hundred or more civilians in the aftermath of the earthquake. Some reports indicate that soldiers and police officers not only shot looters but also those who disobeyed orders to work or those who were otherwise uncooperative.

Although the rumors of corruption in Schmitz's administration subsided during the earthquake and its immediate aftermath, it did not take long for them to resurface. The charges of corruption were still many and varied, but the newest concerns focused on the illicit happenings at "French restaurants." These establishments indeed had respectable first-floor restaurants (suitable for ladies and families, a concern of the time) and generally had more expensive, but less proper, eating establishments on the second floor. Above the second floor, however, there were a variety of illicit activities.

The French restaurants, which served alcohol, were required to have liquor licenses that needed to be renewed every three months. Public concern with the activities going on behind closed doors in the French restaurants, however, led police to slow their issuance of the licenses. The restaurants, though, were freed from licensing problems once Ruef got involved in the matter. He received ten thousand dollars from the restaurant owners to intervene on their behalf, and he gave half of that sum to Mayor Schmitz.

A federal investigation soon began into the Schmitz-Ruef political

dealings of the previous five years. Secret service agent William J. Burns traveled to San Francisco to collect further evidence and conduct sting operations. His work led to the indictments of both Schmitz and Ruef. (Burns's investigation tech-

FRENCH RESTAURANTS

The city and county of San Francisco issued a report on the grand jury's and prosecutor's investigations into the corruption of San Francisco mayor Eugene Schmitz and local political boss Abraham Ruef. The Report on the Causes of Municipal Corruption in San Francisco was published January 5, 1910. The following excerpt from the report details some of the criminal dealings of the so-called French restaurants, major centers of corruption in the city.

The presence of the [French] restaurant on the ground floor gives a certain air of legitimacy to the enterprise. . . .

A striking illustration of the toleration which permits a corrupt Mayor to deal in illicit privileges and to take profits from vice, arose in connection with a raid on a famous house of prostitution—presumably similarly licensed—during an earlier and unsuccessful investigation of the Ruef-Schmitz regime. . . . In the raid one hundred and sixty prostitutes were arrested from the one house, and released on the deposit of bail money exceeding in all Sixteen Thousand Dollars. It was subsequently published—and never denied—that the money was furnished by a prominent liquor man who was . . . the president of one of the oldest, the most powerful, and the richest of the associations of merchants in the city. . . . The fact that his company was, at the time of the raid, selling liquors to a large number of resorts whose licenses were dependent upon the Schmitz Board of Police Commissioners was accepted by many as a sufficient excuse for his supplying the bail.

The Ruef-Schmitz organization, recognizing how easily such illicit enterprises could be made to pay tribute, devised a plan to obtain a share of their profits. They included in their attack the trust company's restaurant already described. This was made the easier from the fact that one of the members of the Board of Police Commissioners had consistently opposed the granting of licenses to these places as soon as he had become aware of their extremely vicious character. The Mayor inspired another member of the Board of four commissioners, who had absolute power to grant or withhold liquor licenses, to commence an attack on the system and to threaten refusal to renew the licenses. The restaurant keepers soon discovered it was necessary to employ Ruef as an attorney to defend them before the Board. It is interesting to note that the member of the Board who had apparently conscientiously anticipated the attack on the system, refused to cease when the matter had been arranged, and was subsequently removed by the Mayor. Ruef was paid large "fees" by the restaurant proprietors, and the licenses were renewed at their expiration.

niques, in this case and others, as well as his persistence, eventually led to his appointment as head of the U.S. Bureau of Investigation, later the Federal Bureau of Investigation.) In March, 1907, Schmitz and Ruef were indicted on more than sixty-five counts of graft, extortion, bribery, and corruption. Ruef eventually pleaded guilty, and he appeared as a witness against Schmitz. On June 13, Schmitz was found guilty of extortion in a unanimous decision that took just one hour and thirty-five minutes to reach.

Ruef served four years in prison before being paroled and was eventually pardoned. Schmitz was jailed. He appealed the verdict and won his appeal because of technicalities and because an important prosecution witness had fled to Canada. Schmitz had been removed from his position as mayor upon his conviction, but he ran for mayor again in 1915 and again in 1919, losing both times. He did, however, win a seat on the board of supervisors for a few years.

IMPACT

The entire nation watched with fascination the trials of Schmitz and Ruef. All over the United States, in cities such as Chicago, New York, and New Orleans, there were tales of corrupt politicians and political machines, but nowhere had the corruption reached as high as that in San Francisco. Many of the wealthiest and most prominent citizens of San Francisco and surrounding areas also followed the trials, too, but they did so holding their breaths. They had been intimately involved with Schmitz and Ruef and some of their corrupt schemes.

Schmitz's and Ruef's convictions were cheered as major steps forward in the fight against corrupt politics, but the eventual dismissal of the charges against Schmitz was considered a step back. Ruef spent only four years in prison. His conviction did, however, send a message to other political bosses that the federal government was serious about prosecuting graft, fraud, bribery, and extortion.

After the installation of a new mayor in San Francisco, and after the appointment of new government officials, politics and big business in San Francisco underwent significant changes. Favors could no longer be so easily bought and sold. In the end, the

conviction of Mayor Schmitz and Ruef helped end the era of big political bosses and major political corruption in San Francisco.

—Helen Davidson

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November 15, 1908

BELGIUM CONFISCATES CONGO FREE STATE FROM KING LEOPOLD II

King Leopold II of Belgium created the Congo Free State as his private fiefdom—a business venture—during Europe’s scramble for African territories. The Belgian government seized the state from Leopold after public revelations of his brutal and ruthless exploitation of the Congolese people. In twenty-two years, an estimated ten million Congolese—half the population—were forced into labor and were murdered or died from disease or starvation.

LOCALES: Brussels, Belgium; Congo Free State (now the Democratic Republic of the Congo)

CATEGORIES: Colonialism and imperialism; royalty; human rights; atrocities and war crimes; government

KEY FIGURES

Leopold II (1835-1909), king of Belgium, r. 1865-1909

Henry Morton Stanley (1841-1904), Welsh-born journalist and African explorer

Edmund Dene Morel (1873-1924), French-born British journalist and socialist politician

Roger Casement (1864-1916), Irish diplomat

SUMMARY OF EVENT

In September, 1908, the Belgian parliament passed an annexation treaty and a colonial charter that specified how the Congo Free State (CFS) would be managed, without Belgian king Leopold II. On November 15, in a ceremony in the state’s capital of Boma, the CFS became the Belgian Congo. The worst of the abuses perpetrated by Leopold’s administration had finally decreased because of international and domestic pressure, and the abuses were prohibited with the transfer of power. The economic exploitation and the political and cultural repression of colonial rule persisted, albeit in a more benign manner, but nothing compared to Leopold’s twenty-two-year exploitation of the Congolese people.

Newly independent Belgium had no interest in colonialism, but its second king, Leopold II, had always coveted an overseas colony. He had explored the purchase or acquisition of areas around the world. During the mid-nineteenth century, sub-Saharan Africa was largely unexplored and, except for the coastal areas, was mostly unclaimed by European countries, leading Leopold to Africa’s interior.

In 1879, Leopold hired the British American explorer Henry Morton Stanley to survey the Congo River area and to build a road, establish posts along the navigable river, and make treaties with Congolese chiefs along the way. The survey was made under the guise of the International Association of the Congo, a private holding company disguised as an international scientific and philanthropic association, headed by Leopold. Ostensibly, the IAC was devoted to free trade and elimination of the slave trade. At the fourteen-nation Berlin Conference of 1884-1885, however, Leopold used skillful and cunning diplomacy to play the major powers against each other to get de facto recognition of his claim to the Congo River basin. Leopold changed the name of the IAC to Congo Free State and became the absolute ruler of an area larger than Western Europe and eighty times the size of Belgium.

Leopold quickly abandoned the pretense of a free trade zone and instead controlled the country through private trusts. He declared that any uncultivated land was vacant and available for exploitation. He authorized forced labor for the Congolese population on behalf of his economic interests, primarily the collection of rubber and ivory. Congolese who refused to provide labor, rubber, and ivory, or who did not meet their assigned quotas, were beaten and mutilated (amputating hands was a common practice), their wives and children were kidnapped, women were raped, their villages were burned, and many of the uncooperative were executed. In the twenty-two years the CFS existed, an



King Leopold II. (Library of Congress)

estimated ten million Congolese—half the population—lost their lives to murder, starvation, and disease.

The CFS was unique in being a personal fiefdom rather than a colony. Accordingly, Leopold had total control of its resources and was answerable to no one. He chose to maximize his short-term economic gains at all costs. He gave his agents the authority to impose draconian methods to maximize his return. They took possession of all lands and forced compliance with demands for labor, rubber, and ivory.

When novelist Joseph Conrad captained a steamboat up the Congo in 1889, the crimes and plunder he saw formed the basis for his novella *Heart of Darkness* (1902), first published as a magazine serial in 1899. He indicated that the novella was only a slightly fictionalized version of what he saw. The atrocities also were clear in 1890, when George Washington Williams, an African American Baptist minister, made a trip across the country. In an

open letter to Leopold, written from the Congo, he condemned the brutal and inhuman treatment of the Congolese. Williams reminded the king that the crimes committed were done in his name, making him as guilty as the actual perpetrators. Williams appealed to the international community to investigate these crimes against humanity, marking, as well, the first time the phrase “crimes against humanity” was used. Leopold disparaged the report and, because Williams died on his way home, he did not feel compelled to investigate the accusations. Various Protestant missionaries in the Congo also brought attention to the atrocities. Prominent among these was William Henry Sheppard, an African American Presbyterian missionary, whose outspokenness earned him a libel suit brought by one of Leopold’s companies.

In 1900, Edmund Dene Morel was a clerk for an English company with a shipping contract for the CFS. He noticed that returning ships were full of valuable products, such as raw rubber and ivory, while the outgoing ships carried guns, ordnance, explosives, and chains, but no commercial goods. After realizing that Leopold had created a forced labor system of immense proportions, in essence slave labor, Morel began to publish a series of articles in the weekly magazine *Speaker*. By 1902, Morel had given up his job to become a full-time investigative reporter, continuing to expose the deplorable conditions in the Congo. Morel had contacts with agents of the CFS and with missionaries who furnished eyewitness accounts and photographs of atrocities. He published in 1906 the book *Red Rubber: The Story of the Rubber Slave Trade Flourishing on the Congo in the Year of Grace, 1906*.

In response to Morel’s accounts, the British House of Commons passed a 1903 resolution on the Congo and subsequently ordered the British consul in the Congo, Roger Casement, to inspect the region. His 1904 report, which meticulously confirmed Morel’s accusations, had a considerable impact on public opinion. Morel and Casement established the Congo Reform Association (CRA), with branches around the world, including the United States. The CRA, acknowledged as the first

MODERN SCANDALS

large-scale human rights organization, publicized accounts of the atrocities and lobbied against Leopold's rule of the Congo. The CRA earned the support of famous writers such as Conrad, Anatole France, Mark Twain, and Arthur Conan Doyle. In 1905, Twain published *King Leopold's Soliloquy*, a fiercely satirical pamphlet, and Doyle published *The Crime of the Congo* in 1909, a book that included photographs of Congolese women and children whose hands had been cut off.

Leopold rebutted the accusations, belittled them, and suggested they were part of a British campaign of expansionism. However, under external pressure, he instituted his own commission of enquiry in 1904. Its report, which Leopold tried to suppress, substantially confirmed the accusations. After being shown the report, the vice governor-general of the Congo committed suicide. In 1906, Félicien Cattier, a professor of colonial law at Brussels University, published his own study, *Etude sur la situation de l'Etat indépendant du Congo* (study of the situation of the independent state of the Congo), and Jesuit priest Arthur Vermeersch published *La Question Congolaise* (the Congolese question). Both books were damning indictments of the abuses in the CFS that persuaded the Roman Catholic community in Belgium to take action as well.

The United States, Britain, France, and Germany pressured Belgium to take over the Congo and remove Leopold from its control. In 1906 the Belgian parliament voted in principle to do so. Leopold, however, insisted on being paid to give up his rights to the country and managed to extract 110 million francs to cover his outstanding debts, 45 million francs to complete the building projects in Belgium he had started, and 50 million francs in future receipts from the Congo. He also destroyed many records of his tenure in the Congo.

IMPACT

The atrocities perpetrated by Leopold II's administration, unthinkable in their severity and scale, also led to the formation of a new awareness of crimes against humanity (indeed, the phrase was

Belgium Takes Congo Free State from Leopold II

coined at this time) and to the founding of the first large-scale human rights group, the Congo Reform Association. The association galvanized public opinion at both the local and global levels and insisted on government action against Leopold. This call for action culminated in the confiscation in 1908 of the Congo Free State by the Belgian government, its annexation, and its formation as the Belgian Congo.

—James L. Robinson

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1909-1916

DANCER ISADORA DUNCAN BEGINS AFFAIR WITH MILLIONAIRE HEIR

Famous for her innovations in dance and notorious for her unconventional and controversial personal life, Isadora Duncan began an affair with Paris Singer, the married heir to the Singer sewing machine fortune. Scandal followed the pair not because of their liaison but because of Duncan's notoriety for flirting with cultural and social mores and for her independence.

LOCALE: Paris, France

CATEGORIES: Sex; performing arts; public morals; women's issues

KEY FIGURES

Isadora Duncan (1877-1927), dancer and choreographer

Paris Singer (1868-1932), heir to Singer company and Duncan's lover

Patrick Singer (1910-1913), the son of Duncan and Singer

SUMMARY OF EVENT

Dancer and choreographer Isadora Duncan first met Paris Singer in 1901 at the funeral of Singer's brother-in-law, Prince Edmond de Polignac. Their affair, however, did not actually start until 1909. Singer was well educated, reared among the English aristocracy, and was a patron of the arts. He had called upon Duncan in her dressing room, expressing his admiration for her talent and her daring in exploring new dance forms, after one of her performances at the Théâtre Gaieté Lyrique in Paris. He offered to support her in her efforts to establish and maintain dancing schools to teach her form of dance to children.

Although Duncan was not immediately in love with Singer, she was intrigued by his offer. The patronage of a person as wealthy as Singer would open doors for her. She wistfully remarked that her mil-

lionaire had appeared. She began to spend time with him in 1909, and while at Beaulieu, in France, they became lovers. She called him her Lohengrin, her knight who had come to make possible her mission as a dancer.

Duncan was born in San Francisco, California, on May 26, 1877, to Joseph Charles Duncan and Mary "Dora" Gray Duncan. Her father had been a banker but lost both his bank and his fortune soon after Isadora was born. Her parents divorced in 1880 and Mary moved to Oakland with her four children. The family was very poor, and Mary taught piano. Soon her daughters were teaching dance to children. Already exhibiting her need for freedom and personal expression, the young Duncan dropped out of school. In 1895, the family moved to New York.

Duncan's career began in New York when she became a dancer with Augustin Daly's theater company. Restless and wishing to develop her own dance theories, she traveled to London with her family in 1899 and then to Paris in 1900. She was very well received as a dancer throughout Europe, but she also became well known for her ideas on politics and sexual mores. In 1904, she met theatrical designer Edward Gordon Craig. They became lovers and had a daughter, Deirdre, in 1906. Duncan's affair with "her millionaire," Singer, would begin some three years later in Paris.

The tall, blond Singer fascinated women. He was born in Paris in 1868 to Isaac Merritt Singer, founder of the Singer Manufacturing Company (noted for its sewing machines). Upon his father's death in 1875, the young Singer inherited a very large fortune, which provided him with an income of about fifteen thousand dollars per week. He also inherited his father's Devonshire mansion, Oldway, which he transformed into a replica of Versailles. In addition to Oldway, Singer maintained several other residences: a villa at Cap Ferrat in

France, an apartment at Places des Vosges in Paris, and a town house in Cadogan Square in London. He also owned a yacht named *Lady Evelyn*. Singer, although married to Lillian Graham, with whom he had five children, nevertheless had many romantic adventures and enjoyed a reputation as a sought-after lover.

Duncan divided her life between Singer and her career. Taking her daughter Deirdre with her, she sailed to Italy with Singer on the *Lady Evelyn*. Then, Duncan left for an engagement in Russia. Upon returning to Paris, she joined Singer at his apartment at Place des Vosges. Shortly thereafter, they sailed again on the yacht. Then Duncan traveled to Venice by herself, repeating a pattern that would continue throughout their relationship.

It was in Venice that Duncan learned she was pregnant—Singer was the father. She had mixed feelings about having the baby. The pregnancy would change her physically and would likely affect her performances. She went on with her American tour. The last performance of the tour, at Carnegie Hall, met with a disapproving audience, shocked by her visible pregnancy. Arguing that the theme of her dance was fertility, Duncan flippantly dismissed the criticism.

In January, Duncan and Singer took a houseboat cruise on the Nile River, returned to Paris, and saw the birth of their son, Patrick Augustus, on May 1, 1910, in Beaulieu. Singer was very pleased with the birth of his son, but he was not mentioned as the father on the birth certificate. Upon returning to Paris, Singer suggested that Duncan host an elaborate party. He was then called away to London on business and suffered a stroke. Duncan joined him at Oldway.

After the birth of their son, Singer had asked Duncan to marry him several times, but she refused each time. At Oldway, however, she did attempt a trial run at married life. Singer wanted her to give up her career, believing she would still be happy. The life that he led with his aristocratic English friends, however, did not please Duncan. Moreover,

she did not wish to abandon her career. Singer, hoping to make her happy, suggested that she hire a pianist and dance in the ballroom. André Caplet, assistant director of the Colonne Orchestra, arrived from Paris to play for her.

Duncan first found Caplet unbearably ugly, which pleased Singer. One day, however, on an afternoon ride, Duncan discovered her passion for Caplet. It was a brief affair, but Singer discovered it and Duncan returned to Paris under less than ideal circumstances. Duncan continued to dance and tour. She and Singer reconciled, parted again, and reconciled again. However, they quarreled frequently about money and Duncan's flirtations.

On April 19, 1913, Singer asked Duncan to join him for lunch in Paris and to bring the children. They arrived in a rented car driven by an agency chauffeur. After lunch, Duncan rehearsed while the children and their nanny started back to Versailles.



Isadora Duncan. (Library of Congress)

Their car stalled and a tragic accident resulted in the death of Deirdre, Patrick, and the nanny. It was Singer who informed Duncan of the tragedy. Singer, deeply grieved, checked into a clinic; Duncan, also grief stricken, went to the island of Corfu to heal. Singer joined her there in the summer. Duncan's desire to have another child met only with displeasure from Singer, who abruptly left her one morning. Duncan later said that Singer could not bear her grief.

Nonetheless, the Duncan-Singer affair continued until 1916. Singer had joined Duncan in Palm Beach, Florida, that year. He had provided the funds to bring her young dancers, the Isadorables, to New York. He then proceeded to take a \$100,000 option on Madison Square Garden and offered the arena to her to use for her school of dance. Singer made the offer at a dinner party on March 6 for Duncan and a large number of her family and friends. Duncan sarcastically rejected his offer, quipping that he was simply using her name to advertise prizefights. In an extreme state of anger, Singer left the table and refused to see or communicate with Duncan again.

In 1918, having divorced Lillian Graham, Singer married Joan Balsh, a nurse who had been in charge of a soldiers' hospital on his Paignton estate. Duncan filled her life with parties and men. In 1922, she married Russian poet Sergei Esenin, who was eighteen years younger than Duncan. Esenin, however, committed suicide in 1925.

Duncan did see Singer once again shortly before her death on September 14, 1927. (She died from an accidental strangulation when her long shawl, which was around her neck, tangled in the wheel axle of the car in which she was riding.) Singer was no longer her Lohengrin nor her millionaire (he had lost much of his fortune) nor her passionate lover. He was simply a friend who had come to help her financially.

IMPACT

During the early years of the twentieth century, Duncan's affair with Singer was in every aspect scandalous. Singer was married and Duncan had an illegitimate child with him. Their affair provided her

with money for whatever she wanted, be it personal luxury or funding for her work in dance. However, their situation was not unique. Many wealthy—and married—men of the period were patrons of the arts and were involved in sexual affairs. What made the affair even more scandalous and noteworthy was that it was Duncan who was part of the affair. Her radical ideas about dance, politics, sex, and marriage, and her success as a dancer, caught the public's attention, and kept it throughout her career.

—Shawncey Webb

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1910

NOBELIST MARIE CURIE HAS AFFAIR WITH PHYSICIST PAUL LANGEVIN

Marie Curie's alleged romantic involvement with Langevin became a public scandal when his estranged wife encouraged a French newspaper to publish excerpts from Curie's letters to Paul Langevin, thus igniting a fierce controversy that nearly ruined Curie's career. Curie was attacked not only as a home breaker but also a Jew who had defiled a Christian home. Curie, however, was not Jewish.

ALSO KNOWN AS: Curie-Langevin affair

LOCALE: Paris, France

CATEGORIES: Public morals; sex; women's issues

KEY FIGURES

Marie Curie (1867-1934), Polish-born French chemist, who won two Nobel Prizes

Paul Langevin (1872-1946), physicist and Curie's lover

Jeanne Langevin (1889-1934), Langevin's wife

SUMMARY OF EVENT

Marie Curie, one of the world's most famous scientists, won the Nobel Prize in Physics in 1903 with her husband, physicist Pierre Curie, and scientist Henri Becquerel. Pierre's sudden death in a carriage accident in 1906 left Marie bereft. She was supported during this time by one of her husband's closest colleagues, Paul Langevin. Still relatively young at the age of thirty-eight, Curie became romantically involved with Langevin, even though he was married and the father of four children.

Curie empathized with Langevin's troubles at home: He told her of an unsympathetic wife who had no understanding of his work or of its importance. Curie's intensive involvement in his domestic difficulties drew her into a scandal that threatened to disrupt her work as a scientist and to ruin her public reputation.

Curie's personal story is appealing. She had grown up in Russian-occupied Poland and was denied access to higher education. On her savings from seven years as a governess, and with the help of her sister Bronia, she traveled to Paris, where she not only learned the language but also became an outstanding student and scientist and a colleague of Pierre Curie. The couple became famous for their scientific achievements and for their selfless devotion to the cause of science—refusing, for example, to patent or to profit directly from their most important discovery, the element radium.

The years between 1906 and 1910 had been stressful for Curie not only because of the loss of her husband and research partner but also because she took care of his ailing father (he died during this time as well) and coped with the responsibilities of a single mother. Curie had two young daughters, Irene and Eve, and as a devoted parent she worried over their childhood illnesses and their education (she set up a separate school for her children and the children of her colleagues). Curie, too, came to rely heavily on Langevin, a scientist she deeply respected for his work on sonar (a system that determines the position of unseen underwater objects) that developed from Pierre's experiments with crystals. Langevin and Curie taught science at a girls' school outside Paris.

As a woman who kept her own counsel and shared confidences only with her husband, Curie was susceptible to a person such as Langevin, who had an easy way with women and did not hesitate to tell Curie about his own domestic troubles. At one point, he came to his laboratory with bruises he said had been inflicted by his wife. A shocked and outraged Curie sent Langevin a letter suggesting that he separate from his wife, Jeanne.

Jeanne Langevin sensed the growing intimacy between her husband and Curie. On the alert to confirm her suspicions, Jeanne intercepted the Curie

letter advising Langevin to leave her, and also found other intimate messages between the two. With this evidence in hand, Jeanne threatened to have the letters published in the newspaper her brother edited. She then blackmailed Curie, who had earlier given Paul five thousand francs.

In spite of Curie's efforts to appease Jeanne, excerpts from the Curie letters were published in 1910. Curie was attacked as a home breaker and a foreigner who had taken advantage of her privileged position in France. Even more scurrilous were charges that the "Jewish" Curie had defiled a Christian home. (Curie was not Jewish.)

Curie was now a cause célèbre and the focus of xenophobic groups. Conservative newspapers attacked her morality and suggested she leave the country. Angry mobs protested her behavior, appearing at her laboratory and her home. An incensed Paul Langevin engaged in a duel with a newspaper editor—although no one was hurt.



Marie Curie. (© The Nobel Foundation)

IMPACT

Curie issued a statement in 1911, deploring efforts to connect her public and private lives. She refused to believe that her scientific work would be compromised by the slander. However, her colleagues in the scientific community did little to support her. Even so, she was awarded a second Nobel Prize in 1911. When the Nobel Academy asked her to not attend the ceremony (fearing public protests), she appeared nevertheless, refusing to behave as though she had done anything wrong.

It is perhaps this courageous and defiant act that helped to restore Curie's public reputation. After all, it was her indomitable character and rectitude that had contributed so much to her prestige and made her one of the world's most admired individuals. Although Curie never publicly acknowledged her affair with Langevin, she prudently cut off intimate contacts with him—a tacit acknowledgment of the impropriety of continuing a relationship that had aroused so much public ire.

Although the Curie-Langevin affair continued to be a public controversy until 1913, winning the second Nobel Prize enhanced Curie's standing—as did her efforts on behalf of France in World War I. She was instrumental in establishing an ambulance corps with mobile x-ray units, so that soldiers on the battlefield could receive immediate and expert medical care. This unflagging effort on behalf of her adopted country did much to restore and augment Curie's reputation.

Had Curie not maintained her proud, unbending persona during the scandal and had she not attempted to placate public opinion, the damage to her reputation might have been much greater. Instead, the affair became a lamentable but understandable lapse in an otherwise exemplary career.

Biographers have varied in their treatment of the affair. Curie's daughter, Eve, did not allude to it in her biography of her mother, and other biographers have given the affair only brief attention. Some have doubted that Curie and Langevin were lovers, although biographer Susan Quinn established that the couple rented a flat near the Sorbonne so they could meet, which certainly suggests an intimate and illicit liaison, judging by the standards of the

time. Other biographers have been keenly interested in how the affair revealed their subject's personality and have devoted entire chapters to the scandal.

—Carl Rollyson

FURTHER READING

Brian, Denis. *The Curies: A Biography of the Most Controversial Family in Science*. Hoboken, N.J.: John Wiley & Sons, 2005. Surveys the most notable biographies of Marie Curie but also takes into account subsequent generations and how both the Curies and their biographers have treated the affair with Langevin.

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Giroud, Françoise. *Marie Curie: A Life*. Translated by Lydia Davis. New York: Holmes & Meier, 1986. A good narrative work that includes a discussion of the Langevin affair and how Curie's reputation survived this temporary setback.

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Marie Curie Has Affair with Paul Langevin

material newly released and on interviews with Marie Curie's family.

Ogilvie, Marilyn Bailey. *Marie Curie: A Biography*. Westport, Conn.: Greenwood Press, 2004. A comprehensive biography that includes discussion of the sexism Curie faced and of the Langevin affair. Contains an annotated bibliography.

Quinn, Susan. *Marie Curie: A Life*. New York: Simon & Schuster, 1995. One of the most thorough discussions of the Langevin affair. Draws on extensive primary sources, including Curie's letters to Langevin.

Rollyson, Carl. *Marie Curie: Honesty in Science*. New York: iUniverse, 2004. One of the few children's biographies of Curie that deals with the Langevin affair. Includes extensive commentary on other Curie biographies, and features study questions.

SEE ALSO: 1907: Elinor Glyn's Novel *Three Weeks* Shocks Readers; 1909-1916: Dancer Isadora Duncan Begins Affair with Millionaire Heir; 1927: President Warren G. Harding's Lover Publishes Tell-All Memoir; Early 1928: Joseph P. Kennedy Begins an Affair with Gloria Swanson; Summer, 1936: Film Star Mary Astor's Diary Becomes a Public Sensation; Feb. 7, 1950: Swedish Film Star Ingrid Bergman Has a Child Out of Wedlock.

March 25, 1911

NEARLY 150 WORKERS DIE IN TRIANGLE SHIRTWAIST FACTORY FIRE

The Triangle Shirtwaist Factory fire was one of the worst industrial fires in American history. Within an hour, more than one hundred workers, mostly young women and girls, jumped to their deaths after being trapped by blocked exit doors and faulty fire escapes. Others died later from smoke inhalation. The ensuing scandal over the hazardous working conditions led to many state and federal labor laws on worker safety.

ALSO KNOWN AS: Triangle fire

LOCALE: New York, New York

CATEGORIES: Families and children; labor; law and the courts; social issues and reform; women's issues

KEY FIGURE

Robert F. Wagner (1877-1953), New York state senator, 1909-1918, and chairman of the state's Factory Investigating Commission, 1911-1915

SUMMARY OF EVENT

On March 25, 1911, at the end of a workday, a horrible fire broke out on the eighth floor of the ten-story building on the corner of Washington Place and Greene Street in Manhattan's Greenwich Village. The lower floors contained clothing shops that had closed at noon on this warm, spring Saturday. Floors eight, nine, and ten housed the Triangle Shirtwaist Company, a factory that employed about one thousand workers and made women's tailored shirts. The employees were working overtime on this particular day to supplement their typical weekly salary of six dollars. The fire, which spread quickly, had been fueled by bolts of cotton, linen, and silk fabric, and by laces and paper patterns, and quickly climbed to the hanging garments.

The fire, which started on the eighth floor, forced many of the workers, mostly girls and young women between the ages of thirteen and twenty-

three (and who were mostly of Jewish, Italian, and German descent), to jump from the windows. A fire truck soon arrived but had trouble getting its hose wagon into position because of the dead bodies on the pavement. Finally, distraught firefighters pulled out a life net and attempted to catch people as they jumped. The jumpers, however, bounced from the net and were killed after hitting the concrete. Next, hopeful rescuers tried to catch jumpers with a horse blanket, but the blanket split and became useless as well.

Some male factory employees reportedly tried to quench the fire with buckets of water, but this effort proved futile. The remaining young employees panicked and headed for the elevators and the stairway. As the workers pounded on the stairway doors, the doors slammed shut because they opened in rather than out. Others ran to the building's two elevators, which could carry approximately ten passengers each, and were able to escape to the street. Employees still upstairs finally got the stairway door open and ran down the stairs and escaped, but most suffered burns. Three male employees tried to form a human chain from an eighth-floor window to the adjacent window next door, but they lost their balance and fell eighty feet to their deaths. More firefighters arrived but soon learned their hoses could reach to the seventh floor only. Workers jumped and tried to reach the top of a firefighting ladder, but plummeted to the street instead. Interns arrived in horse-drawn ambulances from three area hospitals but by this time only covered and tagged the dead bodies.

Many of the employees who jumped had worked on the ninth floor. As flames from the eighth floor burned the windowsills of the ninth floor, women raced to the stairway, but the door was locked. An elevator attendant finally arrived at the ninth floor but could take a few women only down to the street level. As the attendant tried to go back up, he heard

bodies hitting the top of the elevator and saw blood and coins falling through the shaft. Police later reported pulling more than twenty-five charred bodies from the elevator shaft, and firefighters indicated they found nineteen bodies melted against the locked door.

Some workers on the tenth floor got news of the fire and initially believed it was a prank, but they soon smelled the smoke and climbed onto the roof. Students from nearby New York University Law School lowered a ladder onto the burning building's roof and led almost 150 workers to safety. By this time, firefighters with water hoses had reached the upper floors and began to extinguish the flames and look for survivors. The Triangle Building had one inadequate fire escape: one ladder that led to a narrow courtyard (which during this fire was filled

Nearly 150 Die in Triangle Shirtwaist Factory Fire

with smoke). Many of the workers had struggled to breathe during the fire, and the few that survived the fire itself later died from smoke inhalation.

As nightfall approached, firefighters and police officers began removing bodies from the upper floors of the building. They used nets and horse blankets to lower two to three bodies at a time out the windows, into rows on a dark red canvas. It took all night for ambulances to take the bodies to the morgue. A tin-roofed pier on the East River had to be used as a temporary morgue because of the large number of bodies. The next few days would bring hundreds of relatives and friends to try and identify their loved ones.

Strangely, the Triangle Building was made of steel and concrete and was considered fireproof. The exterior was undamaged. Except for the black-

1910's



Mourners protest poor working conditions in the aftermath of the Triangle Shirtwaist Factory fire. (NARA)

ened windows of the eighth, ninth, and tenth floors, it was difficult to notice that there had been a fire. The source of the fire remains unidentified, but there have been rumors that a man who had been smoking threw either a lit match or a cigarette on the fabric- and paper-covered floor.

Isaac Harris and Max Blanck, owners of the Triangle Shirtwaist Company, were acquitted of wrongdoing in the fire. However, twenty-three families sued them and were awarded seventy-five dollars each.

IMPACT

Appalled by the fire and loss of life, supporters of women's rights and labor unions cried out for lawmakers to implement worker health and safety laws and to regulate industry. The public reacted to the disaster with shock and outrage. There were protest meetings throughout the city, and a citywide mourning procession drew an estimated 120,000 marchers and 400,000 spectators. The public was outraged as well when Harris and Blanck were acquitted of manslaughter charges.

Following public demands, the New York State legislature created the Factory Investigating Commission, chaired by state senator Robert F. Wagner, which looked into the hazardous conditions of the city's sewing factories, or sweatshops. The commission's conclusions led to the implementation of labor laws designed to protect workers, to the creation of a fire prevention division for the fire department, and to the National Labor Relations (Wagner) Act of 1935, which guaranteed labor's right to organize and bargain collectively; labor unions quickly emerged.

Other building codes were instituted. These new codes included the following: all interior doors must open out and no doors may be locked during working hours; sprinkler systems must be installed if a business employs more than twenty-five people above the ground floor, and fire drills are mandated if a building does not have a sprinkler system. Fire extinguishers and education about fire prevention and escape routes also became mandatory. The fire also led to increased support for labor unions such as the International Ladies' Garment Workers'

Union, and it led to the development of the U.S. Department of Labor's Occupational Health and Safety Administration (OSHA) standards.

—Leigh Southward

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Von Drehle, David. "Trial by Fire: Vital Records Were Missing and Would Have Stayed Missing Were It Not for a Dead Lawyer's Vanity." *Smithsonian*, August, 2006. Von Drehle, a senior writer at *The Washington Post*, tells the story of his determined effort to find missing documents, lost trial transcripts, and fire marshal and coroner reports about the tragedy. The found records had helped reform the country's labor laws.

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led to changes in workplace laws. Also includes the only complete list of victims of the fire.

SEE ALSO: 1930: Liberia Is Accused of Selling Its Own Citizens into Slavery; Feb. 23, 1943: Irish

Orphan School Fire Kills Thirty-five Girls; Beginning Aug. 29, 2005: Government Incompetence Mars Hurricane Katrina Relief Efforts; Nov. 17, 2005: Liberian Workers Sue Bridge-stone Firestone over Slave Labor.

January, 1913

BRITISH PRIME MINISTER'S STAFF IS INVESTIGATED FOR INSIDER TRADING

1910's

High-level staff members of British prime minister H. H. Asquith's government were investigated for insider trading after buying shares of Guglielmo Marconi's Wireless Telegraph Company and profiting from the purchases. Those implicated had advance knowledge that the government was to sign a contract with Marconi, and that Marconi shares would increase in value as a result of that contract. The scandal, which led to the fall of Asquith's government, did not result in criminal convictions.

ALSO KNOWN AS: Marconi scandal

LOCALE: London, England

CATEGORIES: Corruption; government; politics; business; trade and commerce; law and the courts; publishing and journalism; public morals; ethics

KEY FIGURES

Guglielmo Marconi (1874-1937), Italian physicist and inventor, who founded the Marconi company

Godfrey Isaacs (1867-1925), managing director of the Marconi company

H. H. Asquith (1852-1928), British prime minister, 1908-1916

David Lloyd George (1863-1945), Chancellor of the Exchequer, and future prime minister, 1916-1922

Rufus Isaacs (1860-1935), Liberal Party attorney general

Alexander Murray (1870-1920), Liberal Party treasurer

Herbert Samuel (1870-1963), British postmaster general

*Cecil Chesterton (1879-1918), editor at *The Eye-Witness**

SUMMARY OF EVENT

The Marconi scandal was an insider-trading scheme that helped to bring down the government of Liberal Party prime minister H. H. Asquith in 1915. The alleged crime centered on the purchase of shares in Marconi's Wireless Telegraph Company by leading officials in Asquith's government. These high-level officials included his successor, the Chancellor of the Exchequer, David Lloyd George; Attorney General Rufus Isaacs; Postmaster General Herbert Samuel; and the Liberal Party treasurer, Alexander Murray.

The charges against Asquith's staff were based on the purchase of shares in an American subsidiary of Marconi by cabinet ministers motivated by insider information about a pending contract between the government and Marconi. The contract called for the construction of state-owned wireless telegraphy (radio) stations throughout Great Britain. The government link to Marconi was Asquith's attorney general, Rufus Isaacs, whose brother, Godfrey Isaacs, was chairman of Marconi. In 1923, Rufus Isaacs established the Israel Electric Corporation (IEC) in the British Mandate of Palestine. IEC remains the primary distributor of electricity in Israel.

The British learned that Guglielmo Marconi, company founder, had filed an application for a United States patent on a transmitting apparatus for wireless telegraphy on July 15, 1910. The patent was issued a year later, on July 11, 1911. Asquith's cabinet approved the plan to purchase telegraphy services from the Marconi company, and from August, 1911, through April, 1912, Marconi company shares experienced a sharp price increase.

Reporters started to probe the deal, which began with an agreement signed in early March for the construction of six telegraphy stations, after news of the contract was made public. The contract was

formalized later that spring. Taking the lead was *The Eye-Witness* (later called *The New Witness*), a publication edited by Cecil Chesterton, brother of writer and literary critic G. K. Chesterton. The Chesterton brothers, along with *The Eye-Witness's* founder, Hilaire Belloc, were soon accused of anti-Semitism, but such charges hold little historical weight given that a British parliamentary investigation found the government coconspirators did, in fact, buy Marconi shares and profited from the deal. Furthermore, neither of the government officials implicated in the scandal were Jewish, except the Isaacs. It is far more probable that countercharges of anti-Semitism were stoked to undermine the credibility of the criminal allegations and neutralize public perceptions of the criminality and seriousness of the claims, particularly given the lessons learned by European governments in the aftermath of the Dreyfus affair in France at the turn of the century.

The British parliament began its investigation of the Marconi deal in January, 1913. The parliamentary inquest, in its "Reports from the Select Committee on Marconi's Wireless Telegraph Company, Limited, Agreement," found that Asquith's staff had sold Marconi shares long before the April, 1912, public announcement of the contract. After the announcement, the company's shares rose even more to a solid 33 percent. Government staff earned a significant amount of money from sales of the shares: Godfrey Isaacs earned £10,000; Rufus Isaacs earned £20,000 and then sold £2,000 in shares to Lloyd George; and Samuel earned £2,532. Murray purchased three thousand Marconi shares for himself and an additional three thousand shares for the Liberal Party.

Although the parliamentary investigation found that Lloyd George, Samuel, Murray, and Rufus and Godfrey Isaacs had directly profited from inside information, the panel ruled that no political corruption occurred, and the five were virtually exonerated. Subsequently, Godfrey Isaacs sued Cecil Chesterton for criminal libel and won. Chesterton was fined one hundred pounds plus court costs.

Support for Prime Minister Asquith's Liberal Party government already had eroded significantly in parliamentary elections by 1911. He was able to



H. H. Asquith. (Library of Congress)

WHAT IS INSIDER TRADING?

Black's Law Dictionary defines insider trading as "transactions in shares of publicly held corporations by persons with inside or advance information on which the trading is based."

The *Oxford English Dictionary* (*OED*) refers specifically to Marconi scandal player Rufus Isaacs in its definition of an "insider." The *OED* defines an insider as a person within the limits of some organization in "possession of special information" and, hence, "in the secret." The *OED* entry states, in part, the following:

1913 *Q. Rev.* July 256: At any rate, as regards the 10,000 shares bought by Sir Rufus Isaacs, they took part in it as "insiders" exploiting the ignorance of the public.

Insider trading is the reaping of personal profit or pecuniary gain from the use of inside information, or preknowledge, not available to the general public. Illegal insider trading involves the participation of a corporate insider or other person, such as a public official, who is violating his or her fiduciary duty or otherwise misappropriating nonpublic information and trading on it or secretly relaying that information.

Insider trading is based on common law prohibitions against fraud. Not all insider trading is illegal. To qualify as criminal activity a number of factors must be present, including pecuniary gain; the information must be private or information not generally available to the public; and there must be an intention to defraud, a lack of full disclosure, and a breach of a fiduciary duty.

hold on to power in 1911 only by enlisting the support of Irish Nationalists in the House of Commons. His Liberal government collapsed in 1915, and Lloyd George succeeded Asquith as prime minister in a coalition government in 1916.

IMPACT

The accusations of insider trading among members of Asquith's government certainly accelerated the collapse of his government in 1915. However, historians have largely ignored the role of the Marconi scandal in the demise of Asquith's prime ministry.

The respected *Chambers Biographical Dictionary*, for example, makes no reference to the scandal in its entry on Asquith. Such omissions, however, do not obscure the relationship between the development of corporate entities, nation-states, and technology in Western history.

Since at least the Scientific Revolution, science and technology have been envisioned as enhancing the interests of the state in architecture, communications, engineering, industry, and the military. In the modern era, the relationship between corporate structures such as Marconi and nation-states such as the United Kingdom has only expanded, as industrialization shifted the economic dynamics away from agrarian markets to the concentration of capital and industry in urban centers.

The deleterious mix of government and corporate interests continues to make headlines and policy as the revolving door between the halls of government and corporate lobbying firms continues unabated. Corporate special interests continue to subvert and overwhelm the public interest.

—Keith Carson

FURTHER READING

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Cheyette, Bryan. "Racism and Revision: Hilaire Belloc and the 'Marconi Scandal,' 1900-1914." In *The Politics of Marginality: Race, the Radical Right, and Minorities in Twentieth Century Britain*, edited by Tony Kushner and Kenneth Lunn. Savage, Md.: F. Cass, 1990. In this article, subtitled "a reassessment of the interactionist model of racial hatred," the author examines the charge of anti-Semitism made against investigators, including government officials and journalists, of the Marconi scandal.

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ter the Marconi scandal. Donaldson's report of this convoluted proceeding is filled with all the intrigue of a mystery novel.

Packer, Ian. *Liberal Government and Politics, 1905-1915*. New York: Palgrave Macmillan, 2006. An analysis of British Liberalism during the early years of the twentieth century, describing the major concerns of Liberals and how the party fashioned its domestic and foreign policies, including its contracts with foreign companies such as Marconi. Concludes with a section on Asquith's government.

SEE ALSO: May, 1915: British Government Falls Because of Munitions Shortages and Military

Setbacks; June 22, 1922: British Prime Minister David Lloyd George Is Accused of Selling Honors; June 22, 1972: Police Arrest Architect John Poulson for Bribery and Fraud; Feb. 4, 1976: Lockheed Is Implicated in Bribing Foreign Officials; 1985-1986: Westland Affair Shakes Prime Minister Thatcher's Government; June, 1988-June, 1989: Insider-Trading Scandal Rocks Japanese Government; Aug. 27, 1990: Guinness Four Are Found Guilty of Share-Trading Fraud; Apr. 5, 1991: George W. Bush Is Investigated for Insider Trading; Mar. 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal; Oct. 22, 2006: Chilean Politicians Use Community Funds for Personal Campaigns.

January 13, 1913

FEDERAL JUDGE IS IMPEACHED FOR PROFITING FROM HIS OFFICE

Judge Robert W. Archibald, appointed to the U.S. Commerce Court by President William Howard Taft, engaged in questionable financial dealings with railroad companies. He was convicted by Congress and removed from the bench for life for encouraging companies to act in his financial interest. The case caused a national scandal not only because a judge was impeached but also because a federal court, the Commerce Court, was abolished as a consequence.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; law and the courts; government; politics

KEY FIGURES

Robert W. Archibald (1848-1926), U.S. district court judge and U.S. Commerce Court associate judge

John W. Davis (1873-1955), U.S. representative from West Virginia

William Howard Taft (1857-1930), president of the United States, 1909-1913

SUMMARY OF EVENT

U.S. president William Howard Taft proposed a federal-level commerce court to try cases involving interstate commerce. Created by congressional act, five judges were appointed to serve on the new U.S. Commerce Court. The court had received dubious public and congressional support and soon came under scrutiny for handing down decisions too favorable to the railroad companies. The court's reputation came under even greater attack when one of its judges, Robert W. Archibald, was accused of improper conduct and impeached for making deals with railroad companies for his financial gain.

On June 18, 1910, the U.S. Congress created the Commerce Court by passing the Mann-Elkins Act, effective February 8, 1911. The court was conceived as the venue to hear cases concerning the Interstate Commerce Act (1887) and to decide cases arising from appeals of decisions made by the Interstate Commerce Commission (ICC), which was created by the Interstate Commerce Act.

Problems started soon after the Commerce Court began to hear cases. Many accused the court of

making decisions that unfairly favored railroad interests. The U.S. Supreme Court, which heard appeals of Commerce Court decisions, took away some of the new court's jurisdiction by ruling that it could not hear some cases appealing ICC decisions on rate changes. The public at the time supported the ICC, and the Commerce Court's tendency to reverse ICC decisions made it unpopular. The Supreme Court also reversed ten of the new court's first twelve decisions that had been appealed.

Bad publicity and negative sentiment surrounding Commerce Court decisions simply made a bad situation worse. A more pressing problem came to light. Rumors began to circulate in Pennsylvania that Archibald was making deals with railroad companies, a direct conflict of interest. He was familiar to the area because of his tenure as a Pennsylvania circuit court judge. Furthermore, even before Judge Archibald's appointment was confirmed, the Senate Judiciary Committee had been investigating some of his past financial affairs. He had been involved with a failed corporation, which led to heavy financial losses for its shareholders.

Further investigations revealed that Archibald had made a deal with the Erie Railroad. He had been trying to buy a culm heap in Pennsylvania that was on land owned by the Erie Railroad. Culm was a coal product that for many years was considered worthless to industry. However, the invention of a process of using the culm to generate power suddenly made culm heaps valuable. Archibald had attempted to arrange the purchase through Edward J. Williams, an attorney he hired to act on his behalf. The Erie Railroad would not sell the culm heap to Williams, so Archibald stepped in and began his own negotiations. Williams later stated that he had advised Archibald against the dealings.

Archibald went ahead with the purchase, paying thirty-five hundred dollars and arranging to sell the same heap to the Lackawanna and Wyoming Valley Railroad for thirty-five thousand dollars in a deal that would have netted Archibald a huge profit. The deal, however, was stalled because of issues with the land's title and because the railroad's executive had not yet signed the purchase agreement by the time the story became public. Newspapers detailed

the transaction between Archibald and the railroad, and people began to call for an investigation; some called for Archibald's impeachment.

A special committee, headed by Representative John W. Davis from West Virginia, investigated the allegations against Archibald. Davis spoke to Congress about Archibald's actions and argued that even though none of the charges brought against the judge could lead to impeachment, the judge's actions were impeachable. Davis's proclamations helped to make him a nationally recognized politician; in 1924 he was the Democratic nominee for president.

Most of the thirteen charges against Archibald centered on his using his position to get financial favors from railroads and related companies, although neither of the railroads in question faced him in court. It was likely, however, they would have faced him had the dealings not come to light and he continued his tenure. Although judges were permitted to make personal financial transactions, they could not make those transactions, as Archibald did, from their positions as standing judges. Such transactions would constitute a gross conflict of interest. (Archibald even used Commerce Court stationery to carry out his negotiations with the railroad companies.)

On July 13, 1912, the U.S. House of Representatives impeached Archibald by a vote of 223-1. His impeachment trial in the Senate began four days later. On January 13, 1913, the Senate convicted him of five of the thirteen charges, removed him from office, and permanently barred him from holding legal or political office.

IMPACT

The Archibald impeachment proceedings were followed closely by Americans. Even before the Archibald case, there had been much outcry against the Commerce Court. The accusation that one of its members was involved in illegal dealings with the railroads seemed to confirm suspicions that the court, from the start, had been biased in favor of the railroads. On October 22, 1913, the Commerce Court was abolished, effective December 31 of the same year. The act to abolish the court, which Taft

had previously vetoed, was carried through after the new president, Woodrow Wilson, signed the bill into law.

The impeachment trial, the dissolution of the Commerce Court, and the publicity did little to help the government's image as a public advocate. Instead, the case gave rise to an increasing feeling that many of the prominent individuals in the country were in the pockets of the railroads. There have been few impeachment proceedings in U.S. history, but the Archibald case, enmeshed as it was with the dissolution of a national court, riveted the nation.

—Helen Davidson

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February 17–March 15, 1913

ARMORY MODERN ART SHOW SCANDALIZES THE PUBLIC

The Armory Show of Modern Art in New York led to public condemnation because of the radical newness of the art. Works were labeled as filthy and degrading, and were laughed at, by noted reviewers. No exhibition so completely changed American knowledge of and attitudes about modern art.

ALSO KNOWN AS: International Exhibition of Modern Art

LOCALE: New York, New York

CATEGORIES: Art movements; cultural and intellectual history; popular culture

KEY FIGURES

Arthur B. Davies (1862–1928), painter, founding member of the Association of American Painters and Sculptors (AAPS), and lead Armory Show organizer

Walt Kuhn (1877–1949), painter, AAPS secretary, and Armory Show organizer

Walter Pach (1883–1958), American painter, art critic, and Armory Show organizer

SUMMARY OF EVENT

No twentieth century art event left as profound an impression on American artists and the art-viewing public as did the Armory Show of Modern Art in the winter of 1913. Officially called the International Exhibition of Modern Art, the show marked, both literally and symbolically, the moment when modern art entered the American consciousness. There had been innovative and eye-opening exhibitions earlier in the United States, including the 1908 show of modern European art at the 291 gallery in New York, directed by photographer Alfred Stieglitz. This show featured many of the same artists whose work would be exhibited at the Armory five years later. Another show in 1908, featuring members of the Ashcan school, included new realist art by Robert Henri, George Bellows, and John Sloan, who would later exhibit at the Armory Show. The

show at the Armory, however, was unique—and scandalous—in bringing together modern American art and avant-garde European art into one exhibition.

The exhibition of 1,250 paintings, sculptures, and decorative works by more than three hundred European and American artists was exhibited in eighteen different galleries in Manhattan's Sixty-ninth Regiment Armory. Visitor totals grew successively during each of the four weeks of the show, with ten thousand people viewing on closing day, March 15. National publicity brought the exhibition to other cities in the United States, but it was the New York show that marked the arrival of modern art in the United States so dramatically for later art critics and historians. The Armory displayed the works of artists who would have a major impact on twentieth century art and art commerce. Henri Matisse, Paul Cezanne, Vincent van Gogh, Pablo Picasso, Paul Gauguin, Marcel Duchamp, Edvard Munch, Constantin Brancusi, Wassily Kandinsky, Mary Cassatt, James McNeill Whistler, Albert Pinkham Ryder, and Edward Hopper were represented at the show. Never again would such an illustrious group of artists, in such numbers, come together in the United States, and never again would their impact be so concentrated in one place at one time.

The Armory Show was organized, mainly, by American painters Arthur B. Davies and Walter Pach, officers of the recently formed Association of American Painters and Sculptors. Painter and art critic Walter Kuhn helped as well, although Davies, in the end, was the driving force. The original idea called for a show—like the 1908 realist exhibition—that would feature the work of emerging American artists. This plan changed when Davies saw a catalog of the 1912 Sonderbund Exhibition in Cologne, Germany, which inspired him to include modern art from Europe in the New York show. Kuhn traveled to Cologne to see the show and was stunned by the work, which included 125 pieces by

van Gogh, 26 by Cezanne, 25 by Gauguin, and 16 by Picasso. In no time the three organizers agreed that this new European art, much of which had never before been seen in the United States, must be included in the Armory Show. Davies sailed to Paris and, with the help of Pach, a resident of Paris, began identifying the works they would like to feature in their own show. After returning to the United States, the three organizers borrowed further works from American collectors, and by the end of the year they were advertising the exhibition for early 1913.

The Armory building was partitioned into octagonal gallery rooms containing roughly seven hundred American and five hundred European works. Organizers printed fifty thousand catalogs of the exhibition, which opened February 17, 1913; about three thousand people attended. The show quickly turned into a media event. Initial reviews recognized the importance of the show, but attendance in the first few weeks was sparse. Negative publicity soon followed and included jokes and spoofs. French painter Marcel Duchamp's cubist painting *Nude Descending a Staircase* was called both "Rude Descending a Staircase" and "an explosion in a shingle factory." The show, however, became the talk of the art world as well. Notable visiting figures included former U.S. president Theodore Roosevelt (who also reviewed the show), singer Enrico Caruso, journalists John Reed and Walter Lippmann, and many others.

The consensus among mainstream reviewers was that the show demonstrated what happens when decadent, radical artists break with tradition: controversy, condemnation, and scandal. Most of the abuse was aimed at the European artists; the American nudes did not cause the same stir as the less realistic cubist versions (from Europe) of the same subjects. The most savage attacks were directed at Matisse, whose work was described as "filth." People laughed at the works of Duchamp and Brancusi. The overall tone of these reviews was made clear in a piece in *The New York Times* that appeared the day after the show closed: The exhibition, the review notes, "is surely a part of the general movement . . . to disrupt, degrade, if not de-



Armory Show poster from 1913.

stroy, not only art but literature and society too . . . the Cubists and Futurists are cousins to anarchists in politics."

After less than one month at the Armory, the show was dismantled and a portion was shipped to exhibitions in Chicago and Boston. The Chicago show, at the Art Institute (March 24-April 16, 1913) had 200,000 visitors, but the Boston exhibition (April 28-May 19, 1913) was viewed by a disappointing 12,600 people. The damage had been done, however, and modern art had sailed past the Statue of Liberty and into American life forever.

IMPACT

The Armory Show had multiple and wide ranging effects, including sales: 174 items from the show were sold at incredibly low prices (by modern standards). For example, Duchamp's *Nude Descending*

a *Staircase* was bought by a San Francisco art dealer for a mere \$324. Individual buyers as well as art collectors (such as Albert C. Barnes) purchased works from the exhibition.

A more lasting impact was the show's effect on the consciousness of professionals and amateurs alike. Some American artists, such as Cassatt and Whistler, had studied and worked in Europe. Others, however, knew of artistic trends in Europe only from reviews and by word of mouth. For those not privy to the trends, the exhibition, and especially the work of its French and Russian participants, was a revelation. Many American artists shifted their work to more modernist forms in the years after the show.

Likewise, the artistic orthodoxy that had prevailed in the United States since the nineteenth century, with all its conventions and tradition, had been replaced by a sense of the far-reaching implications of the new art. Artists, much like art aficionados, were suddenly aware of the new art movements—such as cubism, Futurism, and expressionism—and artists such as van Gogh and Cezanne suddenly formed a new constellation.

The show also confirmed developments in other art forms, such as music (for example, Igor Stravinsky's *The Rite of Spring*, 1910; and Arnold Schoenberg's twelve-tone scale). Literature, too, was changing (for example, James Joyce's *Dubliners*, 1914; and T. S. Eliot's "The Love Song of J. Alfred Prufrock," 1915). One of the main collectors of modern European art at this time, and one of the inspirations for the Armory Show, was American expatriate writer Gertrude Stein, who lived in Paris. Her experiments with language, narration, and point of view (such as in *Tender Buttons*, 1914) paralleled, in many ways, the experiments that visual artists in the Armory Show were making in the elements of their craft. The show thus confirmed a major shift in the arts and literature at the beginning of the twentieth century, a shift that eventually would be called modernism. Modernism, in turn, had a profound influence on art and culture in the twentieth century.

—David Peck

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Surrealist Film *L'Âge d'or* Provokes French Rioting; Jan. 20, 1933: Hedy Lamarr Appears Nude in the Czech Film *Exstase*; May 21, 2003: Sexually Provocative Film *The Brown Bunny* Premieres at Cannes Film Festival.

May 13, 1913

BOXER JACK JOHNSON IS IMPRISONED FOR ABETTING PROSTITUTION

The first black boxer to become world heavyweight champion, Jack Johnson led an extravagant lifestyle that included romantic liaisons with white women. These scandalous relationships eventually led authorities to charge him with helping a prostitute cross state lines, a violation of the Mann Act. After the act was broadly interpreted to convict Johnson, he fled the United States and spent years in exile before surrendering to authorities. U.S. lawmakers and other supporters sought a presidential pardon of Johnson, beginning in 2004.

LOCALE: Galveston, Texas

CATEGORIES: Racism; prostitution; law and the courts; public morals; social issues and reform; sports

KEY FIGURES

Jack Johnson (1878-1946), first black heavyweight boxing champion

Lucille Cameron (b. 1894), Johnson's second wife and a former prostitute

Belle Schreiber (b. 1886), prostitute who testified during the Mann Act trial

SUMMARY OF EVENT

Professional boxer Jack Johnson's relationships with white women led to his conviction on May 13, 1913, for violating the White-Slave Traffic Act of 1910, better known as the Mann Act. Although the primary purpose of the Mann Act was to regulate

prostitution and debauchery (specifically, the interstate transportation of girls and women for "immoral purposes") and human trafficking (white slavery), the wording of the law was vague and broadly interpreted. Johnson was the first person prosecuted under this law.



Jack Johnson. (Library of Congress)

Johnson was born to former slaves in Galveston, Texas, on March 31, 1878. One of nine children, he completed five years of formal schooling before he began working at the Galveston shipping docks as a stevedore. He fought his first bout at the age of fifteen and in 1897 turned professional. In turn of the century America opportunities for black competitors in sports were few. Johnson was relegated to fighting in small private clubs against other black boxers for very little money.

Johnson's swagger, outspoken demeanor, intelligence, and good looks would soon raise the ire of the white boxing world. In 1901, a Polish-born Jewish heavyweight boxer from San Francisco, California—Joe Choynski, nicknamed Chrysanthemum Joe—was recruited to take on the immodest Johnson in a match in Galveston. Choynski knocked Johnson out in the third round. Because boxing was illegal in Texas, both fighters were jailed for twenty-three days for engaging in an illegal contest. Johnson's skills in the ring, however, convinced Choynski to remain in Texas after his release from jail and to hone Johnson's boxing skills.

Johnson had a love of fast cars, expensive jewelry, and white women, which gave him a reputation as a flamboyant and flaunting black man in the white boxing world. His traveling companions, too, included many women, most of them white. Serious trouble came when Johnson won the title of world heavyweight champion after knocking out Canadian world champion Tommy Burns in Sydney, Australia, on December 26, 1908. Johnson's victory was followed by racial turmoil and animosity. Whites began to call for a so-called Great White Hope to defeat the black pugilist and regain both the heavyweight title and racial superiority. In 1909, Johnson emerged victorious in bouts against Victor McLaglen, Frank Moran, Tony Ross, Al Kaufman, and middleweight champion Stanley Ketchel.

Finally, in 1910, former heavyweight champion James J. Jeffries came out of retirement to fight

SECTION 2 OF THE MANN ACT OF 1910

That any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to the practice of debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in any Territory or the District of Columbia, shall be deemed guilty of a felony. . . .

Johnson and reclaim the title for whites. On July 4 in Reno, Nevada, in front of about twenty-two thousand fans, Johnson and Jeffries engaged in pugilistic combat in a match hailed as the Fight of the Century. In the fifteenth round, and after his second knockdown, Jeffries' corner stopped the fight to keep Johnson from knocking out their fighter.

Race riots ensued through much of the nation after the fight. Two dozen people, twenty-two of them black, were killed during the disturbances. Later, states began to pass laws banning the transportation of films of the Johnson-Jeffries match for fear of circulating images of a black fighter's victory over a white fighter and, thereby, inciting more violence.

Johnson continued to flout many social conventions, appearing before the American public as a proud and wealthy black man. On January 18, 1911, he married Etta Duryea, a white woman and daughter of a well-to-do businessman from Long Island. Johnson did not know that Duryea was prone to nervousness and emotional upheavals. She killed herself on September 11, 1912, and within weeks Johnson remarried. His second wife was Lucille

Cameron, a white woman and former prostitute from Minneapolis, Minnesota. They had a tempestuous relationship, and Cameron's mother sought to end the marriage by asserting that Johnson had kidnapped her daughter and engaged in lewd and lascivious behavior with her. Cameron refused to cooperate with authorities and the case was dropped.

Johnson's legal troubles continued, however. In perhaps the most notorious of cases against a black athlete in the United States, Johnson was charged with wiring money to a former prostitute, Belle Schreiber, for a train ticket to travel from Pittsburgh, Pennsylvania, to Chicago, Illinois. He was found guilty of abetting prostitution—transporting Schreiber across state lines—a violation of the Mann Act. He was sentenced to one year and one day in jail and fined one thousand dollars.

During his appeal, Johnson and Cameron fled the United States and lived in exile in Europe for seven years before surrendering to authorities on July 20, 1920. Five days after his initial voluntary surrender to federal authorities, government agents escorted him to Leavenworth, Kansas, to begin his sentence. At the Leavenworth depot, Johnson and his escorts were met by a black cab driver who offered to drive the party to the penitentiary. Johnson refused the service of the cabman, preferring instead to drive himself. Sunday morning, September 19, Johnson became federal prisoner no. 15461.

Johnson was a model prisoner. He developed a patent for a modified wrench designed to assist in loosening fastening devices. Former acting governor of Nevada, Denver S. Dickerson, the person who had made the 1910 fight between Johnson and Jeffries in Reno possible, and who made a good sum of money from the outcome, acted as a powerful ally to help ensure Johnson's safety while incarcerated.

Cameron and Johnson divorced in 1924. Johnson then married Irene Pineau in August, 1925. They remained married until his death in a vehicle accident in Raleigh, North Carolina, in 1946, at the age of sixty-eight. Johnson was inducted into the Boxing Hall of Fame in 1954 and is part of the International Boxing Hall of Fame and the World Boxing Hall of Fame. His legacy influenced Cassius

Clay, better known as Muhammad Ali. Johnson's life and career are documented in the 1970 biopic *The Great White Hope* as well as in many books and magazines. In 2005, Ken Burns produced a two-part, Emmy Award-winning documentary about Johnson's life, *Unforgivable Blackness: The Rise and Fall of Jack Johnson*.

IMPACT

Johnson's career as a champion boxer, and more specifically his conviction based on an overbroad interpretation and application of the Mann Act, helped to bring about changes in how the law was interpreted. The changes were slow in coming, but a rising awareness of the act's ambiguity, coupled with changing social views regarding race and racism, led to calls for the law to be properly and fairly implemented.

In 2004 federal legislators unanimously passed a bill supporting a posthumous presidential pardon of Johnson because his conviction was won on weak grounds and because it was racially motivated. The committee seeking the pardon included senators John McCain, Edward Kennedy, and Orrin Hatch; Johnson biographers Geoffrey C. Ward and Randy Roberts; columnists Pete Hamill and Jack Newfield; boxers Sugar Ray Robinson, Bernard Hopkins, John Ruiz, and Vernon Forrest; and filmmaker Burns. If pardoned, Johnson would be the second person in American history to receive such an honor.

—Wendy L. Hicks

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SEE ALSO: Mar. 30, 1931: "Scottsboro Boys" Are Railroaded Through Rape Trials; Dec. 12, 1957: Rock Star Jerry Lee Lewis Marries Thirteen-Year-Old Cousin; July 2, 1963: Muslim Leader Elijah Muhammad Is Sued for Paternity; July 19, 1985: Mayflower Madam Pleads Guilty to Promoting Prostitution; July 1, 2003: Basketball Star Kobe Bryant Is Accused of Rape.

April 2, 1915

PLAYERS FIX LIVERPOOL-MANCHESTER UNITED SOCCER MATCH

In one of the most infamous scandals in the history of association football, or soccer, players from Manchester United and Liverpool fixed a game for money. All accused players were eventually banned from the football league but were later reinstated.

LOCALE: Manchester, England

CATEGORIES: Corruption; gambling; law and the courts; organized crime and racketeering; sports

KEY FIGURES

Jackie Sheldon (1887-1941), Liverpool football player and main conspirator

Tom Miller (fl. early twentieth century), Liverpool football player

Bob Purcell (fl. early twentieth century), Liverpool football player

Tom Fairfoul (1881-1952), Liverpool football player

Fred Pagnam (1891-1962), Liverpool football player

Sandy Turnbull (1884-1917), Manchester United football player

Arthur Whaley (fl. early twentieth century), Manchester United football player

Enoch West (1886-1965), Manchester United football player

SUMMARY OF EVENT

Several versions of British football and similar games have been played in public schools, universities, amateur athletic clubs, and other venues throughout modern history in the West. In 1863, an official list of rules and regulations dictating how the game is to be played was adopted in London and soon spread throughout England. This codification, along with the growing popularity of the sport, led to the creation of several amateur football clubs and associations across the region. Although the practice was not yet legal, athletes who were skilled at football were paid a nominal fee to support themselves financially.

Professionalism in sports was legalized in 1885, and the first professional football league was established in 1888. Originally known as the Aston Villa Football Club, the league started with twelve teams and was directed by William McGregor. Within twenty years there were two divisions with a total of forty teams. The sport of football had now become the national sport of England.

At the time of the origin of British football, gambling on sports was an established phenomenon. Indeed, cash betting had long existed within sports such as cricket and other competitions with long histories. To avoid the negative impact that betting could have on the sport, legislation was passed to criminalize betting, including the Betting Houses Act of 1853 and the Street Betting Act of 1906. Despite these new laws against gambling, however, spectators and players continued to exchange money with bookmakers while guessing the outcomes of games. This brought great temptation to the players, who often believed they were greatly underpaid, to get more money.

On April 2, 1915, a game between Manchester United (MU) and Liverpool saw MU win by a score of 2-0. Rumors following the game claimed that Liverpool players had not played as fiercely as they were known to play and had uncharacteristically given away a penalty shot. Bookmakers began having suspicions that the game was fixed, noticing that large amounts of money had been placed on 7-1 odds that the score would end in a 2-0 MU win. Although gambling on sports was common at this

point in history, it was not as common to place bets on the final scores. With uncertainties growing, bookies decided to investigate by offering a reward to anyone with information about the scheme. The commission of the English Football Association took the investigation a step further and eventually uncovered the depth of the conspiracy.

Preliminary theories were numerous. One theory held that the fix may have been an attempt to keep MU from being placed in a lower division. European professional-sports organizations were structured around a hierarchy system called promotion and relegation, through which teams at similar skill levels were placed together in the same football league. It was essentially a process of reelection that could lead to either a promotion or demotion for a team. Although Liverpool's placement within the league was locked, MU had feared relegation. A win against Liverpool would secure the team's spot in the upper division. While this theory seemed originally plausible, trial and testimony determined the game was fixed, but for money.

One player exposed as a key conspirator was Liverpool's Jackie Sheldon, who had played with Manchester United in the past. Familiar with both organizations, Sheldon was considered to be the ringleader behind the fixed game of April 2, and was believed to have conspired with three other Liverpool players—Tom Miller, Bob Purcell, and Tom Fairfoul—and three MU players—Sandy Turnbull, Enoch West, and Arthur Whaley. Each player was involved with the exchange of money to bookmakers taking bets on the game. Two additional players, George Anderson from MU and Liverpool's Fred Pagnam, also were approached by Sheldon. However, they refused to participate. Pagnam even threatened to score goals to ruin the game's outcome, and he became the lead witness testifying against his teammates at trial. The accused conspirators were found guilty and suspended indefinitely from the league.

The 1915 game-fixing scandal was not the first such scandal for some of the players. In 1907, charges had been brought against Turnbull for fixing games while playing for Manchester City (MC). Furthermore, MC players had been receiving a bo-

nus on top of their regular salaries, directly breaking the club's rule that a player's salary should not exceed four pounds per week. For his crime, Turnbull received a large fine and was immediately suspended from the club. West was another player with a questionable past. He had been temporarily suspended from playing football because of corruption.

Even though the Liverpool-MU game-fixing scandal was highly publicized, it was soon overshadowed by the start of World War I. Professional football was put on hold so that players could fight in the war. The Seventeenth Service Football Battalion of the Middlesex Regiment formed during this time. Great Britain suffered greatly when professional football was placed on hold. Football had been known as the poor man's sport, considered a healthy distraction for the working classes.

IMPACT

Professional football resumed after the war in 1919. A number of players who were convicted had their bans lifted and were able to rejoin their teams. Sheldon and Miller returned to the sport, while others, such as Turnbull, who was a soldier in the Football Battalion, did not survive the war. West, who did not follow his teammates to war, was the only surviving player not to return to the league. He adamantly contested charges of corruption against him, claiming his innocence until 1945, when the league granted him general amnesty.

Football's popularity grew considerably when the second and third team divisions were created after the war. Sports betting also continued, perhaps even stronger than before. A number of similar betting scandals included the most notable: that of 1964. Eight players were convicted for their roles in a match-fixing ring that had been in progress for several years. The British football scandal of 1915—and 1964—placed game-fixing and gambling under the microscope of other sports leagues around the world, many of whom also were dealing with similar scandals.

—Lauren Riggi and Brion Sever

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Maradona Is Expelled from World Cup; Jan. 27, 2005: German Soccer Referee Admits to Fixing Games for Money; May 4, 2006: Media Uncover Match-Fixing in Italian Soccer; July 29, 2008: NBA Referee Tim Donaghy Is Sentenced to Prison for Betting on Games.

May, 1915

BRITISH GOVERNMENT FALLS BECAUSE OF MUNITIONS SHORTAGES AND MILITARY SETBACKS

Following defeats in France at the beginning of World War I, British field marshal John French claimed that his troops faced major setbacks during battle because his government failed to provide an adequate supply of artillery shells. The scandal led to the fall of the Liberal government, to the appointment of a minister of munitions and the building of a large munitions factory, and to a rethinking of how wartime strategy must account for public sentiment.

ALSO KNOWN AS: Shell crisis of 1915

LOCALES: London, England; France

CATEGORIES: Military; government; colonialism and imperialism

KEY FIGURES

John French (1852-1925), commander of the British Expeditionary Force, 1914-1915

Lord Kitchener (1850-1916), head of the British War Office, 1914-1916

H. H. Asquith (1852-1928), prime minister of the United Kingdom, 1908-1916

SUMMARY OF EVENT

World War I quickly exploded into a struggle for which no one had planned. The generals fighting on the western front in France in 1915 were forced to deal with situations they had not trained for, including new battlefield technology. These issues led to a series of British defeats early in the war. The public wanted answers, and it looked to the commanding

general of British forces on the western front, Field Marshal John French, for an explanation. His answer, a shortage of shells that kept him from being able to launch a successful offensive, would lead to the fall of the Liberal British government in May of 1915 and to the formation of a wartime coalition government.

World War I was a new kind of war, in which the defense had the advantage. Trench warfare, with systems of trenches that stretched hundreds of miles, defended by barbed wire and machine guns and huge amounts of artillery, made taking the offensive extremely difficult and costly. This kind of war took a horrible toll on the troops. The government had to find a way to win the war as well as appease the home front. In Great Britain the balance between the people supporting the government and the people calling for the government's replacement was nearly level—one small event could tip that balance and cause the downfall of the current administration.

British losses early in the war led Field Marshal French and other British officers to rethink their battle strategy. They decided that the best way for them to fight this new kind of war was to precede troop attacks with a huge artillery barrage. This would clear out obstacles and stun the defending troops, giving the British a better chance of winning the battle. However, to accomplish this, the British army on the western front would need artillery shells, which were reportedly in short supply in 1915. The western front, though, was not the only area of conflict.

Strategists in Britain were pushing to prioritize other campaigns, especially the Dardanelles campaign in Turkey, which led to depleted resources; in some cases, war materiel was taken from one area to support another. French was told to transfer a large amount of mortar and artillery shells to the Dardanelles, an order that upset him because he knew that replacing the lost shells would take time. Without the extra shells his chances to go on the offensive were limited. Also, French wanted to secure his spot as commander on the western front, and to do so he had to have a major victory.

French believed that his command was tenuous because of the reverses suffered by the British in France, but even though shell supplies were short, there were other reasons for failure on the western front. The shell shortage was an easy scapegoat for French. By leaking a story to the media about a shortage, French believed he could spread the

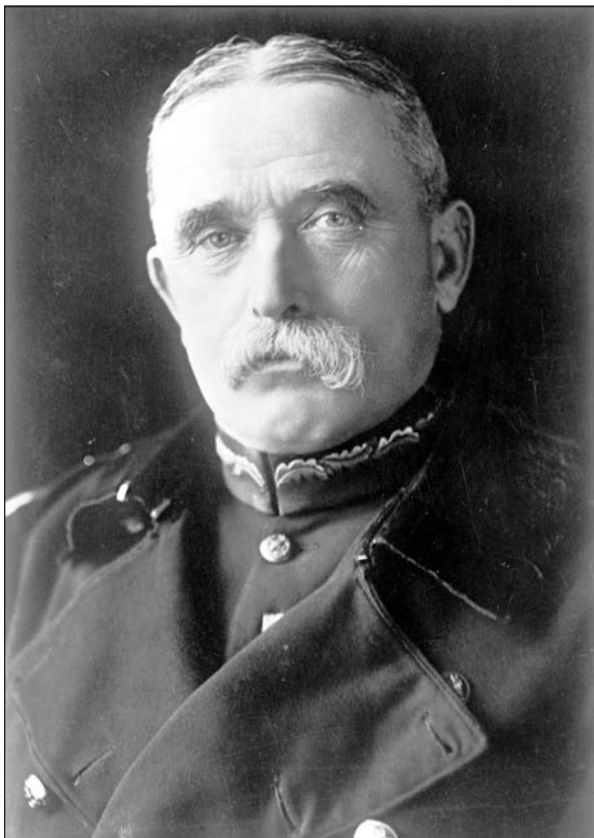
blame for the heavy battle losses and include his “enemies” in London, persons in government who he believed were against him. French especially had been at odds with Lord Kitchener, the head of the British War Office, and had hoped that by leaking the story to the press, Kitchener would be forced from government and that his own position as commanding general would be made more secure. However, he did not count on the support Kitchener had in government circles, affecting the success of his plan to shift the blame for British losses.

IMPACT

The news story outlining French’s accusations, published in *The Times* of London on May 14, 1915, contradicted an earlier report by the British government that the army had plenty of ammunition for the fight in France. Other newspapers would pick up on the story, and it soon developed into a major scandal beyond the confines of the government and military. The government was portrayed as unable to adequately lead the war effort. To make matters worse, Fisher resigned as first sea lord over a disagreement on strategy dealing with the Dardanelles campaign. The British government was at the center of a scandal, especially the two men most identified with running the war: Asquith and Kitchener.

Asquith was forced to form a new coalition government by bringing in members of opposition parties into his cabinet. He remained prime minister and Kitchener stayed on at the War Office because of his popularity. However, Reginald McKenna replaced Winston Churchill in the Admiralty Office and David Lloyd George was appointed minister of munitions. In addition, the British built a huge munitions factory at the border with Scotland that employed thousands of civilians, bringing the war effort to the home front.

The story of inadequate troop munitions was a critical one for the British government. Any indication that it was not doing all it could to support the troops could lead to the government’s downfall. This was the first war in which the people who were called upon to support that war had such a great influence on policy. The shell scandal, in effect, forced



John French. (Library of Congress)

the British government to be responsive to public perception of how the war was being handled. One disgruntled general helped to create a new wartime dynamic, not only changing how World War I was fought but also how future wars must take into account public sentiment on all fronts.

—Michael S. Frawley

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July 27, 1917

MILLIONAIRE SOCIALITE DIES UNDER SUSPICIOUS CIRCUMSTANCES

The death of wealthy socialite, Mary Lily Kenan Bingham, soon after she married a suspected fortune hunter, led to scandal, rumors, speculation, and prodigious inquiry, including the exhumation of her body, which challenged reports that her death was caused either by natural causes, medical malpractice, or an overdose of morphine.

LOCALE: Louisville, Kentucky

CATEGORIES: Murder and suicide; publishing and journalism

KEY FIGURES

Mary Lily Kenan Bingham (1867-1917), wealthy Kentucky socialite

Robert Worth Bingham (1871-1937), judge, mayor of Louisville, and newspaper publisher
Barry Bingham, Sr. (1906-1988), Louisville publisher

William J. Burns (1861-1932), private detective

SUMMARY OF EVENT

Before Mary Lily Kenan Bingham would marry Robert Worth Bingham in 1916, she required that he sign a prenuptial agreement that waived all rights over her estate, which was worth millions of dollars. In less than one year, Kenan Bingham was dead, and no one knew why. Adding to the mystery of her death was the appearance of a secret codicil, allegedly written by Kenan Bingham, which willed five million dollars to her husband just days before

her death. Skepticism followed the revelation of the codicil and continued unabated for years.

For decades, theories would surface about what really happened to cause Kenan Bingham's death. One theory held that she died of natural causes (later determined to be cardiovascular syphilis). Another theory suggested by her stepson, Barry Bingham, Sr., was that she died of acute alcoholism, which was confirmed by a doctor and family friend in an affidavit. A third theory speculated that she died from either medical malpractice or from an overdose of morphine administered by either her husband or a colluding physician. This latter theory would lead the Kenan family to contest the secret codicil she had written just before her death, to challenge Bingham's behavior, and to hire investigators to search for more answers surrounding the mysterious death.

On a miserably hot July day in Louisville, Kentucky, the couple's maid found Kenan Bingham in a cool bath, draped over the tub and unconscious. Kenan Bingham's health had begun to decline seven months earlier, and she had complained of chest pains. Bingham had hired an old friend, dermatologist Michael Leo Ravitch, to tend to her and to keep her sedated around the clock. When she was found in a coma, after becoming addicted to the daily morphine she had received since early May, Ravitch determined that she was unconscious because of a heart attack. He called a second friend of Bingham, pediatrician Walter Fisk Boggess. Although neither doctor was qualified to diagnose or treat heart disease, they nevertheless continued the morphine treatment. So extreme were the dosages that two different attending nurses protested; they were immediately released from their duties.

While Kenan Bingham's condition worsened, Bingham was making statements to the press, alluding to her assumed heart condition. By 3:10 P.M. on July 27, 1917, she was dead, having had a seizure earlier that morning and after suffering convulsions. The attending physicians determined that she had died of edema of the brain and myocarditis.

Taken by private railroad car to Wilmington, Kenan Bingham's body was buried in the family's Oakdale Cemetery plot. Shortly thereafter, it was

learned that she had left an estate of \$150 million (her will was filed in Florida courts). A month later, however, Bingham filed with the Louisville courts a secret codicil that Kenan Bingham had written eight days before her death. Bingham had hired yet another old college friend, attorney Dave Davies, to oversee the signing of the secret codicil, made to Bingham for five million dollars and "to be absolutely his." While apparently in a dazed morphine state, Kenan Bingham reportedly told Davies that information about the codicil was to be kept secret, and that its existence was not to be revealed to anyone, especially not her brother, Will Kenan. Bingham had told Davies earlier that her dazed condition was caused by her serious medical condition.

Suspicion followed news of the secret codicil. Kenan Bingham's family hired renowned detective William Burns of the William J. Burns International Detective Agency. What Burns discovered would lead to serious questions: Why had Kenan Bingham been drugged so heavily? Why had Bingham, with access to the best physicians money could hire and with the money to do so, hire inferior doctors whose specialties were not in cardiology but in pediatrics and dermatology? Why, when Kenan Bingham was so obviously ill, did the couple reside in the far less comfortable Louisville home, with temperatures reaching 102 degrees, rather than at the cooler, more comfortable mansion at Mamaroneck? Burns also found that Bingham had given Ravitch a brand-new 1925 Packard Roadster and that Kenan Bingham's half-million-dollar pearl necklace (given to her by her first husband, Henry Morrison Flagler, the late Standard Oil cofounder) had disappeared. Trustees of the Flagler estate, studying Burns's report, decided to open Kenan Bingham's grave and to order an autopsy on her remains. A New York pathologist concluded the cause of death was endocarditis, inflammation of the heart lining.

More curious in the scandal, however, was that Burns's report was never released, the report of the autopsy was repressed, and an initially outraged Kenan family dropped its court case against Bingham. Furthermore, later research on the case uncovered more information: Bingham and Kenan Bingham

ham had begun an affair in their early college years. Soon after college, Bingham had begun a series of treatments with Ravitch, who was experienced in treating syphilis. Syphilis, in its tertiary stage, not only does not surface with identifiable symptoms until decades later but also can manifest as endocarditis and can be fatal. Another theory surrounding her death emerged: that Bingham was protecting Kenan Bingham, the family, and himself from the scandal that would follow had her syphilis become public knowledge.

Skeptics, however, believe that Bingham did not necessarily intend to kill Kenan Bingham; they believe, instead, that it was his mission to get support by way of Standard Oil stocks, financial relief by way of Kenan Bingham paying off his outstanding debts, and funding for his new publishing venture. In the end, Bingham got everything he aimed to get. On their wedding day, November 15, 1916, Kenan Bingham gave him a certified check for fifty thousand dollars, but no gift came from him. She gave him freedom from his many debts, but he gave her grief over plans she made for the family, over trips she had planned, over being a close and loving husband-and-wife team. She also gave him \$700,000 in Standard Oil stocks and five million dollars, contingent upon her death. He gave her daily and excessive amounts of morphine and, possibly, the condition that caused her early demise.

IMPACT

Bingham's secrecy about Kenan Bingham's death continued to lead to skepticism for Kenan Bingham's family and friends, as well as for reporters, researchers, and the public. The scandal had several unanswered questions and shady circumstances, including the coincidental timing of the death, the hiring of friends as doctors and lawyers, and the convenient secret codicil—which helped pay for Bingham's start-up newspapers, a venture he had approached a reticent Kenan Bingham about months before her death. These circumstances add up to possible motives, and these possible motives kept the scandal alive for years following her death in 1917.

With the money, Bingham purchased the *Louisville Times* and the *Courier-Journal*, two newspapers that would help propel him into national prominence and politics. He became a major financial supporter of U.S. president Franklin D. Roosevelt. In 1933, Roosevelt appointed Bingham ambassador to the United Kingdom.

—Roxanne McDonald

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1919-1920

PONZI SCHEMES ARE REVEALED AS INVESTMENT FRAUDS

In 1920, Italian immigrant Charles Ponzi seemed to be living the American Dream and making it easily available to others willing to invest in his business. However, his get-rich-quick scheme turned out to be a fraud. He himself later died nearly penniless after serving prison sentences and being deported for his crimes, and his name became synonymous with the type of swindle he orchestrated.

LOCALE: Boston, Massachusetts

CATEGORIES: Banking and finance; hoaxes, frauds, and charlatanism; law and the courts

KEY FIGURES

Charles Ponzi (1883-1949), Italian American founder of the Securities Exchange Company and perpetrator of investment fraud

Richard Grozier (1887-1946), American publisher and editor of the *Boston Post*

Joseph C. Allen (1878-1943), Massachusetts bank commissioner

Clarence Barron (1855-1928), American editor and magazine publisher

SUMMARY OF EVENT

In late 1919, Charles Ponzi found the idea that would bring him the fortune that he had long dreamed about and thought was his for the taking when he arrived in the United States from Italy in 1903. Lacking the means to finance his idea himself, he set out to attract investors to his latest business venture, which he promoted under the name the Securities Exchange Company. The business would turn out to be a fraud.

With the promise of 50 percent interest in forty-five days, money from investors slowly began to come in to Ponzi's company. As people began to hear that initial investors had actually received the promised 50 percent interest, Ponzi attracted increasingly more investors and their money. By the end of July, 1920, investors had entrusted him with

nearly ten million dollars. What the investors did not realize was that Ponzi was using the money from new investors to pay off the obligations to those who had previously invested.

The business that Ponzi purported to be conducting involved international reply coupons. In 1906, the Universal Postal Union, the international organization responsible for setting policy regarding the transfer of mail among countries, introduced the international reply coupon as a means to send return postage to a person in another country. The coupons could be bought in the post office of one country and redeemed in another country for postage stamps of the recipient country. Popular among immigrants, the coupons allowed many to keep in touch with less affluent friends and relatives in their

1910's



Charles Ponzi. (Library of Congress)

KUDOS FOR PONZI'S SCHEME

In the introduction to his hand-typed autobiography The Rise of Mr. Ponzi (1937), Charles Ponzi takes great delight in quoting the accolades that his scheme initially received in the press. It is small wonder that his name became synonymous with the fraud he perpetrated.

MEET MR. PONZI, THE CHAMPION GET-RICH-QUICK WALLINGFORD OF AMERICA

"Ponzi is the guy who put the crease in Croesus," wrote Neal O'Hara for the *Boston Traveler* toward the end of July, 1920. "He is the guy that ran up millions from a two-cent stamp. If five-spots were snow flakes, Ponzi would be a three day blizzard."

"You've got to hand it to his credit. He makes your money gain 50 per cent in 45 days, which is as much as the landlords do. He delivers the goods with postage stamps, which is more than Burleson does. The way Ponzi juggles the reds and the greens, he makes Post Office look like a child's game. He simply buys stamps in Europe while the rest of the boys are buying souvenir post cards. And a postage stamp is still worth two cents in spite of the service you get for it, and any yap knows that you cannot get stuck on postage stamps unless you sit on the gluey side up."

"Worried" isn't the half of it. According to Miss Marguerite Mooers Marshall, a staff writer for the *New York Evening World*, Ponzi had them in a frenzy. Listen to what she said:

"Whoever said that proud old New Englanders are conservative, undoubtedly made that statement before the advent of Charles Ponzi. To-day all Boston is get-rich-quick mad over him, the creator of fortunes, the modern King Midas who doubles your money in ninety days. Did I say Boston? My mistake. I should have said the entire New England, from Calais, Maine, to Lake Champlain, from the Canadian border to New Jersey."

"At every corner, on the street-cars, behind the department store counters, from luxurious parlors to humble kitchens, to the very outskirts of New England, Ponzi is making more hope, more anxiety, than any conquering general of old. Mary Pickford, Sir Thomas Lipton and smuggling booze over the Canadian border aren't in it any more."

the United States. He found that he could send a U.S. dollar to Italy, exchange it for Italian lira to buy international reply coupons, send the coupons to the United States, and redeem them for more than one dollar's worth of stamps. The difference came about as a result of the devaluation of many European currencies caused by the effects of World War I. As a result, the exchange rates for currency differed from the implicit exchange rate of the reply coupons as set up in 1906. By his calculations, one U.S. dollar used in this scheme could purchase \$3.30 worth of stamps. He assumed that he could sell the stamps for a discount off their face value and still make a large profit.

With an idea that seemed plausible, Ponzi set out to find investors. He quickly discovered that agents could better sell his idea to a wider audience. With the promise of a 10 percent commission on all investor money solicited, Ponzi's first sales agent, Ettore Giberti, a grocer from a Boston suburb, had by early January, 1920, sold the idea to eighteen investors, who entrusted him with \$1,770. Each month, Ponzi saw an increase in the number of new investors and new agents willing to sell his idea. In February new investments totaled \$5,290 from seventeen investors. In June, the total was more than \$2.5 million from seventy-eight hundred investors, and in July, the last month of operation, total new money was nearly \$6.5 million from more than twenty thousand investors.

While many of the investors chose to reinvest their money after their initial investments matured, Ponzi made attempts to find some means to make his business legitimate after it became obvious to him that it was not possible to actually profit from reply coupons. He soon found that the money generated from his enterprise had a destabilizing impact on some of the smaller banks in Boston as a result of withdrawals made by his investors and the large balances that he held in them, which he could threaten to withdraw. He managed to take control of one bank, the

home countries, who were otherwise reluctant to pay the cost of a postage stamp.

Ponzi discovered in 1919 that the value of coupons in some countries differed from their value in

Hanover Trust Company, and thought he could profit by gaining control of other weakened banks. He also developed a scheme, which never materialized, which involved buying from the U.S. government for \$200 million a fleet of surplus passenger and freight ships that had been built during World War I and selling stock in the two companies that would own and operate the fleet.

Although never at a loss for investment ideas, and ever-optimistic that he would find a way to pay off investors, Ponzi was beginning to run out of time to implement his ideas. At the beginning of July, 1920, a furniture dealer named Joseph Daniels sued Ponzi for one million dollars, claiming that a loan he had made to Ponzi in December entitled him to part of Ponzi's profits in the international reply coupon venture. While his claim was baseless, it did cause the *Boston Post*, under acting publisher Richard Grozier, to begin investigating Ponzi's business.

Postal and law enforcement authorities already had taken note of Ponzi's activities but failed to find anything illegal. However, interviews with Clarence Barron, a renowned financial authority and founder of *Barron's Weekly*, about Ponzi's operation for a July 25 article in the *Boston Post*. Barron suggested that the business was a fraud, which Ponzi strongly denied. With the allegations made public, federal, state, and local authorities were forced to investigate. On July 26, in an effort to deflect criticism, Ponzi offered investigators the opportunity to audit his business, during which he would close it to new investors. Ponzi saw the audit as a way of proving that his business was solvent. He planned to claim assets from his bank, the Hanover Trust, as his own to prove that he could pay off all his obligations.

Ponzi's plan, however, ran into a number of obstacles. The allegations that his business was a fraud caused investors to return in droves and demand their money back. Ponzi initially saw this as a benefit because money that was refunded before forty-five days did not receive any of the promised interest and thereby reduced his indebtedness. As the investor-run continued, though, he feared that he would run out of money before the audit was com-

pleted and before he could "prove" he was solvent. Bank commissioner Joseph C. Allen forced the issue on August 9 when he ordered the Hanover Trust to stop honoring Ponzi's checks. Although Ponzi still had money available, his main account with the bank was overdrawn, and Allen, who had been investigating Ponzi, saw this as an opportunity to close down Ponzi's enterprise. Later in the same week, the bank commissioner took control of the Hanover Trust, which eliminated any possibility that Ponzi could prove that he was solvent. This coincided with an article published by the *Boston Post* detailing Ponzi's connection with a failed bank in Montreal and his prison record in Canada for forgery. By August 12, the results of the audit revealed that his obligations exceeded his assets by about three million dollars. Ponzi's bubble had burst.

In addition to the Hanover Trust, several other banks in the Boston area with ties to Ponzi failed as a result of runs caused by depositors' fears. Investors who had not collected on their investments before Ponzi's business was closed received about 37 cents for each dollar they had invested.

Ponzi served several years in federal prison for his crime and, after a brief period of freedom, another few years in state prison. He then was deported to Italy in 1934. The *Boston Post* won a Pulitzer Prize for public service in 1921 for exposing Ponzi as a fraud.

IMPACT

Ponzi's story did not end with his fall. His success spawned countless imitators who profited throughout the 1920's. In the years since his death in the charity ward of a hospital in Rio de Janeiro, Brazil, with less than one hundred dollars in his name, many investment opportunities that have seemed too good to be true have turned out to be swindles, much like those perpetuated by Ponzi. While Ponzi did not invent this type of fraud, he gave it such notoriety that it has come to be called a Ponzi scheme.

—Randall Hannum

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September 21, 1919

WHITE SOX PLAYERS CONSPIRE TO LOSE WORLD SERIES IN "BLACK SOX" SCANDAL

Chicago White Sox players conspired with a professional gambler to lose the 1919 World Series for a cash payout, triggering the biggest scandal in Major League Baseball history. Eight players were promised at least \$100,000 from gamblers to lose the World Series intentionally. A grand jury acquitted the conspirators, but the baseball commissioner banned them from organized baseball for life.

ALSO KNOWN AS: Black Sox scandal

LOCALE: Chicago, Illinois

CATEGORIES: Corruption; gambling; organized crime and racketeering; sports

KEY FIGURES

Chick Gandil (1887-1970), Chicago White Sox first baseman

Eddie Cicotte (1884-1969), Chicago White Sox pitcher

Charles Comiskey (1859-1931), owner of the Chicago White Sox

Joseph Sullivan (fl. early twentieth century), Boston gambler

Arnold Rothstein (1882-1928), New York City gambler

Lefty Williams (1893-1959), Chicago White Sox pitcher

Shoeless Joe Jackson (1887-1951), Chicago White Sox outfielder

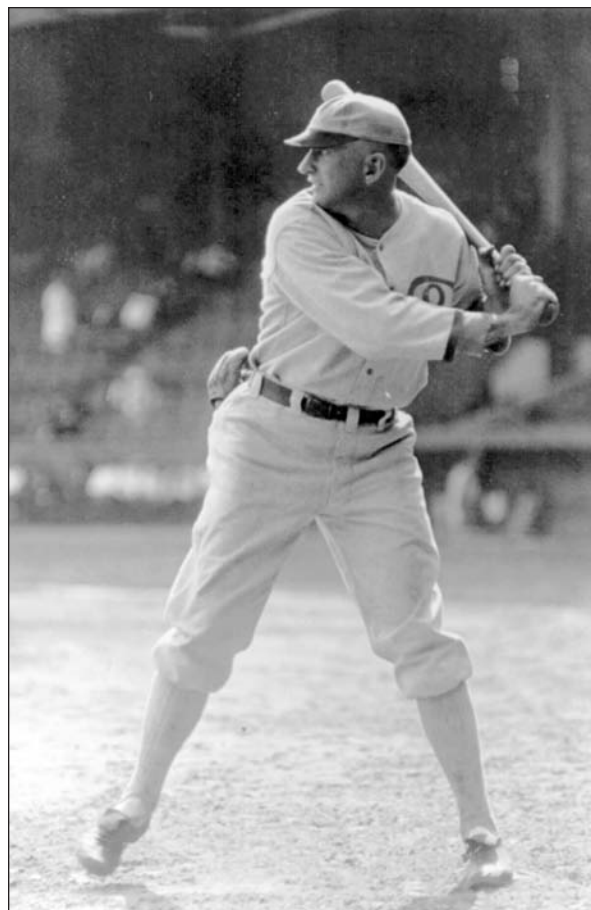
Kenesaw Mountain Landis (1866-1944),
commissioner of baseball

SUMMARY OF EVENT

The Chicago White Sox had won the 1919 American League pennant and were heavily favored to defeat the Cincinnati Reds in the World Series, played at the time in a best 5 of 9 games format. Chicago featured several outstanding players, some of whom despised owner club Charles Comiskey. He had forced the players to take salary cuts for the year because of declining attendance at games. Players were paid between three thousand and sixty-five hundred dollars, considerably less than players on other professional teams in the league.

White Sox first baseman Chick Gandil approached Boston gambler Joseph "Sport" Sullivan at the Buckminster Hotel in August, 1919, offering to throw, or intentionally lose, the 1919 World Series for cash. Sullivan suggested that Gandil recruit several teammates for the deal. Those players were pitchers Eddie Cicotte, Lefty Williams, Dickie Kerr, and Red Faber; outfielders Shoeless Joe Jackson and Happy Felsch; infielders Buck Weaver and Eddie Collins; and catcher Ray Schalk. Cicotte agreed to participate if he received ten thousand dollars before the start of the World Series. Gandil also enlisted Williams, Jackson, Felsch, and short-stop Swede Risberg in the scheme. Reserve infielder Fred McMullin insisted on being included as well, and Weaver knew of the plot. The eight players met at Gandil's hotel room in New York City on September 21 and agreed to throw the series if the gamblers advanced them eighty thousand dollars apiece. Gandil relayed that message to Sullivan.

Another gambler, Bill Burns, meanwhile, approached Cicotte and promised to best Sullivan's offer. With Gandil, Burns and Cicotte agreed to work a fix for \$100,000 in advance. Burns and associate Billy Maharg sought financial backing from prominent sports gambler Arnold Rothstein on September 23 in New York. Rothstein dispatched his assistant, Abe Attell, to meet with them. Attell told Burns that Rothstein had consented to provide the \$100,000 to fund the fix.



Joe Jackson, one of eight Chicago White Sox players implicated in the gambling scandal. (Library of Congress)

Sullivan, whom Rothstein respected more than he did Burns and Maharg, outlined his plans to Rothstein for the fix. Rothstein instructed his partner, Nat Evans, and Sullivan to meet with the eight players in Chicago. The players demanded an eighty thousand dollar cash advance. Rothstein gave Sullivan forty thousand dollars to distribute to the players and placed the other forty thousand dollars in a Chicago safe. He bet more than one-quarter million dollars on the Reds to win the World Series. Gandil convinced the other conspirators to accept that arrangement.

Sullivan, however, initially gave only ten thousand dollars to Gandil, who distributed it to game one pitcher Cicotte. The other conspirators were angered at not receiving the entire eighty thousand

JACKSON'S CONFESSION

On September 28, 1920, Hartley L. Replogle, assistant state attorney, questioned Shoeless Joe Jackson before the grand jury of Cook County, Illinois. Jackson's testimony tied him to the 1919 World Series gambling scandal. The following excerpts, however, show that he had been bullied and cheated.

REPLOGLE: Did anybody pay you any money to help throw that series in favor of Cincinnati?

JACKSON: They did.

REPLOGLE: How much did they pay?

JACKSON: They promised me \$20,000, and paid me \$5.

REPLOGLE: Who promised you the twenty thousand?

JACKSON: "Chick" Gandil.

REPLOGLE: Who is Chick Gandil?

JACKSON: He was their first baseman on the White Sox Club. . . .

REPLOGLE: You think Gandil may have gotten the money and held it from you, is that right?

JACKSON: That's what I think, I think he kept the majority of it.

REPLOGLE: What did you do then?

JACKSON: I went to him and asked him what was the matter. He said Abe Attel gave him the jazzing. He said, "Take that or let it alone." As quick as the series was over I left town, I went right on out. . . .

REPLOGLE: Didn't you think it was the right thing for you to go and tell [White Sox owner Charles A.] Comiskey about it?

JACKSON: I did tell them once, "I am not going to be in it." I will just get out of that altogether.

REPLOGLE: Who did you tell that to?

JACKSON: Chick Gandil.

REPLOGLE: What did he say?

JACKSON: He said I was into it already and I might as well stay in. I said, "I can go to the boss and have every damn one of you pulled out of the limelight." He said, it wouldn't be well for me if I did that. . . .

REPLOGLE: What did you say?

JACKSON: Well, I told him any time they wanted to have me knocked off, to have me knocked off.

REPLOGLE: What did he say?

JACKSON: Just laughed. . . .

REPLOGLE: Supposing the White Sox would have won this series, the World's Series, what would you have done then with the \$5,000?

JACKSON: I guess I would have kept it, that was all I could do. I tried to win all the time.

A sudden shift in betting odds in Cincinnati's favor sparked rumors about a possible fix. Chicago's inept performance in the first two games aroused further suspicions, as conspirators helped throw both games. Cicotte pitched abysmally in game one, uncharacteristically surrendering five runs in the fourth inning and losing 9-1. In the fourth inning of game two, Williams ignored Schalk's signals, walked three batters, and allowed three runs in the 4-2 setback.

Rothstein ordered the conspirators to play game three straight because non-conspirator Kerr was pitching. Gandil singled in two runs, giving the White Sox a 3-0 win. In the fifth inning of game four, Cicotte uncharacteristically made two crucial errors to hand Cincinnati a 2-0 victory. After the fourth game, Gandil received a twenty thousand dollar installment from the gamblers and then handed five thousand each to Williams, Jackson, Felsch, and Risberg.

Chicago lost game five, 4-0, after Felsch misplayed two key fly balls and Jackson misjudged one. The gamblers, however, failed to deliver the next installment of twenty thousand dollars after that game. The conspirators, after realizing the gamblers had double-crossed them, were now determined to win the World Series. The White Sox won game six, 5-4, behind Kerr in 10 innings. Cicotte pitched superbly in game seven, and the team triumphed 4-1. Jackson's single produced the deciding run.

Rothstein ordered the conspirators to lose the decisive game eight. Sullivan contacted a Chicago mobster who instructed pitcher Williams to blow the game in the first inning, threatening harm if he did not cooperate. Williams ignored Schalk's signs in the first inning, allowing four runs and retiring one batter only. Cincinnati won the game, 10-5, clinching the World Series. After that

dollars from Sullivan, so they met with Attell in Cincinnati the day before game one. Attell refused to advance the players any cash, promising instead twenty thousand dollars for each lost game.

harm if he did not cooperate. Williams ignored Schalk's signs in the first inning, allowing four runs and retiring one batter only. Cincinnati won the game, 10-5, clinching the World Series. After that

game, Williams gave Jackson five thousand dollars and Gandil collected thirty thousand dollars.

In the end, Williams had lost all three of his starts as a pitcher, and Cicotte lost two games. Jackson batted .375 and Weaver hit .324, but the other conspirators struggled offensively; they struggled defensively as well. *Chicago Herald and Examiner* sportswriter Hugh Fullerton became suspicious of seven defensive players and feared a scandal.

It was in mid-October that the conspiracy came to light. Gambler Harry Redmond told team owner Comiskey that several conspirators had thrown the World Series. Comiskey offered a ten thousand dollar reward to anyone who could prove that the series had been fixed and delayed sending his players their losing shares for the game.

All White Sox conspirators except Gandil played the 1920 season. Gandil retired because Comiskey refused to raise his salary. Chicago narrowly trailed the first-place Cleveland Indians in September when the *North-American*, a Philadelphia newspaper, confirmed the 1919 World Series scandal and published details provided by Maharg. American League president Ban Johnson, who despised Comiskey, pressed for a Cook County grand jury investigation. On September 28, Cicotte and Jackson told the grand jury that they had thrown the series, naming Gandil, Felsch, Williams, Weaver, Risberg, and McMullin as coconspirators.

In late October, 1920, the grand jury indicted the eight White Sox players for conspiring with the gamblers to defraud the public. The players were arraigned in February, 1921, but Cicotte and Jackson filed affidavits repudiating their confessions. Judge William Dever ruled that the indictments were faulty.

Cook County authorities secured new indictments against the conspirators, and the trial began on June 27. The accused players did not testify, so prosecutors had to rely on the testimony of two gamblers to prove a conspiracy to commit fraud. The jury had to decide whether the players deliberately lost the games and intended to commit fraud. On August 2 they acquitted the players and gamblers, as the packed courtroom cheered.

IMPACT

The scandal wrecked the White Sox franchise. Chicago tumbled to seventh place in 1921 and languished in the second division for the next decade. Comiskey made numerous player transactions and managerial changes in largely futile attempts to rebuild the White Sox until his death in 1931. Chicago did not capture another American League pennant until 1959 and did not win a World Series title until 2005.

To restore confidence in its badly shaken institution, baseball needed someone to take the lead and monitor and oversee the league. In November, 1920, club owners appointed federal judge Kenesaw Mountain Landis as baseball's first commissioner, and they gave him a hefty salary of fifty thousand dollars and absolute power. On August 3, 1921, Landis barred the eight White Sox players, even though they were acquitted in a criminal trial, from organized baseball. Landis remained baseball czar until his death in 1944.

The scandal ended the professional baseball careers of Jackson, Cicotte, Williams, Felsch, Gandil, Weaver, Risberg, and McMullin. Jackson, who compiled the third highest batting average (.356) in major-league history, likely would have been inducted into the Baseball Hall of Fame; the scandal ended that dream. Cicotte and Williams both won more than 60 percent of the games in which they garnered a decision.

—David L. Porter

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July 19, 1921

U.S. SENATE REBUKES NAVY IN HOMOSEXUALITY INVESTIGATION

Reports of gay sex at and near a U.S. naval base led to Navy investigations and then an inquiry by the U.S. Senate into the Navy's investigatory tactics. These tactics, used "for the good of the service," included sex to secure evidence. Even more controversial was the young age of those used in the investigation. The local community was shocked as well by the arrest of a respected civilian Christian minister for immoral conduct.

ALSO KNOWN AS: Newport sex scandal

LOCALE: Newport, Rhode Island

CATEGORIES: Sex; military; public morals; law and the courts

KEY FIGURES

Ervin Arnold (fl. 1920's), U.S. Navy chief machinist's mate

Samuel Neal Kent (1873-1943), Episcopal minister in Newport, Rhode Island

Franklin D. Roosevelt (1882-1945), president of the United States, 1933-1945, who served as assistant secretary of the Navy, 1913-1920, during the scandal

John R. Rathom (1868-1923), editor of the *Providence Journal*

Josephus Daniels (1862-1948), secretary of the Navy, 1913-1921

Erastus Hudson (1888-1943), doctor at the naval base in Newport in 1919

SUMMARY OF EVENT

In February, 1919, U.S. Navy chief machinist's mate Ervin Arnold had been transferred to the newly expanded U.S. naval base at Newport, Rhode Island. Although planned to house about twenty thousand sailors, the base could only house about two thousand sailors; the overflow stayed in hastily erected quarters throughout town. Before the end of his first month in Rhode Island, Arnold had a plan to inform the Navy about homosexual men in the service in Newport, hoping the Navy would initiate an investigation. Navy lieutenant and doctor Erastus Hudson was a part of Arnold's plan. It appears that Arnold had a deep fear of homosexuality, and he quickly found evidence of it in Newport. He found that young Navy men gathered at the local Young Men's Christian Association (YMCA) to find male sex partners.

Among the men who Arnold accused of homosexuality were sailors Samuel Rogers, John Gianelloni, Jay "Beckie" Goldstein, and John "Ella" Tem-

ple. Two civilians, Arthur Green and Episcopal minister Samuel Neal Kent, also were impugned. In the end, the attacks against Kent would bring the scandal to national prominence.

Admiral Spencer S. Wood formally ordered an investigation, and Secretary of the Navy Josephus Daniels told Arnold to proceed with an investigation. On March 19, Judge Murphy J. Foster convened an official court of inquiry, which determined the need for further investigation. Arnold and Hudson began recruiting a group of young men, many in their teens, for the investigation at the YMCA.

Because of similar reports of homosexual relations elsewhere in the Navy, Assistant Secretary of the Navy Franklin D. Roosevelt was given the records in Daniels's absence. Roosevelt, in turn, passed the information to Attorney General Mitchell Palmer because of the alleged involvement of civilians. At the same time, Palmer's staff had been tied up in the massive hunt for suspected communists that would become the first Red Scare. Palmer could assign only one agent to investigate in Newport, and that agent found insufficient evidence to pursue a civilian inquiry, returning full jurisdiction to the Navy.

Arnold selected volunteers to solicit homosexual sex. These volunteers included enlisted men Millard C. Haynes, Charles B. Zipf, Gregory A. Cunningham, and John E. McCormick. In addition to evidence of homosexual sex, investigators were told to gather evidence of alcohol and drug use as well as female prostitution. Investigators went to the YMCA to solicit sex, but they also participated in sex acts to confirm their suspicions. By March 28 the investigators were regularly meeting and having oral sex with those they were investigating.

Fred Hoage was the first enlisted person arrested, on April 4. Many more arrests followed; ultimately, twelve would face courts-martial. Now, however, the legitimacy of Arnold's investigation was questioned. Foster had wanted the investigation stopped with the resumption of formal court in April, but Arnold had continued sending operatives for a couple of weeks after. Suspects were held for months before being formally charged. The final twelve who were convicted received sentences ranging from ten

to thirty years, though a later presidential clemency reduced most sentences to under ten years.

Charles P. Hall, the Newport Red Cross field director, helped advance the case against the civilians. Believing that the naval court could proceed only against enlisted men—and wanting to put pressure on the rival YMCA and, in particular, the accused homosexual Reverend Kent—Hall involved Rhode Island governor R. Livingston Beeckman in the case. Beeckman, in turn, brought Roosevelt back to the case. Roosevelt gave increased responsibility to Arnold and Hudson in May to begin civilian investigations, even though the director of the Office of Naval Intelligence was concerned about Navy surveillance of civilians. The director hired a private investigator, whose report questioned Hudson's objectivity and experience as an investigator. Regardless, Hudson's work proceeded directly under Roosevelt. Hudson and his new squad resumed investigations, this time focusing on civilians such as Kent.

The mass arrests stemming from the continued investigations included Kent, who was acquitted in local court. Hugh Baker, the trial judge, faced questions about his impartiality and competence. Episcopal clergy attacked the Navy for prosecuting Kent, demanding amends to him. Further investigation began to reveal the extent to which operatives were involved in homosexual activities with those they were investigating. Kent was prosecuted again under federal guidance, with Arthur L. Brown as the judge. At this trial, the defense again poked holes in Arnold's operators' tactics and motives, and in January, 1920, Kent was once more acquitted.

The day after the acquittal, questions about the Navy's investigative tactics began to surface. A group of Rhode Island ministers complained to the president of Kent's persecution, and journalist John R. Rathom used his newspaper, the *Providence Journal*, to attack Navy secretary Daniels for a dirty investigation. The paper then focused on how Navy investigators were ordered to engage in homosexual acts to obtain their evidence and that Navy officials sanctioned these activities. Rathom and Roosevelt sparred back and forth in the national press, with Rathom attacking Roosevelt's accuracy and Roosevelt attacking Rathom's journalism.

A new court of naval inquiry was appointed in 1921 to examine the Navy's investigation of homosexual conduct. However, the Navy men implicated in the initial court-of-inquiry case had powerful friends operating on that court, and they were generally shielded throughout testimony, further increasing the public's perception of corruption. Furthermore, Newport ministers provided testimony to support Kent, and the Reverend Stanley C. Hughes took the stand for more than two days and used his testimony to question the court. The Navy, unsurprisingly, found itself innocent.

Finally, the U.S. Senate conducted its own investigation around the time of the Navy's court of inquiry, on January 25. By March of that year, a formal Senate inquiry was launched, and the still-incarcerated sailors were interviewed. On July 19, 1921, the Senate's Naval Affairs Committee issued a strong rebuke against the Navy for requiring operatives to participate in homosexual acts. They also questioned the Navy's self-exoneration. The Senate accused the Navy of targeting men based on Arnold's and Hudson's claims that they could identify gays on sight. Finally, the Senate expressed concern that the convicted had been detained for months without trial.

IMPACT

The Newport sex scandal remains one of the most significant gay-related scandals in American history because of its far-reaching impact. The investigation and its consequences led to a change in Navy legal practice: The Navy promised to never again use enlisted personnel to investigate other enlisted personnel. Furthermore, neither Roosevelt nor Daniels apologized to the Reverend Kent, who was barred from practicing by the Episcopal Church in 1921 because of the scandal. He continued his career outside the church, however.

—Jessie Bishop Powell

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February 1, 1922

DIRECTOR TAYLOR'S MURDER RUINS MABEL NORMAND'S ACTING CAREER

Mabel Normand, the first superstar of film comedy, was the last person to see director William Desmond Taylor on the night of his murder. The murder, the first major unsolved crime of the film community, rocked Hollywood. Scandal-seeking newspaper reporters and headline-seeking district attorneys focused on Normand, although she clearly was not the killer. She was hounded by the media, which followed her into another scandal in 1924, and her career was ruined.

LOCALE: Los Angeles, California

CATEGORIES: Murder and suicide; publishing and journalism; film; Hollywood

KEY FIGURES

Mabel Normand (1892-1930), American silent-film star

William Desmond Taylor (1872-1922), American silent-film director

Mabel Miles Minter (1902-1984), American silent-film star

SUMMARY OF EVENT

Prominent silent-film director William Desmond Taylor was shot on the night of February 1, 1922, in his Los Angeles, California, home. Mabel Normand, famed for her roles in director Mack Sennett's slapstick comedies, had stopped by his home before his murder about 6:45 P.M. to pick up a book Taylor had purchased for her. About one hour later, Taylor walked her to her car, where her chauffeur had been waiting. No evidence suggests that she returned to Taylor's home.

The next morning, Taylor's servant, Henry Peavey, returned to work at Taylor's home. (Peavey was present during Normand's visit with Taylor the day before.) He discovered Taylor's body and called for help. Before police arrived, crime-scene

evidence was contaminated by neighbors and by at least one studio troubleshooter who either removed or planted evidence of Taylor's sexual involvement with Normand and with young actor Mabel Miles Minter. No actual evidence, apart from affectionately signed photographs, was produced to support the allegations that Taylor had affairs with the two women. In part because of such investigative bungling, the murder remained, perhaps deliberately, unsolved.

Los Angeles district attorney Thomas Woolwine, who had a reputation for corruption, focused his investigation on Normand to gain press headlines and to suggest he was actually trying to solve the crime. He focused less upon Minter and her fam-



William Desmond Taylor. (AP/Wide World Photos)

THE HEADLINES

Newspapers around the United States were quick to comment not so much on the murder of William Desmond Taylor but on the criminal investigation and Hollywood's penchant for scandal.

It is absolutely useless for anyone to try to compete with the movie folks for front page scandal position.

—February 4, *Pittsburgh Sun*

Nothing shown on the screen has so far exceeded in weirdness the things actually done by the movie players.

—February 4, *Omaha Bee*

A movie funeral seems to be one thing that will get the Los Angeles people out to church.

—February 9, *Indianapolis Star*

After all the bizarre stuff that is being written about the Taylor murder we wouldn't be surprised to find out that he isn't dead.

—February 12, *St. Louis Star*

There is this to be said about the Hollywood affair from the newspaper folks' standpoint. It was not a difficult matter to get hold of pictures of the various persons involved.

—February 14, *Des Moines Tribune*

Great progress has been made in solving the Hollywood murder case. The detectives have about decided that Taylor was killed.

—February 21, *Miami Herald*

Mabel Normand is reported to be ill as a result of the Taylor case. Well, all the rest of us are rather sick of it, too.

—February 25, *Philadelphia Record*

ily, although Minter's mother, Charlotte Shelby, had apparently made death threats against Taylor; Woolwine, too, was a family friend and may have been one of several district attorneys paid off by Shelby. Carl Stockdale, who provided the family with an alibi, was allegedly paid by Shelby to do so. There were other suspects, but the focus remained on those who created the best headlines and photo opportunities. Journalists, led by reporters from papers owned by William Randolph Hearst, created scenarios of jealousy and uncontrolled passion that rivaled silent-film melodrama.

Despite rumored evidence of sexual liaisons, Taylor's relationship with both women was probably paternal, not sexual. Normand and Minter had been badly exploited by Hollywood. Minter, groomed unsuccessfully to supplant star Mary Pickford, had been kept childish, even infantile, and her income was confiscated by her overbearing mother. Normand had been exploited and underpaid by director Sennett; they had planned to marry but she apparently discovered that he was unfaithful with a friend of hers shortly before their wedding.

By 1922, Normand also had forcibly learned the fragility of success. Her frequent film partner Fatty Arbuckle was tried several times for a rape and murder in San Francisco, California, of which he was innocent. Public reaction against Arbuckle was hysterical, inflamed by an ambitious San Francisco district attorney and irresponsible journalists. Normand and other friends were not allowed to defend Arbuckle in public; no defense appeared in Hearst-owned newspapers.

Taylor, too, was not who he seemed, but he had mastered the Hollywood system as Normand, Minter, and Arbuckle could not. Taylor, an Irish-born one-time adventurer and actor, originally named William Cunningham Deane-Tanner, had abandoned his wife and daughter in New York. He had reinvented himself as a cultivated establishment director. He served three terms as Motion Picture Directors Association president and was an outspoken enemy of censorship and narcotics. He was not known for having relationships with women, leading to rumors that he was gay or bisexual. Normand and Minter, however, were obvious objects for compassion. Minter fantasized about him as her future lover and husband. For Normand, he was a teacher, although some criticized Normand and Taylor's reading of works by Jewish psychoanalyst Sigmund Freud. It was clear that both young women found solace from a person who

treated them as human beings, and not commodities.

Of the two actors, Normand was the most successful, so she had more to lose from the scandal. A talented actor, comedian, and athlete who performed dangerous stunts, she also wrote scenarios and produced and directed, making her a Hollywood superstar. She also was a cocaine addict, and she blamed her addition on the cough medicines she had taken for hemorrhages that she attributed to tuberculosis. (Cocaine was widely used during the 1920's, even though federal legislation banned it in 1914.)

Never a model of self-restraint and decorum, Normand's behavior became riotously erratic after Taylor's murder, making her even more suspect. Her audience remained loyal for a time, and her career might have at least temporarily survived had her chauffeur not shot millionaire playboy Courtland S. Dines at Normand's New Year's Eve party on January 1, 1924. Her chauffeur had used her pistol in the shooting and was later found to be an escaped convict. Again, no evidence implicated Normand, but state censorship boards in Kansas and Tennessee banned her films; other similar threats followed.

In September, a woman named Georgia Church cited Normand in a divorce suit, accusing Normand of having had an affair with her husband, Norman Church, while both were patients in a hospital. Once again, evidence was lacking, but reporters seized on the allegation. By then, too, film distributors noted changes in Normand's appearance. Her despair, ill health, and hard living were reflected on her face, changes that jeopardized her career in a day of harsh lighting and relatively crude makeup.

IMPACT

After World War I and the success of the Russian Revolution, would-be censors found moral weakness everywhere among the working classes and immigrants. Normand was among the most conspicuous victims of these censors, who were primarily religious moralists, members of women's clubs, and social conservatives. Attempts were made to ban films, newspapers, and sports on Sun-

days, the one day that working-class people would be free to enjoy them. Prohibition was part of the same movement. Newspaper and magazine articles not only frequently denounced film but also jazz and new forms of dancing. Shaken by rapid social changes, the moral censors, associating vice with the working classes and immigrants, urged that films uplift the masses, not pander to their tastes. By the time of Taylor's murder, former U.S. postmaster general William H. Hays already had been hired as Hollywood's first censor.

In her final films Normand modified her behavior for a more genteel set of standards, as the age of her brand of tomboyish comedy and Sennett's knockabout Keystone Kops comedies was over. These films had been produced for a working-class audience that had relished custard pies being thrown into the faces of the priggish and authoritarian. Sennett had costumed Normand and his bathing beauties in skimpy swimsuits, now seen by censors as insults to the ideals of American womanhood, while the comic ineptness of the Keystone Kops was considered subversive of law and order.

Associated not only with Arbuckle's and Sennett's comedies but also with a murder, an attempted murder, a divorce, and illegal drug use, Normand's career was over. In 1926, she married minor actor Lew Cody. In 1929, when still another district attorney threatened to implicate her in a reopened Taylor case, she was too ill to be summoned. She died of tuberculosis in a California sanitarium on February 23, 1930, perhaps unaware that the silent-film era itself had come to an end.

—Betty Richardson

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March 26, 1922

HINDEMITH'S OPERA *SANCTA SUSANNA* DEPICTS A NUN'S SEXUAL DESIRES

Paul Hindemith's complex, experimental one-act opera, Sancta Susanna, created a firestorm of controversy at its debut because of its frank portrayal of a troubled novice nun whose smoldering sexual passions and desires are aroused one spring night by a life-size wooden statue of the crucified Christ.

LOCALE: Frankfurt, Germany

CATEGORIES: Music and performing arts; public morals; religion; sex

KEY FIGURES

Paul Hindemith (1895-1963), German avant-garde composer and violinist

August Stramm (1874-1915), German expressionist poet and playwright

SUMMARY OF EVENT

Paul Hindemith was a noted violinist whose reputation for exquisite formal control in concert catapulted him to prominence in the prestigious classical music scene of Frankfurt, Germany, shortly before World War I. He had ambitions to compose as well, intrigued by new theories of dissonance and experimentation with the traditional tonal scale. After the war, Hindemith finally turned to composing and began a decade of immense productivity in which he established himself as one of the most audacious innovators among a new school of modernist artists. These artists, in the aftermath of a war that had shattered much of that generation's faith in tradition, sought to reinvent all aesthetic forms, as art was perceived as a vehicle to both engage and enrage the public.

Although his compositions immediately after the war were most notably highly experimental chamber music, Hindemith wrote prodigiously in a variety of genres and was at the forefront of a movement to bring the revolutionary principles of expressionism to the staid and conservative world of German opera (he had been concertmaster of the Frankfurt Opera orchestra—the Frankfurter Museumsorchester—before the war). Hindemith held that opera, given its vested interest in the often hyperbolic emotional and psychological range of its characters, would accommodate expressionism, which freely distorted the presentation of reality by using multilayered symbols to capture the interior life of distraught, emotionally traumatized characters as a way to shock audiences perceived by these uncompromising expressionist artists as bourgeois and complacent.

To that end, Hindemith began what would become a loose kind of trilogy of expressionist one-act operas. The first two—his 1919 setting of dramatist Oskar Kokoschka's *Mörder, Hoffnung der Frauen* (pr. 1909; *Murderer, the Women's Hope*, pb. 1963), a dreamlike ritual restaging of rape and murder by strangulation conducted between two vaguely defined male and female principles, and 1920's *Das Nusci-Nuschi*, a comic farce about rape using performers as life-sized marionettes—had stirred controversy, most notably a near-riot at the Frankfurt Opera House when the audience understood that *Das Nusci-Nuschi* was mocking Richard Wagner's *Tristan und Isolde*, a venerated landmark of German national pride and cultural identity.

In early 1921, Hindemith read the one-act play *Sancta Susanna*, written in 1912 by August Stramm, an early expressionist poet and playwright who had been killed during the war, and was immediately intrigued by its possibilities as an operatic work. The play exemplified a prewar theatrical movement known as *Schreidramen* (loosely translated as scream plays), which sought to disorient the audience by using hallucinatory, dreamlike sequences and dispensing with linear plot and clearly defined characters. Hindemith was captivated by the play's bold use of the character of a deeply troubled young nun as an allegorical figure representing the tension

between lust and celibacy. Hindemith later said he wrote the intricate score for Stramm's libretto in a furious two-week rush of inspiration, completing the work in late February. However, Fritz Busch, a force in postwar experimental German music, refused to direct this production, objecting to its sacrilegious content. As the musical director of the Stuttgart Opera House, Busch had supported the avant-garde movement and directed both of Hindemith's earlier one-act works.

The production, however, went forward—Hindemith unwilling to alter the opera's argument. *Sancta Susanna* premiered on March 26, 1922, at the Frankfurt Opera House. The twenty-five minute opera takes place entirely in a convent chapel, washed in the eerie and unsettling bluish light of the moon and the unsteady flicker of a single large candle. Off to the left stands a larger-than-life wooden crucifix. As the opera begins, center stage, prostrate before an altar spilling over with spring flowers devoted to the Virgin Mary is the novice nun Susanna. Other nuns, concerned about Susanna's mental condition, given her long prayer sessions and her increasing isolation, gather about Susanna and try to comfort her. The act is futile, though, underscored by Hindemith's use of tolling bells (signifying a feeling of doom) and a single extended organ note (a G-sharp held amid other orchestral movements for more than five minutes). Such an extended note would suggest to any organist that something was wrong with the instrument, and that a valve had become stuck. Here, Hindemith prepares the audience for Susanna's fast-approaching calamitous emotional collapse, signaling musically how something is clearly broken in the convent.

Susanna finds herself increasingly agitated by the heavy smell of the early spring lilacs outside the chapel windows. Suddenly, as a flute hits a halting staccato series of notes that suggest the spring wind rich with the musky smell, Susanna, overtaken by her repressed sexuality, chants an invocation welcoming Satan. An older nun immediately cautions her against such wickedness, telling her of another novice long ago whose erotic indulgences had led the order to brick her up alive behind the altar. However, Susanna is beyond reason—a preternaturally

large spider crawls out of the darkness behind the altar and entangles itself in Susanna's hair, symbolic of her lustful nature and the dementia she is enduring as that primitive nature is released. She tosses away her veil and, shockingly, rips the loin-cloth off the statue of the crucified Christ and attempts to intertwine her legs about the figure.

Amid a wild burst of dissonance from the orchestra, Susanna, now wracked by guilt, demands that the nuns who have witnessed her desecration wall her up. The stage is suspended for a moment—the moonlight disappears. The nuns gather to pray and try to compel Susanna to repent. A storm begins to howl outside the chapel, excessive percussion shakes the stage. The distraught woman refuses. As the opera closes, with harsh brass bursts underscoring the drama of damnation, the circle of nuns chant "Satan," a recognition of the loss of Susanna's soul, even as Susanna gathers herself to full height and closes the opera ironically with a feeling not of damnation or repentance but of pride and unfazed dignity.

It is difficult to appreciate the disturbing impact of the theatrical experience—not merely the provocative subject matter but the lurid theatrical effects, the claustrophobic feel of the stage darkness, the growing sense of doom, and the unnerving musical effects that mimic the natural phenomena outside the chapel. However, the critical establishment, ignoring the groundbreaking atmospheric effects of Hindemith's technically intricate orchestral score, focused rather on the subject matter and decried the opera's sacrilege and the use of German opera, long a noble part of German culture, as a vehicle for such decadent subject matter.

IMPACT

The operatic work immediately dominated artistic discussion (in subsequent stagings, theatergoers had to sign a pledge promising not to interrupt the performance). However, amid that generation's decade-long avant-garde assault on all conventional expressions of art, the controversy ebbed even as Hindemith faced a far more serious dilemma as the National Socialists came to power with an aggressive agenda of using art as propa-

ganda that glorified its political vision. The government viewed as decadent, obscure, and elitist the dense experimental works of composers such as Hindemith. Hindemith avoided outright condemnation by virtue of his international status—but in 1938, he emigrated to the United States. He would not return to Europe until 1953. During the last decades of his life, he was remarkably productive, but his voluminous works edged away from the experimental dissonant sounds of his 1920's work. Thus, *Sancta Susanna* was eclipsed by Hindemith's own more traditional later work.

Sancta Susanna itself has not secured a position in the international repertoire. Not so much because of its controversial look at sexual repression, its depiction of sexual desire, and its harsh critique of abstinence and the Roman Catholic holy life (although when it was staged in New York as part of the Hindemith Centennial in 1995, it was the subject of condemnation by Catholic groups), but more because of its staging. The opera requires eccentric instrumentation (an addition to the organ, a xylophone, bells, a celesta, a large gong, and a harp), has an unconventional musical score (part of Hindemith's well-documented theories of expanding the nature of musical sound itself), had difficult staging instructions that involve an intricate system of theatrical effects (although it has been proposed for cinematic treatment), and has a decidedly hallucinatory atmosphere and unsettling ending that puts off audiences. It is seen now largely as a kind of closet-drama, a period piece that testifies to an era when music boldly sought to startle audiences into rethinking the role music plays in a culture and, in turn, seeing the composer as provocateur.

—Joseph Dewey

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April 12, 1922

FILM STAR FATTY ARBUCKLE IS ACQUITTED OF MANSLAUGHTER

Roscoe "Fatty" Arbuckle was one of America's most popular actor-comedians at the beginning of the 1920's. He became the target of national outrage after he was accused of causing the death of actor Virginia Rappe, whom he reportedly raped at a party at a San Francisco hotel. Although he was acquitted, his career virtually ended.

LOCALE: San Francisco, California

CATEGORIES: Law and the courts; murder and suicide; sex crimes

KEY FIGURES

Roscoe "Fatty" Arbuckle (1887-1933), silent-film star

Virginia Rappe (1891-1921), silent-film actor and model

Margaret Maude Delmont (fl. 1920's), self-employed celebrity-news correspondent

Matthew A. Brady (1876-1952), district attorney of San Francisco

Gavin McNab (1869-1927), Arbuckle's defense attorney

SUMMARY OF EVENT

In 1921, Roscoe "Fatty" Arbuckle was one of the world's most famous film stars and the top actor at Paramount Pictures. After leading a hardscrabble life on the vaudeville theater circuit, he finally achieved fame around 1913 by starring in a series of comedy shorts produced by Mack Sennett, who had made stars of Charles Chaplin, Buster Keaton, and Mabel Normand. Despite his immense weight (250-300 pounds), Arbuckle was known for his deft comedic moves and his ability to take a fall. His sweet, humble persona made him a fan favorite with moviegoers while his lively sense of humor made him popular with his fellow Hollywood stars.

In the summer of 1921, his new contract with Paramount promised him an annual salary of one million dollars, making him the highest paid film star in the history of cinema, to that time. Looking to celebrate his newfound fortune, Arbuckle decided to take a Labor Day weekend trip to San Francisco, California, with his friends, directors Lowell Sherman and Fred Fischbach. Together, they drove to San Francisco and checked into a suite at the St. Francis Hotel.

Arbuckle hoped for a quiet weekend visiting



Fatty Arbuckle, seated second from right, at his manslaughter trial in San Francisco. (Library of Congress)

friends but Fischbach insisted on throwing a party. He ordered bootleg liquor, had it delivered to the suite, and invited to the hotel his Hollywood friends and hangers-on who were in town that weekend. Among those celebrities in town was actor Virginia Rappe, who had appeared in some minor films, and Margaret Maude Delmont, a media correspondent known primarily for accumulating potentially damaging evidence on stars. Arbuckle was unhappy to have either of them there, especially Rappe, who had a reputation as a “loose” woman, sometime prostitute, and a bad drunk. The party quickly devolved into a drunken revel, with Arbuckle fearing that the noise would get them thrown out of the hotel.

Several hours into the party, Arbuckle went to change clothes in his bedroom and discovered an ill Rappe vomiting in the bathroom. Arbuckle would

later claim that he moved her to his bed and attempted to calm her down, though she continued to cry and scream. Her cries attracted the other partygoers, who found her lying on the bed with her clothes in disarray and sobbing incessantly. When attempts to calm her failed, the hotel doctor was called. After a brief examination, he declared that Rappe was merely intoxicated, and she was moved to another room. The party continued for the rest of the day and ended later that night.

The following day, Arbuckle checked out and left instructions that he would pay for Rappe’s room and medical costs. He and his friends returned to Los Angeles, believing everything would be fine. However, Rappe’s condition worsened. Two days later she was moved to a clinic where she was diagnosed with a ruptured bladder and acute peritonitis. She lapsed into a coma and died on September 9.

Delmont, when questioned by police, said that Rappe had been sexually assaulted by Arbuckle. San Francisco district attorney Matthew A. Brady, an ambitious attorney hoping to become California governor, promptly charged Arbuckle with first degree murder, a charge later changed to manslaughter.

Confident of vindication, Arbuckle surrendered to authorities, only to be returned to San Francisco and jailed. National newspapers, particularly *The New York Times* and the newspapers of William Randolph Hearst, including the *San Francisco Examiner*, devoted page after page to the story, printing lurid gossip and unfounded rumors about Arbuckle's alleged assault on Rappe. One legendary story relates that he sexually assaulted her with a soda or beer bottle. Groups around the country who already were decrying what they believed was an immoral Hollywood demanded the immediate withdrawal of all Arbuckle films from theaters; the theaters were quick to comply.

Fearing mass censorship, the studio bosses invited William H. Hays, a former Republican presidential candidate popular with religious conservatives and a former U.S. postmaster general, to become the industry's new morality czar. Hays founded the precursor of the Motion Picture Association of America (MPAA) and established a production code (known as the Hays Code) that dictated what could and could not be portrayed on film. Films hoping for release in theaters would first have to be approved by his office.

Arbuckle's first trial began in November, 1921, and he was defended by San Francisco attorney Gavin McNab. At trial, Arbuckle's conduct was questioned repeatedly by prosecutors, whereas Rappe's past was not admissible in court. Witnesses who were at the party in San Francisco were threatened with jail time if they did not corroborate the story that Arbuckle raped Rappe. Delmont, Arbuckle's chief accuser, did not even take the stand because district attorney Brady feared her story would fall apart under cross-examination. Even so, the trial ended in a hung jury, with eleven jurors voting not guilty and one juror (alleged to have ties with the district attorney's office) refusing

to vote anything but guilty. A second trial ended with the same result. A third trial allowed all the evidence to come forward. The jury deliberated for about five minutes before returning a not-guilty verdict on April 12, 1922. Some jurors even issued a public apology for all the pain and hardship Arbuckle had needlessly suffered.

Arbuckle's sense of triumph was short-lived, however. A few days after his acquittal, Hays announced that Arbuckle would be banned from appearing in any Hollywood film. In effect, he became the first actor to be blacklisted. Unable to perform as an actor, he began operating a popular Hollywood restaurant and directing low-budget films under aliases. The ban was eventually lifted, but no movie offers came his way. Despondent, he watched his marriage fall apart and battled both drug and alcohol addictions.

Arbuckle toured the vaudeville circuit again and was warmly received by the public. During the early 1930's, Warner Bros. studio cast him in a series of comedy shorts. When the films proved surprisingly popular at the box office, Warner signed Arbuckle to star in a feature film, his first since 1921. Arbuckle declared it "the best day of my life." That night he suffered a heart attack in his sleep and died. His good friend, Buster Keaton, declared that Arbuckle had literally "died of a broken heart."

IMPACT

The Arbuckle scandal had many far-reaching consequences for the film industry and journalism. It turned the private lives of actors into fodder for entertainment and established disturbing trends: paparazzi stalking stars in search of scandal and tabloid reportage. The blacklisting of Arbuckle established the precedent of banning actors, writers, and directors who did not conform to the movie industry's rules of behavior. Blacklisting would come to fruition during the Red Scare of the 1950's, when actors and others in the entertainment industry would be banned from work based simply on innuendo and rumors that they had communist associations. The Hays Code remained in force until the 1960's, thus providing incalculable influence on which movies were made and how sexuality, adult

themes, and language were depicted in film. The scandal also revealed the media penchant for planting the idea in the public's mind that a person was guilty before he or she had been tried in a court of law.

—Richard Rothrock

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June 22, 1922

BRITISH PRIME MINISTER DAVID LLOYD GEORGE IS ACCUSED OF SELLING HONORS

Prime Minister David Lloyd George sold noble titles to strengthen his position and that of his new Coalition Liberal Party. By granting honors to war profiteers and even criminals, including traitors and tax evaders, he scandalized British society and fell from power.

LOCALE: London, England

CATEGORIES: Government; politics; royalty; corruption

KEY FIGURES

David Lloyd George (1863-1945), prime minister of the United Kingdom, 1916-1922

Frederick Guest (1875-1937), Coalition Liberal Party chief whip

Maundy Gregory (1877-1941), con artist, magazine publisher, and Lloyd George's co-conspirator

George Younger (1851-1929), Conservative Party chief whip

Sir Rowland Hodge (1859-1950), British shipbuilder convicted of hoarding food during World War I

Sir Joseph Robinson (1840-1929), South African industrialist

SUMMARY OF EVENT

The concept of buying into the nobility was not new in the United Kingdom. In the seventeenth century, both James I and Charles I sold titles to operate outside the financial restrictions of Parliament. Beginning with William Pitt in 1783, prime ministers employed the practice to cover expenses and win political favors. By the early twentieth century, a growing electorate required political parties to run campaigns. It was not enough to knight landowners; both the Liberals and the Conservatives needed the money of industrialists and businessmen anxious to enter the ranks of the nobility.

In late 1916, David Lloyd George used a split in the wartime Coalition government to force Prime Minister H. H. Asquith's cabinet out of office and take part of his Liberal Party. While he was a dynamic and forceful leader, Lloyd George had no party apparatus or funding to support him in the next general election. To make matters worse, Parliament was soon to approve voting rights for all adult males.

Lloyd George turned to Coalition Liberal Party chief whip Frederick Guest to raise the needed funds. For the previous twenty years, prime ministers had relied on their party's chief whips to find appropriate individuals deserving of titles as well as important donors. Guest took this system to a higher level. Between 1916 and 1922, he found 87 persons who were willing to give up to £50,000 for a peerage, 237 who donated £30,000 for a baronetcy, and 1,500 who paid up to £10,000 for a knighthood. Guest was helped by a series of middlemen, or "touts." The most famous was Maundy Gregory.

Gregory was a successful con artist who created the society magazine *Mayfair & Town Topics* in 1910. The magazine was in reality a scheme to obtain cash from the nouveau riche, who paid to have flattering biographies written by Gregory in the hopes of gaining respectability. As an outgrowth of the magazine, Gregory started a detective and credit-rating agency two years later, making him a unique asset for Guest. Gregory knew those wishing to enter society and, more important, those who could afford to pay the price.

Lists of those receiving honors are traditionally posted at New Years and the monarch's official birthday (as the Birthday Honours List) in June. Lloyd George had long been seen as a maverick and as antiestablishment. His first list in 1917 was modest, and many hoped it marked a new trend. Conservative James Gascoyne-Cecil, Lord Salisbury, was not convinced. His worse fears were realized with

the prime minister's June, 1917, list, but his complaints were ignored. Lloyd George successfully presented Salisbury as a mere elitist. With World War I taking a priority in the minds of the public, Guest and Gregory's system went unnoticed.

At war's end, Gregory revived the concept of *Mayfair & Town Topics* under the new title *The Whitehall Gazette*. The magazine's name, typeface, and paper were designed to convince readers that it was a government publication. Once again, Gregory devoted a segment to profile wealthy individuals who paid him for access into society. The war had made many individuals rich, and they made easy targets for Gregory to use and then pass on to Guest.

The highpoint of Lloyd George's career was De-



David Lloyd George. (Library of Congress)

cember 14, 1918. He won the coupon election with a wide Coalition Party majority, but his party actually controlled only 127 seats in the House of Commons. His junior partner, the Conservative Party, held 332 seats. The need to build a new party base became more crucial than ever. Protesting soldiers, strikes, the issue of Irish independence, and the Paris peace conference all combined to keep the public's focus away from Gregory. He also used each of these to solicit donations for Lloyd George and his party.

It was not until January of 1921 that the honors lists truly made national headlines. Lloyd George had put forward war profiteers before this, but he now nominated Sir Rowland Hodge. A shipbuilder, Hodge had been convicted of hoarding food during the war. In 1918, he had sought to purchase a title through the influence of Winston Churchill and then Conservative Party chief whip George Younger. Both found Hodge vulgar and thus rejected him. Even King George V, who had met him only once, found Hodge to be disagreeable. Over the king's objections, the prime minister successfully made Hodge a baronet.

Lloyd George allowed the political waters to calm. For the Birthday Honours List of June 3, 1922, he recommended persons who were beyond the bounds of acceptability. Samuel Waring was a war profiteer who reorganized his company to avoid paying his shareholders. William Vestey moved his meatpacking business out of Britain in 1915 to avoid paying taxes. Both Archibald Williamson and John Drughorn had been convicted of trading with the enemy. Even worse, however, was Sir Joseph Robinson. As a prospector in South Africa, he had made much of his money by buying undervalued land and then reselling it to his own company at inflated prices. He had been convicted of fraud and fined £500,000. He fought the case all the way to the Privy Council, which had ruled against him in November of 1921, and lost this case as well. Members of the council in the House of Lords were incensed that he was now to be made one of them. Jan Smuts, the prime minister of South Africa, was angry that he had not been consulted, and the British king was furious with the selection.

Lord Harris used Robinson to launch the assault on Lloyd George and his list on June 22. After the South African's business practices were made public, the prime minister had no choice but to have Robinson decline the honor. On June 29, the prime minister announced Robinson's decision, but it did not calm his critics. According to historian Geoffrey Searle, Lloyd George became a victim of both the left and right. The former disliked the whole concept of the nobility and felt betrayed by the prime minister, while the latter feared that if he was not stopped he would dilute the English nobility. Equally important, Guest and Gregory's work had undercut Lloyd George's Coalition Party partners. Younger revealed that Guest brought several Conservative supporters over to the Coalition Liberals by offering them titles. On July 17, the prime minister was attacked simultaneously in both the Commons and the Lords. After seven hours of debate, to protect himself, Lloyd George agreed to create a royal commission to investigate the selling of titles, but the die was already cast.

IMPACT

From 1916, the Conservatives had been willing to operate under Lloyd George only as long as he remained an effective force. The honors scandal convinced many party members that it was time to chart an independent course. On October 16, the Conservatives left, the Coalition collapsed, and without a political base, Lloyd George was forced to resign. He then used the funds Guest had secured to purchase the *Daily Chronicle*. The royal commission issued its nine-page report the next month. It did little more than suggest that a scrutiny committee be established to investigate all candidates.

In April, 1923, the Conservatives introduced the Honours Prevention of Abuses Bill, which sought to punish those trying to buy or sell titles. The Conservatives fell from power before the bill could make its way through Parliament. Shortly after his return to office, Stanley Baldwin reintroduced the bill in June of 1925, and it received a royal assent in August. In 1933, Gregory became the only person ever convicted under the Prevention of Abuses Act

of 1925. He died in France in 1941, but his name and the honors scandal he helped create remain in British political discourse.

—Edmund D. Potter

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Civil Servant Is Arrested for Spying; Mar. 2-Sept. 25, 1963: John Profumo Affair Rocks British Government; June 22, 1972: Police Arrest Architect John Poulson for Bribery and Fraud;

Nov. 20, 1974: British Politician John Stonehouse Fakes His Suicide; 1985-1986: Westland Affair Shakes Prime Minister Thatcher's Government.

January 18, 1923

ACTOR WALLACE REID'S DEATH IN DRUG REHAB SHAKES FILM INDUSTRY

After years of drug abuse and overwork, silent-film star Wallace Reid collapsed on set. His death during rehabilitation in a well-known sanatorium for the stars brought extensive and unwelcome publicity to the film industry and led to the development of production codes for filmmaking.

LOCALE: Hollywood, California

CATEGORIES: Drugs; film; Hollywood; medicine and health care; popular culture

KEY FIGURES

Wallace Reid (1891-1923), American silent-film star

Dorothy Davenport (1895-1977), American silent-film star who was married to Reid

Jesse L. Lasky (1880-1958), American film producer

William H. Hays (1879-1954), film-studio consultant, U.S. postmaster general, 1921-1922

SUMMARY OF EVENT

In 1921, Wallace Reid was perhaps the most popular male film star in Hollywood. Fewer than two years later, he was dead, the result of years of morphine abuse combined with overwork. Although his death did not mark Hollywood's first big scandal, it was, according to groundbreaking film director Cecil B. DeMille, the event that almost destroyed Hollywood.

Reid got his start in film at a time when filmmaking was quick, cheap, and primitive. E. J. Fleming points out in his 2007 biography of Reid that about the time Reid made his first film, *The Phoenix*

(1910), the biggest stars of the day were stage actors based in New York who frequently took their plays on tour to the small towns of the United States. Films, in contrast, were little more than "filler" material. That is, early films were six- to seven-minute entertainments that would be shown during the intermissions of live theater and variety acts.

Films were shot quickly and cheaply in New York, Chicago, New Orleans, and other cities, usually taking no more than a day or two to outline, shoot, and edit. The independent filmmakers of the early 1910's had little money to invest in film production; they set up cameras wherever something visually interesting (and free) was happening—like a parade or a house fire—and wrote film scripts enabling them to make use of the resulting footage. These filmmakers made hundreds of short films each year. Between 1910 and 1915, Reid appeared in almost 140 films; he also directed more than fifty films and wrote screenplays for twenty-five.

At the time, the most powerful organization in filmmaking was Thomas A. Edison's Motion Picture Patents Company (MPPC), based in New Jersey. Inventor Edison owned the patents for movie cameras, projectors, and even film stock, and he rigorously and unscrupulously harassed independent filmmakers. According to Fleming and other writers, independent filmmakers settled in Hollywood partly because it had an advantageous climate but mostly because it was out of the MPPC's reach. By 1915, MPPC patents were vacated.

Over the course of the next decade, these legal changes, along with technological advances, allowed filmmakers in Hollywood to make longer,

more involved narratives. However, longer films took longer to shoot and produce, requiring a larger investment of capital on the part of the producer or studio. The drive to recoup that investment created the star system in Hollywood. After receiving glowing reviews for an extremely small part in D. W. Griffith's epic (and racist) film *The Birth of a Nation* (1915), Reid began appearing in other feature films.

After 1915, Reid worked primarily with film producer Jesse L. Lasky, who recognized that Reid was an exceptionally talented actor in a variety of genres; over the course of the next half decade, Reid appeared in thrillers, Westerns, racing movies, period dramas, comedies, and romances. His films turned a profit, and the studio he worked for did almost everything possible to ensure that he could continue to work. This included prescribing morphine for Reid to get him to complete a film, enabling what turned into morphine addiction, exploiting him as he declined physically, and then hypocritically capitalizing on his unsuccessful battle with drugs.

During the production of *The Valley of the Giants* (1919), Reid was injured during a stunt, leaving him with serious lacerations and intense pain in his hips and back. The drug of choice at the time for severe pain was morphine. A studio doctor, rushed to the scene of the accident, gave Reid morphine to enable him to shoot the picture. From 1919, Reid grew dependant on increasing amounts of morphine and its illicit derivative, heroin.

Derived initially from opium during the early nineteenth century, morphine had been used to treat everything from ghastly wounds in the American Civil War (1861-1865) to coughs and hiccups. Morphine stimulates two types of central nervous system receptors, relieving pain, producing euphoria, inducing sedation, and reducing anxiety, all without putting the user to sleep. Writer Jill Jonnes notes in her 1996 book on drugs and drug use that many Hollywood figures between 1915 and 1925 used morphine and other opioids regularly, sometimes in combination with cocaine, alcohol, or both. Long-term users rapidly become tolerant of the drug and physically dependent upon continued use.

Reid's Death in Drug Rehab Shakes Film Industry

Tolerance means that long-term users must increase the dosage they take to experience therapeutic effects. It was an open secret in Hollywood that Reid was unable to function without enormous amounts of morphine, and that when he was unable to get it from studio doctors, he bought heroin from drug pushers who brought it to him on the set and at home.

Reid also became physically dependent upon morphine. Although the exact mechanism remains unclear, it is believed that morphine increases the number of opioid receptors in the brain and lessens the body's ability to self-regulate pain and promote pleasure. As his biographer notes, Reid frequently experienced severe withdrawal symptoms that included anxiety, insomnia, irritability, and tremors.

Throughout the early 1920's, Reid suffered from severe weakness, repeated illness, and substantial weight loss. He was given little chance to rest between films. A crass relationship developed between Reid and his studio bosses: He was exploited for his profit-making potential and he reportedly

1920's



Wallace Reid. (AP/Wide World Photos)

threw tantrums in return. Fleming said that while most actors could expect a week or two off between films, Reid received three to four days and sometimes as little as six hours. Initially his producers fed him morphine and kept him working. By the early 1920's, however, Reid was a full-blown addict who would blackmail directors in the middle of film production; he earned more than one million dollars for his films and spent almost all of it on drugs.

Throughout 1922, Reid's drug use had been increasingly alluded to in newspapers and magazines, although his name was not used. Eventually, Reid was desperately weak and, after pleading from his wife, actor Dorothy Davenport, he entered a well-known sanatorium for the stars. In 1919, he weighed 190 pounds. By the time he entered the sanatorium in December, 1922, he weighed less than 130 pounds. He could not lift his head from his pillow without fainting.

A particularly severe consequence of opioid addiction is the damage it does to the user's immune system. Those who inject heroin intravenously, as Reid did, tend to lose the ability to fight off infections. From mid-December, 1922, to mid-January, 1923, Reid was frequently in a coma after suffering sustained fevers as high as 103 degrees. He died on January 18 from pneumonia. Even in death he was exploited: News of his grave illness and death was used to publicize his last films and the products he endorsed.

IMPACT

Along with other scandals of the time—including the suicide of film star Olive Thomas in 1920, the rape scandal involving comedian Fatty Arbuckle in 1921, and the unsolved murder of director William Desmond Taylor in 1922—Reid's drug use and death was exploited by the news media. Newspapers covered these scandals but presented them as evidence of a pervasive moral rot in Hollywood. As one might expect, media exposés led to calls for reform, and studio executives heeded those calls to ensure the film industry's survival.

In 1922, studio bosses invited former U.S. postmaster general William H. Hays to California to

head a consortium called the Motion Picture Producers and Distributors of America (now called the Motion Picture Association of America, or MPAA). Fueling the effort, as usual, was a desire to make a profit by avoiding the making of films audiences would shy from. Americans wanted to see films dealing with topics other than the glorification of substance abuse and criminal behavior. In part, Reid's death, and the scandals involving other celebrities at the time, helped fuel the changing mood of film audiences and prompted the formation of the MPAA.

Hays's role, initially, was to advise studio bosses on what types of films not to shoot, leading to the development of the Motion Picture Production Code of 1930, better known as the Hays Production Code. The code, which was voluntary, began to outline the moral do's and don'ts of filmmaking. A rating system (for example, PG, PG-13, and R) developed from this early production code.

Davenport, too, had a mission after her husband's death. After enabling the addiction that led to his death in 1923, she spoke to the print media but misrepresented Reid's illness. She claimed that he had become addicted in 1921—and not around 1919, as many already knew—while shooting a film in New York City. News stories suggested that Hollywood was not to blame for Reid's addiction and death. Instead, his addiction and death were proof of the evils of morphine. Within six months of Reid's death, Davenport was able to convert him from a symbol of excess into a symbolic victim of a national drug problem. Later in 1923 she released the film *Human Wreckage* and toured the country as Mrs. Wallace Reid, lecturing on the dangers of morphine addiction while showing her film as evidence. Hays gave her crusade his full blessing and support.

—Michael R. Meyers

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SEE ALSO: Feb. 1, 1922: Director Taylor's Murder Ruins Mabel Normand's Acting Career; Apr. 12, 1922: Film Star Fatty Arbuckle Is Acquitted of Manslaughter; Jan. 1, 1924: Film Star Mabel Normand's Chauffeur Shoots Millionaire Courtland S. Dines; Nov. 19, 1924: Film Producer Thomas H. Ince Dies After Weekend on Hearst's Yacht; 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; Feb. 25, 1977: Film Producer David Begelman Is Found to Have Forged Checks; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

March 2, 1923

U.S. SENATE INVESTIGATES VETERANS BUREAU CHIEF FOR FRAUD

Charles R. Forbes, a World War I hero who had campaigned for U.S. president Warren G. Harding, was chosen by Harding to manage the Veterans Bureau. A Senate investigation revealed Forbes had been looting the bureau. He was found guilty of defrauding the U.S. government and sentenced to two years in prison. The Forbes debacle was the first in a long line of scandals that plagued the Harding administration.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; government; politics; law and the courts

KEY FIGURES

Charles R. Forbes (1878?-1952), director of the U.S. Veterans Bureau, 1921-1923, and a World War I veteran

Warren G. Harding (1865-1923), president of the United States, 1921-1923

Florence Harding (1860-1924), First Lady of the United States, 1921-1923

Elias Mortimer (fl. 1920's), sales representative and lobbyist

Charles E. Sawyer (1860-1924), Harding family physician, brigadier general in the U.S. Army Medical Corps, and chairman of the Federal Hospitalization Board

SUMMARY OF EVENT

Rumors of misconduct in the U.S. Veterans Bureau began to circulate in Washington, D.C., in the fall of 1922. War veterans in the U.S. Congress demanded a formal inquiry. President Warren G. Harding heard from friends about the suspicious activities of Veterans Bureau director Charles R. Forbes, but Harding refused to believe accusations about his poker-playing buddy. The general public would not know the dimensions of the scandal until a U.S. Senate committee began public hearings in October, 1923.

Harding had first met Forbes when the newly elected senator from Ohio and his wife took a ten-day trip to Hawaii in February, 1915. Forbes, in charge of construction at the Pearl Harbor naval base, showed the two the sights of Hawaii. Forbes visited them later in Washington, became a particular favorite of Florence Harding, joined Warren Harding's poker parties, and played an active role in the 1920 presidential campaign. Forbes proudly described his wartime service during World War I. A major in the Signal Corps, he was awarded a Croix de Guerre from the French government, a Distinguished Service Medal by the United States, and promoted to lieutenant colonel. He never mentioned that two months after enlisting as a private in 1900 he was absent without leave (AWOL), was caught, then reinstated, and received a good-conduct discharge at the rank of sergeant in 1907.

First Lady Harding chose as her special project to take care of her "boys," wounded war veterans, and pressured Harding to put Forbes in charge of veterans' affairs. She also insisted that her personal physician, homeopath Charles E. Sawyer, become the White House doctor; Harding gave him the rank of brigadier general in the Army Medical Corps Reserve and appointed him chairman of the Federal Hospitalization Board.

Forbes was sworn in as chairman of the Bureau of War Risk Insurance on April 21, 1921, and took over as head of the Veterans Bureau when Congress created the bureau in August to consolidate agencies concerned with veterans. Unsatisfied with powers Congress had granted, Forbes persuaded the president to issue executive orders on April 29, 1922, transferring control of a \$35.6 million hospital construction fund from the Treasury Department to him and shifting management of warehouses at Perryville, Maryland, which stored supplies for all federal hospitals from the Public Health Service to his bureau.

Sawyer, who had never liked or trusted Forbes, complained to Harding that when he left town in May, Forbes got the Hospitalization Board to approve construction of unneeded hospitals. After visiting the Perryville warehouses on October 14, Sawyer alerted Harding to strange shipments of

goods leaving the facilities. Harding did not believe him. That same month, the American Legion called for Sawyer's dismissal from office for delaying hospital construction, while lavishly praising Forbes. However, as stories of misconduct multiplied, legion posts supported the December demand by the Disabled American Veterans for an investigation.

By January, 1923, enough evidence reached Harding to finally persuade him that Forbes had betrayed his trust. He called Forbes to the White House and demanded his resignation. After an angry confrontation, Harding agreed to let Forbes depart for Europe and resign from there; the resignation arrived February 15. The administration announced a major reorganization of the Veterans Bureau on January 31. The chief counsel of the bureau resigned the next day and committed suicide on March 12.

Demands for a full investigation were now unstoppable. After the Senate authorized a probe of the Veterans Bureau on March 2, the lead counsel of the committee carefully gathered evidence for nine months before starting public hearings on October 22. The first witness on the following day was Elias Mortimer, a lobbyist for various businesses who was hardly unbiased. Angered by an affair between Forbes and Mortimer's wife that destroyed his marriage, Mortimer was eager for revenge. Having been an enthusiastic participant in Forbes's nefarious activities, he knew all the details. He described a trip he and his wife had taken with Forbes in June, 1922, at Mortimer's expense, to select sites for new hospitals. His account of continual wild parties replete with liquor and gambling delighted reporters but shocked the public in Prohibition era America.

As they approached Chicago, Forbes complained of needing money and requested \$5,000. Mortimer called Forbes into the bathroom of Forbes's Chicago hotel suite and handed over ten \$500 bills on behalf of the president of a construction company who hoped to win hospital building contracts. Only contractors who "lent" Forbes money successfully bid on hospital construction contracts. Mortimer also provided examples of Forbes profiting from

bureau purchases of land during that trip, including having the bureau pay \$105,000 for a vineyard in California that had cost its owner less than \$20,000, in return for a \$25,000 kickback.

Forbes's management of the Perryville medical warehouses provided yet another tale of massive corruption. On November 14, 1922, Forbes had convinced Harding's coordinator of the federal budget to approve a three-page list of what Forbes claimed were damaged goods to be sold for whatever price Forbes could get. A plot had been prepared and swung into immediate action. On November 15, Forbes added two additional unapproved lists and signed a contract selling new supplies at a small fraction of cost. That same day fifteen empty freight cars arrived at Perryville and left the next day fully loaded with brand new sheets, towels, gauze, and other hospital materials. Forbes sold new hospital bedsheets for 20 cents that Veterans Bureau hospitals were currently purchasing for about \$1 each. An often repeated estimate claims Forbes sold for less than \$600,000 supplies that were valued at between \$5 and \$7 million. How much he received in kickbacks is unknown.

Mortimer's three weeks of testimony, replete with unsavory details that reporters and the public eagerly followed, were high points of the nine-week hearings. After the hearings ended in December, the Senate referred the evidence to the Department of Justice.

Forbes, along with the contracting company president who provided the notorious \$5,000 "loan," went on trial in Chicago in November, 1924, accused of conspiring to defraud the U.S. government. Once again, Mortimer was the star witness, continuing his vendetta with Forbes. The \$5,000 payment and the lucrative contracts the construction company subsequently received were central to the prosecution's case. On January 30, 1925, after nine weeks of testimony and argument, the jury took five hours to find both Mortimer and Forbes guilty. On February 2, the judge sentenced the two felons to two years in prison and fined them \$10,000 each. Forbes appealed his sentence, reaching the U.S. Supreme Court and delaying incarceration at Leavenworth Penitentiary until March 21,

1926. He was paroled on November 26, 1927, after serving twenty months in prison. Forbes died on April 10, 1952, at Walter Reed Army Medical Center in Washington, D.C., and was buried at Arlington National Cemetery.

IMPACT

The Veterans Bureau affair was the first scandal of the Harding administration to become public knowledge and the only scandal that did so while Harding was still alive. Other scandals involving corruption in the Departments of the Interior and Justice, and enforcement of Prohibition, would erupt after his death. The scandals are frequently lumped together under the name Teapot Dome, which involved the illegal sale of naval reserve oil, even though the other cases of corruption had nothing to do with oil. The scandals destroyed Harding's reputation and led to his being deemed one of the worst U.S. presidents.

—Milton Berman

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SEE ALSO: May 30, 1923: U.S. Attorney General Harry M. Daugherty's Aide Commits Suicide; Oct. 22, 1923: U.S. Senate Begins Hearings on Teapot Dome Oil Leases; May 12, 1924: Kentucky Congressman John W. Langley Is Convicted of Violating the Volstead Act; 1927:

President Warren G. Harding's Lover Publishes Tell-All Memoir; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; Sept. 22, 1958: President Eisenhower's Chief of Staff Resigns for Influence Selling; Oct. 7, 1963: Vice President Lyndon B. Johnson Aide Resigns over Crime Connections; Sept. 21, 1977: Carter Cabinet Member Resigns over Ethics Violations; Dec. 16, 1982: Congress Cites Environmental Protection Agency Chief for Contempt; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents.

May 30, 1923

U.S. ATTORNEY GENERAL HARRY M. DAUGHERTY'S AIDE COMMITS SUICIDE

U.S. attorney general Harry M. Daugherty brought his personal and political confidant, Jesse W. Smith, into the Justice Department upon assuming office in 1921. In 1923, Daugherty informed Smith that he was under suspicion for fraud and influence peddling. Stunned and depressed, Smith committed suicide. His death led to public scrutiny and investigations that revealed the scandals of the Warren G. Harding administration.

LOCALE: Washington, D.C.

CATEGORIES: Murder and suicide; corruption; government; politics

KEY FIGURES

Jesse W. Smith (1872-1923), U.S. attorney general Daugherty's aide

Harry M. Daugherty (1860-1941), U.S. attorney general, 1921-1924

Warren G. Harding (1865-1923), president of the United States, 1921-1923

Thomas W. Miller (1886-1973), U.S. alien property custodian, 1921-1925

SUMMARY OF EVENT

When Warren G. Harding became president in 1921, he brought into his administration members of his political machine known as the Ohio Gang. Chief among the Gang was his friend, political adviser, and newly appointed U.S. attorney general Harry M. Daugherty. Daugherty, in turn, brought close friend Jesse W. Smith into the U.S. Department of Justice, where he became Daugherty's spokesperson and deal maker.

Smith had full access to department records and to personnel and privileges. At the Justice Department, Smith wrote letters, gave orders, and requested department funds, all in Daugherty's name. He had free access to official cars and department railroad passes. Daugherty required Smith to travel with him on all political trips, sleeping in the same hotel suite with the door between them open. Daugherty became so dependent upon Smith that he moved him into his own apartment. Smith became Daugherty's valet, secretary, bookkeeper, and errand boy. He also shared Daugherty's access to the White House, visiting at least twice weekly for White House poker sessions. He often accompanied the president's party on weekend excursions.

Smith and other members of the Ohio Gang rented a house at 1615 K Street, which became known as the Little Green House, from which they would run their fraudulent schemes. The house became a private club, in which Smith and other politicians met with those seeking favors and willing to pay for influence. Among these persons were organized crime figures, convicts seeking pardons, indicted persons wanting charges against them dropped, bootleggers seeking liquor permits, and foreigners trying to recover properties seized by the government during World War I. Government-seized liquor was available in unlimited quantities for entertainment and for gifts to guests, families, and friends.

A major scandal of the Harding administration involved Smith and Thomas W. Miller, the U.S. alien property custodian. Miller had control of thirty-one thousand active trusts and several thousand real estate properties that the government had confiscated from German owners during World War I. One such case involved 49 percent of the American Metal Company's shares, valued at six million dollars, which were taken in 1917 from the German Metallgesellschaft & Metall Bank. The shares were sold by the alien property custodian, A. Mitchell Palmer, who invested the proceeds in liberty bonds.

In September, 1921, the Moses family, German owners of the Metall Bank, sought to recover its property, now worth seven million dollars. Richard Merton, of the Moses family, claimed that a Swiss corporation, Societe Suisse, also controlled by the Moses family, had purchased the American shares in March, 1917, before the United States entered the war. However, the transfer was not in writing. Seeking a favorable decision, Merton contacted Smith through a lobbyist-politician, John King, and on September 20, Smith, Miller, Merton, and King met in New York to discuss Merton's claim.

The next day, Miller, acting head of the U.S. Alien Property Bureau, formally agreed to honor Merton's claim. Two days later, Attorney General Daugherty's office approved payment on the claim. Miller drew two checks on the U.S. Treasury totaling \$6,453,979.97, along with liberty bonds valued

at \$514,350, and took them to Merton in New York. In gratitude, Merton gave a celebration dinner for Miller, King, and Smith, and presented each of them with expensive cigarette cases as mementos. Merton also paid King a service fee of \$391,300 in bonds and \$50,000 cash. In turn, King gave \$224,000 to Smith and \$50,000 to Miller for expediting payment of the claim. Smith deposited \$50,000 in bonds to the "Jess Smith Extra No. 3" account, a political account in Daugherty's brother's bank (Midland National at the Washington Court House, Ohio). Daugherty later claimed that Smith deposited the bonds as partial payment of \$60,000 in campaign contributions that Smith had failed to return. Daugherty burned the bank records shortly after Smith's suicide.

Another scheme perpetrated by Smith was the sale of illegal liquor permits after the 1919 passage of the Eighteenth Amendment to the U.S. Constitution, which outlawed the sale and transport of liquor beginning in 1920. Government-seized liquor was stored in warehouses until legal permits could be issued for its sale and transport. Sometimes, shipments consigned to buyers in foreign countries were diverted to the Little Green House on K Street, and from there they were distributed to the White House, family friends, and cronies in the Ohio Gang.

After passage of the Volstead Act (1919), which defined illegal liquors and established a Prohibition Bureau to enforce the law, Smith began selling liquor permits to bootleggers. German-born George Remus had acquired seven liquor distilleries and needed permits to withdraw bonded liquor from those distilleries and warehouses without facing federal prosecution. Remus contacted Smith and, over time, paid Smith more than \$250,000 plus per-case fees for liquor permits. Within a year, Remus had distributed about 800,000 gallons of liquor on the bootleg market. After the Department of Justice indicted Remus, Smith received from Remus another \$30,000 to ensure that he would not serve time in jail. Despite Smith's assurances, Remus was sent to prison for bootlegging.

Another scam from which Smith profited was the nationwide showing of the 1921 Jack Dempsey-Georges Carpentier boxing-match film. The law

did not forbid showing the film, but it did outlaw its transport across state lines. Smith and film distributor Jap Muma arranged for a straw man, purportedly representing a charity or veterans' organization, to transport the films across state lines. The straw man would be arrested and fined, leaving the films to be shown throughout the state. Smith's job was to bribe federal judges who would fine but not jail the straw man. Eventually the films were shown in twenty states at a profit estimated at more than one million dollars for Smith and the distributors. When Justice Department investigators started preparing charges of conspiracy against the film distributors, the evidence suddenly disappeared from department files. One of the investigating agents was transferred to Haiti, and the other resigned.

In 1923, Harding voiced growing suspicion about his attorney general and his Ohio friends. Daugherty alerted Smith that he was under suspicion and would not be welcome on the president's planned trip to Alaska. Smith was in poor health, often moody, and increasingly paranoid. He suffered from diabetes and had never healed from appendicitis surgery in 1922. Upon learning that Harding was displeased with him, Smith returned to the Washington apartment and made a new will, leaving his estate to Daugherty; his brother, Roxy Stinson; and two of Smith's cousins. He gathered all his accounts and correspondence with Daugherty and files that he had taken from the Justice Department and burned everything in a wastebasket.

Daugherty, who was worried about Smith, sent a Justice Department assistant to the shared apartment to check on him. On May 30 the assistant found Smith in pajamas and dressing gown on the floor with a gun in his hand. He had shot himself in the left temple; the bullet had exited his forehead and was lodged in the doorjamb. Smith was dead of an apparent self-inflicted gunshot.

IMPACT

Smith's suicide was widely publicized, and it focused public attention on the Harding administration. Though published reports attributed Smith's suicide to ill health, rumors persisted linking the Ohio Gang to corruption. Harding's public state-

ment that his friends had betrayed his administration, combined with evidence of burned and missing papers, aroused further suspicions and led to U.S. Senate investigations, which revealed the scandals. Smith's former wife, Roxy Stinson, in whom he had confided, became the government's primary witness in the investigation of fraudulent activities by Smith and Daugherty.

President Harding died on August 2, 1923, before investigations were complete, but no evidence surfaced that pointed to the president's direct involvement in corruption. Daugherty was later tried but not convicted. In 1927, Miller was convicted and imprisoned for conspiracy to defraud the government. He was paroled in 1929 and pardoned by President Herbert Hoover in 1933. Investigations ultimately revealed that by fraud, graft, and theft, Smith and the Ohio Gang had cost the government an estimated \$2 billion during Harding's administration.

—Marguerite R. Plummer

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Investigating Organized Crime; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; Sept. 22, 1958: President Eisenhower's Chief of Staff Resigns for Influence Selling; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers.

October 22, 1923

U.S. SENATE BEGINS HEARINGS ON TEAPOT DOME OIL LEASES

Teapot Dome in Wyoming was the site of one of several naval oil reserves on public land. A number of politicians opposed restrictions preventing oil companies from exploiting the deposits. Albert B. Fall, secretary of the interior, convinced the U.S. Navy secretary to turn over to him control of the oil lands. Fall then leased the lands to oil companies and received gifts of more than \$400,000. After knowledge of this became public, the scandal became a major issue in the 1924 presidential election.

ALSO KNOWN AS: Teapot Dome scandal; Oil reserves scandal; Elk Hills scandal

LOCALES: Salt Creek, Wyoming; Buena Vista and Elk Hills, California; Washington, D.C.

CATEGORIES: Corruption; government; politics; business

KEY FIGURES

Albert B. Fall (1861-1944), U.S. secretary of the interior, 1921-1923

Laurence E. Doheny (1856-1935), president of the Pan-American Petroleum and Transport Company

Harry F. Sinclair (1876-1956), president of Mammoth Oil Company

Thomas J. Walsh (1859-1933), U.S. senator from Montana, 1913-1933

Warren G. Harding (1865-1923), president of the United States, 1921-1923

Calvin Coolidge (1872-1933), president of the United States, 1923-1929

SUMMARY OF EVENT

Before U.S. president Warren G. Harding died on August 2, 1923, he knew little about the crimes and corrupt activities of his subordinates. Their activities would ruin his reputation and lead historians to label him the worst president in U.S. history. The public knew even less about what was happening in Harding's administration. They were shocked when the head of the Veterans Bureau was convicted of embezzling government funds and collecting kickbacks on hospital construction contracts and on the sale of surplus goods. They also witnessed a scandal when the government's alien property custodian was jailed for accepting bribes when returning confiscated German property to legal owners. Furthermore, the attorney general of the United States had avoided prison only because a series of juries could not agree on a verdict. However, the scandal that came to symbolize the corruption of the era and provide a name for the whole tale of

what went wrong under Harding involved leases on naval oil reserves at Salt Creek (better known as Teapot Dome) in Wyoming and at Elk Hills and Buena Vista in California.

When the U.S. Navy shifted from coal to oil for fueling its vessels, concern over ensuring emergency supplies led President William H. Taft to set aside California oil lands for government use in 1912; President Woodrow Wilson followed in 1915 by adding a third reserve in Wyoming. Reserved oil would be used only if regular supplies were inadequate. Even at the height of naval warfare during World War I, reserves went untouched. Most experts during the early 1920's predicted the world's oil supply would soon be exhausted, which led to the public's attention to oil leases. Conservationists, who opposed any use of reserved oil, kept an eager eye on the reserves, knowing that Westerners and their Washington, D.C., political allies believed natural resources on federal land should be open for all citizens.

Albert B. Fall, a U.S. senator from New Mexico, was also a rancher and mine owner who shared this point of view. Conservation supporters, alarmed when Harding appointed Fall secretary of the inte-

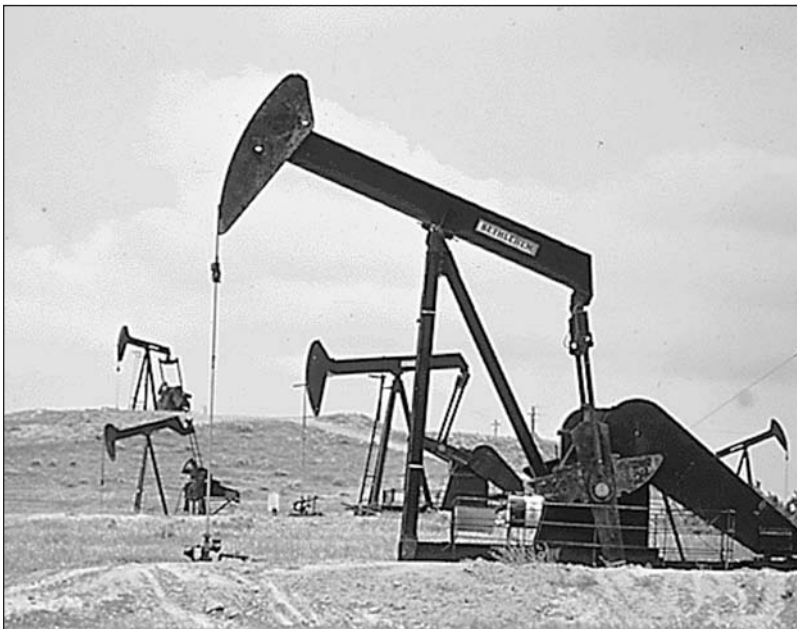
rior, mobilized and successfully blocked Fall's attempt to move the U.S. Forest Service to the Department of the Interior, so that he could open the national forests to lumber and mining interests. The Forest Service had been part of the Department of Agriculture since 1881.

In May, 1921, two months after taking office, Fall convinced the secretary of the Navy to transfer control of the naval reserves from the Navy department to the Interior Department. In 1922, Fall proceeded to open exploitation of the oil by secretly negotiating leases with Laurence E. Doheny, president of the Pan-American Oil and Transport Company, for the California reserves and with Harry F. Sinclair, president of the Mammoth Oil Company, for Teapot Dome.

Doheny's first deal involving the Elk Hills reserve had been openly negotiated. During the Wilson administration, the naval department requested bids for drilling offset wells that would block adjoining wells from draining reserved oil. Doheny's company made the best offer and publicly received a contract to drill twenty-two wells on July 12. The following year, Fall negotiated a contract with Doheny, without competing bids, which opened the

Elk Hills and Buena Vista reserves to full exploitation; in return, Doheny agreed to build and fill storage tanks at Pearl Harbor for the Navy. At the same time, Fall secretly negotiated a similar lease with Sinclair on April 7, 1922, opening Teapot Dome in return for Sinclair's pledge to build a pipeline to the Midwest and supply oil to the Navy.

Sinclair's contract would not remain secret for long. After a Wyoming oilman complained to his senator about activity at Teapot Dome, the Senate began inquiries that forced Fall to reveal the secret lease. His answer aroused suspicion, and the Senate appointed an investigative committee, chaired by Democratic



Oil wells near Teapot Dome, Wyoming. (NARA)

senator Thomas J. Walsh of Montana, to examine the treatment of reserves. Since questions about Teapot Dome spurred the investigation, it provided the name for the scandal, even though it was much less significant than the California fields. Sinclair reportedly said he expected to extract \$100 million worth of oil from the field, but when the reserves were opened late in the twentieth century, Teapot Dome proved to have little oil; Elk Hills, though, sold at auction for \$3.5 billion in 1998.

The Senate committee demanded all relevant documents from Fall, who complied by supplying thousands of pages of material, accompanied by a letter of transmittal from President Harding asserting he was aware of the secretary of the interior's activities and that they had his full approval. This statement would destroy Harding's reputation when Fall's actions were finally revealed. Walsh proceeded cautiously. He took eighteen months to carefully analyze the submitted material before opening hearings on October 22, 1923, by which time Fall had resigned (in March, 1923), with his reputation intact. Harding had died and Calvin Coolidge was president of the United States.

Initially, the hearings attracted little attention. Fall's antagonistic response to Walsh's questions appeared to give him the upper hand as he arrogantly refused to admit to any problematic actions. Geological reports appeared to support drilling offset wells in the reserves. Fall asserted secrecy over the leases was necessary because they involved national defense, ignoring that the Navy Department had publicly negotiated the previous lease at Elk Hills. In December, Walsh heard from Fall's New Mexico neighbors that shortly after granting the leases, Fall had paid long-overdue back taxes on his ranch, repaid debts, purchased an adjoining ranch, and began extensive improvements on his property. It was after Walsh had asked Fall to explain the source of his new wealth that newspaper reporters began to flock to the hearings, and national attention was focused on the committee room.

Claiming he was too ill to testify in person, Fall responded with a letter stating he had received a personal loan of \$100,000 from wealthy newspaper publisher Edward McLean, owner of *The Washing-*

ton Post, and denied having received money from Doheny or Sinclair. Fall's testimony began to unravel almost immediately; Walsh interviewed McLean, who refused to confirm Fall's account.

On January 28, 1924, Doheny apologized to the committee for not having told them in previous testimony that he had given Fall a loan of \$100,000. Asserting he and Fall had been friends for forty years, dating back to when they were prospectors in the same mining camp, and that the amount was a trivial sum to a multimillionaire, he insisted he had merely assisted a comrade in need of help. Doheny admitted he anticipated earning a \$100 million profit selling the reserved oil but insisted the loan had nothing to do with the leases he expected Fall to grant. Reporters listened spellbound as Doheny described sending his son from Los Angeles to a New York City bank. The young Doheny withdrew the funds, placed five bundles of twenty thousand dollars each in a black satchel, and hand carried the satchel to Fall's Washington, D.C., hotel suite. Fall counted the money on his kitchen table and signed a note for the amount.

Republican senators, eager to implicate Democrats in the scandal, questioned Doheny about relations with other politicians. Doheny provided a list of men who had served in the Wilson administration whom he kept on retainer because they were useful to him. Prominent among them was a leading candidate for the 1924 Democratic nomination, former secretary of the Treasury William G. McAdoo. Pundits predicted the revelation would badly damage McAdoo's presidential hopes.

When Sinclair was recalled, he refused to testify by invoking his Fifth Amendment right against self-incrimination, leading to his indictment for contempt of the Senate. The committee arranged a grant of immunity for Fall's son-in-law and forced him to describe how, in January, 1922, Fall sent him to Sinclair, who gave him close to \$200,000 in 3.5 percent Liberty Bonds. In May, after the leases were granted, Fall received another thirty-five thousand dollars in bonds. Followers of the scandal do not agree on the exact amount that Fall received from the two oilmen, but most place the total at more than \$400,000.

After hearing the testimony, Walsh proposed that the Senate call upon the president to cancel the leases and appoint a special prosecutor to bring criminal charges against Fall, Doheny, and Sinclair. Coolidge heard of the plan and moved first, preempting Senate action by appointing two special prosecutors, a Democrat and a Republican, to pursue the investigation together.

The special prosecutors moved expeditiously to have the leases declared invalid and to bring the accused to trial, but the courts moved slowly; the last court ruling would not come until June, 1931. On June 5, 1924, both Doheny and Sinclair had been indicted in Washington, D.C., in separate suits on multiple charges of bribery and conspiracy to defraud the United States. Fall was a codefendant in both suits. Civil actions to annul the leases began in Los Angeles against Doheny and in Wyoming against Sinclair.

The Los Angeles civil trial opened on October 24 before a judge who would hear the case without a jury. Prosecutors brought special attention to what they considered strange: the carrying of huge amounts of cash from state to state in a satchel. The defense, however, claimed that transfers of large amounts of cash were normal in New Mexico because banks were unreliable. Doheny's lawyers were shocked when the judge ruled against Doheny and voided the leases on May 30, 1925. Sinclair had won his case in Wyoming; the judge in that case ruled that no fraud had taken place. However the Wyoming judge was overruled on appeal. In 1927, the U.S. Supreme Court affirmed the verdicts, canceling all naval-reserve leases as fraudulent.

Criminal conspiracy trials traditionally are less favorable for the prosecution. The case against Doheny and Fall did not start until November 22, 1926, in Washington, D.C. Fall did not testify, but Doheny did, responding effectively under cross-examination. The jury found both Doheny and Fall not guilty. The trial of Sinclair and Fall started October 17, 1927, but ended abruptly in a mistrial two weeks later when Sinclair was discovered trying to tamper with the jury. Sinclair was sentenced to six months for tampering, but a jury declared him not guilty in his conspiracy trial in 1928.

Different verdicts came in the separate bribery trials of Fall and Doheny. Strangely, one jury ruled Fall had accepted a bribe from Doheny but another jury decided Doheny had not bribed Fall. Doheny was a better witness than Fall, and he convinced his jury that he lent Fall money without intending to bribe him. Fall, however, could not satisfactorily explain the falsehoods in his letter to the Senate committee—that he thought it necessary to lie about his behavior was powerful evidence that Fall knew accepting the money was wrong.

On October 25, 1929, Fall was sentenced to one year in jail and fined \$100,000. He never paid the fine because he had no money, but after losing a final appeal in 1931, he served nine months and nineteen days in jail, the first federal-level cabinet member to be convicted and jailed for a crime committed while in office.

IMPACT

Democratic Party strategists had optimistically hoped Teapot Dome and other scandals during Harding's administration would be the key to victory in the 1924 presidential campaign. They did not expect the Republicans to easily evade the corruption label nor did they foresee that their party would effectively commit political suicide at its national convention.

The Republicans used a dual strategy in the campaign, blaming specific individuals and asserting Democrats were equally vulnerable. The dead Harding and the discredited Fall were convenient scapegoats for Republicans, while McAdoo's acceptance of a retainer from Doheny supported assertions that the scandal was bipartisan. Coolidge proved untainted by the scandals. He insisted he knew nothing of the problems while vice president and claimed credit for appointing special prosecutors to pursue the criminals.

Although McAdoo's association with Doheny weakened him, he entered the Democratic convention with the largest bloc of votes. McAdoo's candidacy failed, not due to Teapot Dome but over his refusal to condemn the Ku Klux Klan. Infuriated urban and Roman Catholic conventioners obdurately blocked his nomination. After one hundred

three ballots during twenty-nine sessions, the party chose a Wall Street lawyer as its candidate. Fourteen days of vicious debate over religion and race, with the nation listening through the new medium of radio, left a bitterly divided party.

Teapot Dome and its associated scandals decided no elections. Democrats hammered away at corruption scandals in 1924, but Coolidge easily triumphed. In 1928, Democrats unsuccessfully attacked Herbert Hoover over his presence in the Harding cabinet when transfer of the naval reserves to Fall's department was approved. However, Teapot Dome became enshrined in the popular imagination as an enduring image of political corruption.

—Milton Berman

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January 1, 1924

FILM STAR MABEL NORMAND'S CHAUFFEUR SHOOTS MILLIONAIRE COURTLAND S. DINES

Silent-film star Mabel Normand's chauffeur wounded millionaire Courtland S. Dines after shooting him for reasons remaining unclear. The Dines shooting was the second shooting, and the third criminal case, involving Normand within three years, and it sealed the end of her already fading career. Dines refused to press charges or testify, however, and the charges were dropped.

LOCALE: Hollywood, California

CATEGORIES: Drugs; Hollywood; law and the courts; murder and suicide

KEY FIGURES

Mabel Normand (1892-1930), American silent-film star

Courtland S. Dines (fl. 1920's), wealthy American playboy

Joe Kelley (Horace Greer; fl. 1920's), Normand's chauffeur

Edna Purviance (1895-1958), American silent-film star

SUMMARY OF EVENT

By 1924, the so-called noble experiment, Prohibition, which outlawed the manufacture, sale, and transportation of liquor, had been in force for four years. In Hollywood, however, as in many other places in the United States, liquor flowed freely, and it played a role in many scandals, especially in Hollywood. At this time, Hollywood was the center of the glamorous silent-film industry. Comedic actor Mabel Normand was at the height of her popularity. She had established her career ten years earlier in films directed by Mack Sennett and gone on to star in films with Charles Chaplin and Fatty Arbuckle. Like many Hollywood stars of the late twentieth and early twenty-first century, however, Normand became involved in a series of scandals that damaged her career. The shooting of millionaire playboy Courtland S. Dines by Normand's

chauffeur, Joe Kelley, also known as Horace Greer, was the final scandal that ruined Normand's career.

Born in 1892 into an impoverished family in Staten Island, New York, Normand began working at a very young age as an artists' model in New York City, achieving recognition as one of artist Charles Gibson's celebrated Gibson Girls. From there, she moved on to acting, making her first film at the age of fifteen. Normand would be an extremely successful and prolific film star. Early in her career, she developed a reputation as an actor who would do anything to make her films do well at the box office. Under the direction of Sennett, with whom she was romantically involved at the time, she made film history with *A Dash Through the Clouds* (1912) as the first woman filmed in an airplane. She also is credited with being the first person to use the cream-pie-in-the-face technique for comedic effect.

On New Year's Day, 1924, Normand was dropped off by her chauffeur, Kelley, at Dines's apartment. Kelley, as it later became known, was an escaped convict. Normand apparently did not know this at the time of the Dines shooting. Also present that day in the apartment was Dines's girlfriend, actor Edna Purviance, who was best known as the leading lady in many Chaplin films. Normand, Dines, and Purviance were drinking when Purviance got up to get ready to attend a party; the picture of what happened next remains murky.

Apparently, Normand's chauffeur had been sent back to her home to retrieve a Christmas present for Dines. The chauffeur was supposed to wait until Normand called him to pick her up, but he instead returned to Dines's apartment with the present. When Dines answered the door, Kelley shot him in the shoulder. Kelley admitted shooting Dines, first claiming that Dines had accosted him with a liquor bottle but later saying that he shot Dines to protect Normand. Kelley then claimed that Dines kept Normand in a perpetual state of drunkenness, and he shot Dines to save her.

Normand was a talented actor, and the public did not know that by her early twenties she was addicted to both alcohol and narcotics. The first whiff of public scandal occurred in 1918, when she found her fiancé, Sennett, in bed with another woman. What happened next is unclear. Normand either was injured by the other woman, attempted suicide by drowning, or, as the newspapers of the time reported, had an accident on the set. A short time later, Normand left Sennett and Keystone Studios and began acting for Samuel Goldwyn and his film production company.

Another scandal-provoking incident came a few years later. After leaving Keystone Studios, Normand had become friends with director William Desmond Taylor. She was still using drugs around this time, and Taylor disapproved. On February 1, 1922, Normand visited Taylor at his home in Los Angeles, California, to pick up a book. A few minutes after Normand left Taylor, he was shot dead by an unknown assailant. Although Normand was questioned repeatedly by the police and had to testify at Taylor's inquest, she was not considered a serious suspect in his murder. Nevertheless, speculation ran high, and the press would not give up its pursuit of Normand.

The tabloid press covered Taylor's murder in sensational style, linking his death to Normand in the minds of the public. Some reports suggested that Taylor and Normand had been lovers because love letters from her allegedly were found in Taylor's apartment. There was speculation that Normand had killed Taylor out of jealousy over his interest in another woman. Others sources speculated that Taylor was killed by one of Normand's drug dealers because he had tried to end her use of drugs. He even asked the government to help by stopping the flow of drugs into the film industry. The speculation remained unproven, but it tarnished Normand's reputation with the public.

Normand continued her edgy lifestyle, and the press continued linking her to scandals. In 1923, after falling from a horse, she was hospitalized and alleged to have had an affair with another patient, Norman Church. Church's wife filed for divorce, citing Normand as the cause for the split. Normand

Mabel Normand's Chauffeur Shoots Millionaire

sued the wife for libel for half a million dollars, but lost the case. The tabloid press enthusiastically covered both the divorce and the libel trial.

It was against the background of previous scandals that the shooting of Dines occurred. Had his shooting been an isolated incident, Normand likely would have ridden out the publicity without too much damage to her career. Furthermore, Dines recovered and would not press charges against her or her chauffeur. However, because of her past drug use and the previous public scandals, the shooting would become her professional undoing.

The tabloid press gave extended coverage to the shooting, especially when it was discovered that Dines had been shot with a pistol owned by Normand. Neither she nor Kelley ever successfully explained how he had come to have her gun. On January 22, 1924, Normand testified in court in Los Angeles about the shooting, claiming that at first



Mabel Normand. (Library of Congress)

she thought the shots were firecrackers. A transcript of her testimony shows that her answers were confusing and contradictory to the point of being almost incoherent. Some thought this suggested that she was trying to cover up what really happened, while others saw her testimony as evidence of her drug and alcohol addiction. Dines refused to testify and no action was taken against Kelley, although once it was discovered that Kelley was an escaped criminal, he was returned to prison to finish out his sentence, after which he dropped from sight.

Normand made five other films starting in 1926, and she had an unsuccessful marriage in 1926 to actor Lew Cody. She died of tuberculosis in 1930 at the age of thirty-seven. Dines faded back into the social scene and married a society woman.

IMPACT

Normand, known for her wild lifestyle, lost in the court of public opinion. The shooting of Dines, combined with her history of drug and alcohol use, the use of her pistol as the weapon in the shooting, and her involvement two years earlier in the shooting of Taylor effectively ended her career. Because of the Dines shooting, the Kansas and Ohio film boards banned her films. Her films also were banned in many cities, including Boston, Memphis, Tennessee, and Hartford, Connecticut.

Scandal followed Normand much as it followed pop music star Britney Spears during the early twenty-first century. The Dines scandal called attention to the vices prevalent in Hollywood, including heavy alcohol use during Prohibition, drug habits, and casual sexual affairs. None of the parties involved in the Dines shooting came away looking good.

—Martiscia S. Davidson

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May 12, 1924

KENTUCKY CONGRESSMAN JOHN W. LANGLEY IS CONVICTED OF VIOLATING THE VOLSTEAD ACT

U.S. representative John W. Langley was convicted of conspiring illegally to transport and sell liquor. While appealing his conviction, he ran for reelection and was returned to the House, but he was forced to resign before he could serve another term.

LOCALES: Washington, D.C.; Kentucky

CATEGORIES: Corruption; government; politics; law and the courts

KEY FIGURE

John W. Langley (1868-1932), U.S. representative from Kentucky, 1907-1926

SUMMARY OF EVENT

John W. Langley was born in Floyd County, Kentucky, in 1868. He attended law school in Washington, D.C., and was elected to Kentucky's House of Representatives in 1886. In 1906, he was elected to represent Kentucky's 10th District in the U.S. House of Representatives, where he served until he was forced to resign in January, 1926, because of his conviction for conspiring to transport and sell whiskey. His crime was emblematic of a change in the type of crime that plagued the 1920's during Prohibition, when the manufacture, transportation, and sale of liquor were outlawed.

Prohibition in the United States lasted thirteen years, from 1920 to 1933. The temperance movement, which advocated restrictions on the sale and use of alcohol, had been a presence off and on in the United States since the American colonial period. However, during the 1850's, the movement became much stronger and better organized. Temperance laws were supported mainly by religious organizations and women who argued that drunkenness and chronic alcohol use caused poverty, unemployment, and domestic violence, all of which hurt not just the drinker but also his (or her) family and soci-

ety. By 1855, thirteen states, mostly in New England, had passed some form of temperance legislation restricting the sale of alcohol. These states were called dry states; states in which alcohol was legal were called wet states.

Led by organizations such as the Prohibition Party and the Anti-Saloon League, temperance advocates began to pressure politicians to pass a federal temperance law that would make the entire nation dry. This pressure increased when temperance advocates claimed that brewing beer and hard liquor diverted grain needed as food for the troops in World War I. Concurrently, improvements in brewing technology made it possible to sell beer by the glass rather than by the bottle, and the number of establishments selling alcohol increased substantially.

Alcohol consumption had become a clear problem, leading, in 1917, to a proposed amendment to the U.S. Constitution to ban alcohol. This amendment, the eighteenth, prohibited "the manufacture, sale, or transportation of intoxicating liquors" within the United States and its territories.

The Eighteenth Amendment was ratified by the required thirty-six states in 1919, becoming effective on January 16, 1920. The National Prohibition Enforcement Act, more commonly known as the Volstead Act, was passed in 1919 to permit criminal prosecution of violators. The Volstead Act was the law that Langley was accused of breaking.

Langley's troubles started almost incidentally in early 1924 during a Chicago grand jury investigation of a conspiracy in the Veteran's Bureau to defraud the federal government. During the investigation, which involved bribes and kickbacks from contractors to Veterans Bureau employees, a link was made to the behavior of two U.S. representatives, Langley and Frederick N. Zihlman of Cumberland, Maryland. Zihlman was never convicted of a crime, although the House investigated his activities. However, on March 27, Langley was arrested

for bribing government officials in connection with the illegal transportation and sale of whiskey. A conviction would bring two years in federal prison and a ten thousand dollar fine. Langley and his lawyers immediately proclaimed his innocence, requested a quick trial, and posted five thousand dollars for his bail. (To put these sums in perspective, Langley's annual salary as a member of the U.S. Congress in 1924 was ten thousand dollars.)

Langley was specifically accused of participating in a conspiracy to illegally remove fourteen hundred cases of whiskey from the Belle of Anderson Distillery near Lawrenceville, Kentucky, with the intention of selling them. Prosecutors claimed that Langley accepted money to use his political influence to get Sam Collins, the federal prohibition director for Kentucky, to authorize permits to allow the whiskey to be transported by truck. Other conspirators were accused of bribing additional government employees.

Langley's trial was held in federal court in Cincinnati, Ohio. The main evidence against Langley came from Elias Mortimer of Washington, D.C. Mortimer was thought to be the link between the Veterans Bureau investigation and Langley's involvement in illegal transport of whiskey. Mortimer testified that he had paid Langley bribe money several times and had been present at conferences between Langley and the other conspirators at which the illegal whiskey scheme was discussed. William J. Fields, the governor of Kentucky from 1923 to 1927, testified as a character witness for Langley. Despite this, Langley and three others, Milton Lipschutz, Walter E. Cary, and M. E. Huth, were convicted on May 12. Langley was sentenced to two years in the federal penitentiary in Atlanta, Georgia, and fined ten thousand dollars. He immediately appealed his conviction.

While the appeal was making its way through the courts, Langley ran for reelection to the House and was overwhelmingly reelected by his (dry) district. During this time, he was also arrested at least twice for public drunkenness. Langley never did serve his final term in the House. On January 11, 1926, the U.S. Supreme Court refused to hear his final appeal, stating that he must immediately begin serving his

prison sentence. Langley formally resigned from the House the same day. His wife, Katherine G. Langley, was then elected to his seat in November, becoming the first female congressperson from Kentucky.

Langley served only eleven months of his two-year sentence and was later pardoned by U.S. president Calvin Coolidge. Upon his release from prison, he returned to his law practice in Pikesville, Kentucky, and self-published a book called *They Tried to Crucify Me* (1929), in which he proclaimed his innocence and claimed he was a victim of a government conspiracy that had driven him into poverty. Langley died a few years later, in 1932, before the repeal of Prohibition in 1933.

IMPACT

Corruption in government is nothing new, but Americans were shocked when Langley, an elected official who was also a lawyer, knowingly conspired to violate a federal law, and did so with little remorse. Langley's actions were particularly surprising because he came from a dry district and had voted for Prohibition. That he was reelected by a dry district with strong religious traditions after having been convicted of conspiring to illegally sell alcohol showed just how fragile the public sentiment for Prohibition was less than five years after it was instituted.

Ultimately, Prohibition proved to be an unworkable concept. People were unprepared for the consequences. Thousands of brewery workers, haulers, and saloon owners lost their livelihood. Meanwhile, gangsters such as Al Capone found illegal liquor sales to be very profitable and developed a network of bootleggers and clandestine speakeasies to meet the public demand for liquor. Crime soared nationally and violence soon followed. Prohibition turned out to be a costly mistake for the country. In 1933, the Twenty-first Amendment repealed the Eighteenth Amendment. With the repeal of the Eighteenth Amendment, alcohol manufacture and sale were no longer illegal under federal law, although states and individual communities retained the right to regulate liquor sales.

—Martiscia S. Davidson

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Forged Letter Brings Down British Government

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SEE ALSO: 1904: Theodore Roosevelt Is Accused of Accepting Corporate Funds; June 13, 1907: San Francisco Mayor Schmitz Is Found Guilty of Extortion; Jan. 13, 1913: Federal Judge Is Impeached for Profiting from His Office; May 30, 1923: U.S. Attorney General Harry M. Daugherty's Aide Commits Suicide; Oct. 22, 1923: U.S. Senate Begins Hearings on Teapot Dome Oil Leases; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; June 4, 2007: Congressman William J. Jefferson Is Indicted for Corruption.

October 25, 1924**FORGED COMMUNIST LETTER BRINGS DOWN BRITISH GOVERNMENT**

The London Daily Mail published a letter allegedly from Soviet Communist Party leader Grigory Yevseyevich Zinovyev that called on the British Communist Party to engage in a political campaign on behalf of the Labour government. The letter, which brought down the Labour government, proved to be a forgery.

LOCALE: London, England**CATEGORIES:** Forgery; hoaxes, frauds, and charlatanism; publishing and journalism; government; politics; international relations**KEY FIGURES**

Grigory Yevseyevich Zinovyev (Ovsel Gershon Aronov Radomyslsky; 1883-1936), Soviet Communist Party leader, chairman of Communist International, 1919-1926

Sidney Reilly (Sigmund Rosenblum; 1874-1925?), British intelligence officer

Desmond Morton (1891-1971), British intelligence officer

Ramsay MacDonald (1866-1937), British prime minister, 1924, 1929-1931, 1931-1935

SUMMARY OF EVENT

Both Great Britain and the Soviet Union (U.S.S.R.) faced critical changes in 1924. In Britain the Labour Party under Ramsay MacDonald gained power for the first time. Although the MacDonald government was in coalition with members of the Liberal Party, it carried out policies, including a treaty with the Soviet Union not yet recognized by London, which alarmed the Conservatives and some Liberals and independents. The treaty established the Anglo-Soviet Trade Company to engage in economic transactions between London and Moscow. The Soviets established an office in England, and the MacDonald government also authorized Moscow a loan. The treaty, however, needed to be ratified by the British parliament.

The Soviet Union also faced much political uncertainty. The country was recovering from the disasters of World War I, the Russian Revolution, and the Russian Civil War (1918-1922), which had led to famine and political unrest. Communist Party leaders, however, had adopted a popular economic policy, bringing some stability and recovery. Meanwhile, communist leader Vladimir Ilich Lenin died at the beginning of the year, and Leon Trotsky waged a struggle to take his place with a triumvirate of Joseph Stalin, Leo Kamenev, and Grigory Yevseyevich Zinovyev. Zinovyev also was general secretary, or leader, of the Communist International (Comintern), an association of communist parties around the world. Its objective was to help these parties achieve revolutions in their own countries. However, because of the political circumstances during the mid-1920's, Comintern's ability to carry out this objective was weakened.

In England, MacDonald's policies brought about an anticommunist backlash, and he lost a vote of confidence in Parliament, which required new elections (scheduled for the end of October). The new parliament would then deal with the trade treaty. On October 25, 1924, four days before the election, the conservative *Daily Mail* published a letter allegedly written by Zinovyev and addressed to the Communist Party of Great Britain (CPGB).

The paper claimed the letter was dated September 15, 1924, and was marked "very secret." Re-

covered by the secret service on October 8, the letter stated that the British bourgeoisie and reactionary circles were waging a fierce election campaign to break the trade agreement between the United Kingdom and the Soviet Union and to prevent recognition of the U.S.S.R. by London. The British proletariat, it said, must force MacDonald to maintain the treaty. It called on the CPGB to stir up British workers, especially the unemployed, who, the letter insisted, would benefit from the proposed loan. The letter also emphasized that the CPGB put pressure on members of the Labour Party to rally behind the treaty and its supporting candidates.

The letter went on to warn the CPGB about the duplicity of MacDonald and other Labour Party leaders, claiming that they were part of the bourgeoisie. It further stated that the communists should expose the weaknesses of the Labour government, especially in foreign policy. The Comintern reportedly had documents that revealed the activities of the British in Asia, who were carrying out their imperialistic policies. The main point of the letter, however, was to continue to fight for improving the relations between London and Moscow, maintaining that these relations were as important as revolution. Such relations could lead to greater contact among the workers of the two countries and to further propaganda for Leninist ideas in England and the colonies.

Armed revolution, the letter argued, would be difficult in England because the workers leaned toward compromise and evolutionary Marxism (something that had been promoted by playwright George Bernard Shaw, members of the British Fabian Society, and even Karl Marx) and must be gradually prepared for armed struggle. In Ireland and the British colonies, the letter suggested, armed revolution would be possible because of the "national" question. However, England could quickly develop more revolutionary ideas if circumstances such as strikes and government repression were to hasten the development of a militant ideology. In the meantime the CPGB would have to rely on propaganda.

The letter concluded with a suggestion that CPGB recruitment and work among the military was weak and must be more forcefully attended to,

especially among units in the larger cities. The CPGB, it said, must pay especial attention to building cells among munitions factories and arms depots. If war came, Communist Party cells in those areas and among transport workers would hamper the bourgeoisie war effort and lead to a class war. The CPGB must train military specialists as the future leaders of a British “Red Army.” The letter suggested slogans for the CPGB, including “Danger of War” and “The Bourgeoisie Seeks War; Capital [seeks] Fresh Markets.” Such language, which indicated, at minimum, interference in British internal affairs by Moscow and, in the extreme, an attempt to overthrow the British government by violent revolution, was exceedingly inflammatory. The public release of the letter served the interests of the Conservative Party in its election campaign against Labour.

The letter, however, was found to be a forgery, written by British intelligence agents, most likely Sidney Reilly, a Russian immigrant and notorious British spy in Soviet Russia. The letter’s origins, though, have yet to be proven. Desmond Morton, a British intelligence officer familiar with Soviet affairs, had received the letter and handed it over to the British foreign office. He initially thought the letter genuine but later expressed doubts about its authenticity.

IMPACT

The purpose of the forgery was to embarrass the Labour government. Historians agree that it played a critical part in bringing down the government in the ensuing election. In the end, however, the Liberal Party suffered the most from the scandal. The Conservatives gained more than 150 seats, part of a total of more than 400 (twice as much as all other parties combined). Labour lost 40 seats but still remained the leader of the opposition. The once-powerful Liberal Party lost more than 100 seats and never really recovered. Labour, along with Macdonald, returned in 1929, and MacDonalld remained prime minister for six years; also, Great Britain would come to recognize the Soviet Union as a nation.

After the triumvirs defeated Trotsky, Zinovyev

THE FAKE LETTER

The Zinovyev letter, excerpted here, was proven to be a forgery.

A settlement of relations between the two countries will assist in the revolutionising of the international and British proletariat not less than a successful rising in any of the working districts of England, as the establishment of close contact between the British and Russian proletariat, the exchange of delegations and workers, etc., will make it possible for us to extend and develop the propaganda of ideas of Leninism in England and the Colonies. Armed warfare must be preceded by a struggle against the inclinations to compromise which are embedded among the majority of British workmen, against the ideas of evolution and peaceful extermination of capitalism. Only then will it be possible to count upon complete success of an armed insurrection. In Ireland and the Colonies the case is different; there there is a national question, and this represents too great a factor for success for us to waste time on a prolonged preparation of the working class.

But even in England, as other countries, where the workers are politically developed, events themselves may more rapidly revolutionise the working masses than propaganda. For instance, a strike movement, repressions by the Government etc.

lost out in the power struggle with Stalin, who removed him from the Comintern and ordered his execution in 1936. The Comintern, which under Stalin became a complete instrument of Soviet foreign policy, was ended by him in 1943, when the Soviet Union and Britain became allies against Germany in World War II.

—Frederick B. Chary

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November 19, 1924

FILM PRODUCER THOMAS H. INCE DIES AFTER WEEKEND ON HEARST'S YACHT

Thomas H. Ince, an influential film producer and former actor, died following a yachting trip with William Randolph Hearst, Charles Chaplin, and others. The official cause of death was a heart attack, but persistent rumors about his death remain. Some believe that Hearst shot Ince out of jealousy over a possible affair between Ince and Hearst's mistress, actor Marion Davies. Others claim Ince was accidentally shot while Hearst and Chaplin were fighting over Davies.

LOCALES: Beverly Hills and San Diego, California

CATEGORIES: Hollywood; murder and suicide; publishing and journalism; popular culture

KEY FIGURES

Thomas H. Ince (1882-1924), film producer, director, and former actor

William Randolph Hearst (1863-1951), media mogul

Elinor Kershaw (1884-1971), Ince's spouse and former silent-film actor

Marion Davies (1897-1961), film actor and long-time mistress of Hearst

Charles Chaplin (1889-1977), film actor, composer, producer, and director

SUMMARY OF EVENT

If D. W. Griffith is recognized as the first great American film director, then Thomas H. Ince is considered the first great film producer. Starting as a film actor during the 1910's, Ince soon moved behind the camera to direct such early hits as *The Battle of Gettysburg* (1913), *The Coward* (1915), and *Civilization* (1916). He worked exclusively as a producer and built the first recognized film studio—Inceville—along the coast near Santa Monica, California, where he oversaw the production of more than one hundred films.

In a time when a film's plot was generally improvised on the set, Ince introduced the idea of the continuity script, where a story is fully written out before filming. Detailed budgets and shooting schedules revealed just how much a film would cost and how long it would take to make. Ince would then turn the script over to a director. After production finished, Ince would oversee the editing of the final film.

As 1924 drew to a close, the once pioneering Ince found himself increasingly an outsider as the film industry consolidated around large studios such as Fox, Paramount, MGM, and Warner Bros. Unlike Inceville, these new studios were owned by national theater chains that both provided the large and continuous capital for film production and guaranteed nationwide theatrical distribution of their films. Ince hoped to solve his problem by forming an alliance with William Randolph Hearst, the premier media mogul of the time. Hearst's film company, Cosmopolitan Pictures, produced movies starring the talented comedy actor Marion Davies. Davies also was Hearst's longtime mistress.

On November 15, 1924, Ince joined Hearst and Davies for a weekend trip to San Diego, California, aboard Hearst's yacht, the *Oneida*. The purpose of the trip was to celebrate Ince's forty-second birthday, though he also hoped to use the time at sea to land the partnership with Hearst and secure his studio's future. Also on the trip were Davies, comedy superstar Charles Chaplin, novelist Elinor Glyn, a



Thomas H. Ince. (Hulton Archive/Getty Images)

New York reporter named Louella Parsons, and a group of young aspiring actors.

Gossip had been circulating around Hollywood for weeks that Davies was having an affair with Chaplin as well and that Hearst had invited the comedian along so that he could observe Chaplin and Davies up close. It remains unclear what happened, exactly, on the yacht that weekend, but it seems that Ince suddenly became ill on the second night with acute indigestion. Others suggest Ince was shot.

The yacht docked in San Diego, where Ince was removed under the watchful eye of Daniel Carson Goodman, a Hearst employee. Ince was taken to his home in Beverly Hills and died on November 19 from an apparent heart attack (the official cause of death). His body was cremated on November 21. A headline in the *Los Angeles Times* morning edition declared "Producer Shot on Hearst Yacht." By the evening edition the story had disappeared from the *Los Angeles Times* but reappeared in Hearst-owned papers with the "official" cause of death.

The rumors of foul play began almost immediately. Further confusion arose over just where Ince had died. One press release claimed he died at Hearst's Northern California ranch, while another declared that Ince left the yacht in good health but took ill on the train ride home and died in a local hospital. A third and final release said he passed away at home, surrounded by his wife and family. Curiously, none of the yacht's guests ever stepped forward to clear up these discrepancies.

The whispered rumors persisted. Hearst was thought to have taken a shot at Chaplin after catching him in a passionate embrace with Davies but had struck Ince instead. Chaplin's secretary was rumored to have spied Ince being removed from the yacht on a stretcher with a bullet wound in his head. Adding fuel to the fire were odd facts, including that Ince's body was cremated before it could be examined by authorities. The San Diego district attorney called off his investigation after questioning only Goodman, Hearst's employee.

In the months and years following Ince's death, his wife, former actor Elinor Kershaw, built a large French chateau on Sunset Boulevard (now the Scientology Celebrity Centre), reportedly paid for by Hearst hush money. Also, the gossip columnist, Parsons, received a lifetime contract as Hearst's chief Hollywood reporter (a possible reward for keeping quiet about the weekend's events). Years later, Parsons would claim that she was in New York on the weekend of the yacht trip, a claim that has since been disproved.

Hearst's defenders insist that the confusion over Ince's death resulted not from covering up any foul play but from Hearst's desire to keep his own and Davies' names out of the newspapers. They also hoped to cover up the use of bootleg liquor (illegal in the era of Prohibition) on board the yacht. Defenders point out that Ince was seen by several doctors at his home and died of complications from a bleeding ulcer. Furthermore, they claim that the money for the Sunset chateau came not from Hearst hush money but from funds Kershaw received after the sale of Ince's studio (she had been a full partner in the studio) to Cecil B. DeMille about a year after Ince's death. (Ince formed a new studio in 1918 in

Culver City, California.) Finally, defenders point out that if Hearst had been angry enough with Chaplin to try to kill him, why, then, did Hearst and Davies maintain a friendship with the comedian that lasted for decades after Ince's death?

In her autobiography, *The Times We Had: Life with William Randolph Hearst* (1975), Davies vigorously dismissed any notions of foul play aboard the yacht. She insisted that once Ince became ill, they simply put him ashore in San Diego so he could take the next train home. It was not until they returned to Hollywood that she and Hearst discovered that their guest had died. However, she also maintained that there was never any liquor or guns on board (despite evidence to the contrary) and, even more curiously, she conspicuously omitted Chaplin and Parsons from the yacht's list of guests for that weekend. Such inconsistencies have led to decades of persistent rumors about Ince's mysterious death.

IMPACT

Ince's death overshadowed his real contributions to the development of film and the Hollywood studio system. His method of production became the industry standard. MGM's legendary production chief, Irving Thalberg, copied Ince's production model over the next decade to produce a string of classic films that remain unparalleled. Also, Ince was one of the innovators of the Western film genre, and he created silent-screen stars such as William S. Hart, Billie Burke, and Sessue Hayakawa. Top directors, including Frank Borzage, Henry King, and Fred Niblo, got their start at Inceville.

The death of Ince also signaled the end of the independent producer as a force in Hollywood. With the new studios controlling all the means of production, from idea to distribution, a producer's only hope was to work within a studio.

Lions Gate Films produced *The Cat's Meow* (2001), a film about what might have happened aboard the yacht the weekend Ince died. The film, directed by Peter Bogdanovich, is based on a story by Orson Welles, who claims he was given details of the fateful weekend by a Hearst relative.

—Richard Rothrock

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July, 1925

NOSFERATU IS FOUND TO HAVE VIOLATED DRACULA COPYRIGHT

In one of the earliest cases of copyright infringement involving a film adaptation, the estate of Bram Stoker, the author of Dracula, successfully sued the German producer of the macabre film Nosferatu (1922), a classic of German expressionism. The film's production company declared bankruptcy, so was unable to pay damages, but the court ordered the destruction of all prints of the film—a scandal in itself—which set a precedent for protecting literary properties. However, some prints survived.

LOCALES: Berlin, Germany; London, England

CATEGORIES: Law and the courts; film; literature

KEY FIGURES

Bram Stoker (1847-1912), Irish novelist and short-story writer

Florence Stoker (1858-1937), Bram Stoker's wife and executor

Albin Grau (1894-1942), codirector of Prana-Film
Henrik Galeen (1881-1949), author of the script of *Nosferatu*

G. Herbert Thring (1859-1941), secretary of the Society of Authors

F. W. Murnau (1888-1931), director of *Nosferatu*
Manfred Wronker-Flatow (fl. early twentieth century), lawyer who represented Stoker and the Society of Authors

SUMMARY OF EVENT

In July, 1925, a German court delivered a significant ruling in favor of Florence Stoker, widow and literary executor of Irish writer Bram Stoker, who had died in 1912. The court found that in adapting Bram Stoker's supernatural novel *Dracula* (1897) without permission, a German film production

company had infringed upon the right of his estate to control adaptations of his works.

The film, *Nosferatu: Eine Symphonie des Grauens* (Nosferatu: a symphony of horror), had opened with a gala premiere at the Marble Hall of the Berlin Zoological Gardens in Germany on Saturday, March 4, 1922. It was the first production of a new company known as Prana-Film, whose codirector, Albin Grau, was deeply interested in the occult. The script was written by Henrik Galeen, whose credits included several other macabre films. The film was directed by F. W. Murnau, a rising figure in German cinema.

As its credits clearly acknowledged, the film was based on the novel *Dracula*, although Prana-Film had made no attempt to negotiate rights with Stoker's estate. Galeen had altered the characters' names, with Count Dracula, for example, becoming

Graf Orlok. He also changed the work's primary setting from England to Germany and pruned away many of Stoker's characters and subplots. Nevertheless, the film script followed the novel closely, with the only significant thematic change coming in its resolution. The title was taken from a term that Stoker mistakenly believed to be an Eastern European word for "vampire."

At the time of the film's production, Stoker's widow, Florence, had been living in straitened circumstances in the London, England, suburb of Knightsbridge. She learned of the film's existence the month following its premiere when an anonymous correspondent mailed her the film's program. Most of her husband's books were out of print, and even *Dracula*, recognized in later decades as one of the most important supernatural novels ever written, brought in few royalties. Acting as her hus-



A still photograph from the film *Nosferatu* (1922). (Hulton Archive/Getty Images)

band's literary executor, she promptly joined the Society of Authors, a British organization dedicated to aiding writers in their business and legal affairs, and enlisted its help.

The *Nosferatu* controversy, later chronicled by scholar David J. Skal and others, was the start of a long and convoluted campaign, with Florence Stoker eventually mailing as many as half a dozen letters a month to the society. The society's secretary, G. Herbert Thring, over the following years would act as intermediary between Stoker and the society's governing committee. After reviewing the situation, the committee hired a Berlin-based lawyer, Manfred Wronker-Flatow, to pursue the case against Prana-Film. The society hoped to settle on Stoker's behalf quickly and out of court, but by midyear the profligate company had already gone bankrupt and was in receivership. *Nosferatu* had been its only film, and according to contemporary press reports, the company had spent more money publicizing than producing the film.

The society, however, became reluctant to proceed, so Stoker redoubled her efforts. She approached longtime friends in the publishing business, such as William Heinemann, to apply pressure to the society, and she even attended one of its annual dinners in the company of her accountant-son, Noel. With reservations, the society agreed to carry on. Prana-Film's receivers, Deutsch-Amerikanische Film-Union, offered Stoker a share of the film's profits if she allowed them to show the film in the English-speaking world with the title *Dracula*. Following the society's advice, Stoker rejected the offer as unlikely to be of much value.

A hearing finally was held in Berlin in late March, 1924, and the case began in May. Two months later, authorities ruled in favor of Stoker. Now, Stoker offered to sell the receivers the rights to the novel for five thousand pounds, but they appealed the ruling instead, resulting in further delay. The receivers lost their appeal early the following year, and in July, 1925, they were ordered to destroy the film's negative and all prints. Although it was not necessarily considered scandalous at the time to destroy a film, the destruction of an artistic creation in the name of legal propriety was considered scan-

dalous in later years, especially by artists, film preservationists, scholars, and film aficionados.

Stoker and the Society of Authors had secured a favorable legal ruling at last, but it seems to have had no practical effect. As early as 1922, Stoker had learned of showings of *Nosferatu* in Budapest, Hungary, and Paris, France. A British firm had planned a showing that same year, but the company was refused a certificate by the British Board of Film Censors because of the film's sensational subject matter and because the issue of copyright had been side-stepped. A few months after her legal victory, however, Stoker realized that the ruling to destroy all copies of the film had not been carried out. In October, the newly formed London Film Society, which was dedicated to the study and preservation of motion pictures, announced a Sunday afternoon showing of the troublesome film, now billed as *Dracula*.

Again, Stoker pushed the Society of Authors into action, but this time its efforts were less successful. Although it was determined that the print for the planned showing had been purchased in Germany, it proved impossible to trace the exact source. In any case, the London Film Society's showing was canceled. With undoubtedly great relief, Thring informed Stoker in January, 1926, that the society was withdrawing from the case.

Nosferatu, though, refused to go away. The London Film Society scheduled another screening of the film on December 16, 1928, at the New Gallery Kinema in London. The indefatigable Stoker again instituted legal proceedings, and although she was unable to stop the screening, the print for this showing apparently was burned in 1929. Other prints clearly existed, however: Two months later the film received its American premiere at the Film Guild Cinema in Greenwich Village, New York. For all her perseverance, Stoker's triumph had been a hollow one.

IMPACT

The scandal that ensued over the *Nosferatu* case had its legal beginnings with the 1886 Berne Convention for the Protection of Literary and Artistic Works, and subsequent revisions, which asserted the right of creators of literary and artistic material

to control reproduction of that material, including adaptations. The convention was international in scope and included Germany and Great Britain among its original signatories. The individuals connected with Prana-Film were aware of the general requirements of the convention and altered the particulars of Stoker's novel accordingly. They may have believed that their alterations were legally adequate, or they may simply have assumed that news of their adaptation would never reach Britain.

Furthermore, the Society of Authors clearly found its relationship with Florence Stoker trying, particularly as the months went by, and reminded her on several occasions that it had obligations to members of longer standing. However, the group persevered because it realized that film adaptations could come to represent an important source of income to writers.

Despite the legal significance of the court decision, later generations of film lovers have been grateful that copies of *Nosferatu* survived. The film is now recognized as a key work of German expressionism and is generally regarded as the most successful cinematic adaptation of Bram Stoker's novel.

—Grove Koger

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May-June, 1926

EVANGELIST AIMEE SEMPLE MCPHERSON CLAIMS SHE WAS KIDNAPPED

Popular Christian evangelist Aimee Semple McPherson disappeared while swimming off Venice Beach, California, and was believed to have drowned. A month later she showed up at a hospital in Arizona, brought there by Mexican authorities after she told them she had been kidnapped and held captive. Many believe she fabricated the story and had instead run away with a lover. A grand-jury investigation and trial lasted more than seven months and attracted overflowing crowds. Charges were dropped for lack of evidence.

LOCALE: Los Angeles, California

CATEGORIES: Hoaxes, frauds, and charlatanism; law and the courts; publishing and journalism; public morals; religion

KEY FIGURES

Aimee Semple McPherson (1890-1944), Canadian-born evangelist

Kenneth G. Ormiston (d. 1937), radio-station technician and allegedly McPherson's lover

Mildred Pearce Kennedy (1862-1947), McPherson's mother and business manager

Roberta Semple Salter (1910-2007), McPherson's daughter, with her first husband

Rolf McPherson (b. 1913), McPherson's son, with her second husband, and head of Angelus Temple after his mother's death

SUMMARY OF EVENT

In May of 1926, thirty-five-year-old Aimee Semple McPherson, a popular Christian evangelist and founder of the Foursquare Gospel Church and the Angelus Temple in

Los Angeles, California, walked into the Pacific Ocean and then disappeared. She was presumed dead. A month later, she was found in a hospital in Douglas, Arizona, claiming she had been kidnapped. Skeptics, doubting her story, demanded a grand-jury investigation. Although no kidnappers were found, allegations that she had had an affair were never proved either.

Ten years before the public scandal, McPherson, following a call from God, left her family to spread the word of salvation. Depending on God to direct her and provide for her, she organized revivals. McPherson, or Sister Aimee, as many later called



Aimee Semple McPherson. (Library of Congress)

her, was born in rural Ontario, Canada, to Mildred Kennedy, an orphan raised by the Salvation Army, and James Kennedy, who was in his fifties and also was a religious person. Their daughter, too, became dedicated to the Salvation Army, a group that did not believe in baptism. McPherson grew up confident and outspoken, entertaining herself by preaching to her dolls and organizing her schoolmates into a marching corps, and gaining recognition, as an adolescent, for her speaking and writing skills.

At the age of seventeen, McPherson met and married Irish evangelist Robert Semple. They became missionaries in China, but he soon died there of malaria. McPherson gave birth to their daughter, Roberta, and moved to New York City to be with her mother. Seeking the security of marriage, she then married Harold McPherson, and they had one child, Rolf. McPherson soon left her family to become an itinerant preacher. Her family joined her, and while her mother managed her schedule, her husband gave up on the marriage.

After traversing the United States twice, McPherson and her family settled in Los Angeles. With her mother they began a campaign to solicit contributions for the building of a temple for their planned church. On January 1, 1923, to overflowing crowds, they opened the Angelus Temple, a megachurch with more than five thousand seats. The temple drew thousands to her famous sermons, and it had services for the impoverished. It also educated evangelicals and established worldwide missions. McPherson enhanced her preaching with dramatic skits she called “illustrated” sermons, and she became one of the first women to star in radio, bringing her voice into the homes of thousands. She was assisted in her radio mission by technician Kenneth G. Ormiston, with whom she developed a close friendship. This relationship provoked gossip, led to his resignation, and led his wife to sue him for a divorce. He was reported missing by his wife in Jan-

A VIGIL FOR MCPHERSON

Evangelist Aimee Semple McPherson's disappearance from a Los Angeles beach in May, 1926, stunned her supporters. Hundreds of them gathered in a “silent mass” to wait for her return. A Los Angeles Times reporter was at the beach vigil, one week after she vanished, and described the scene.

To the hundreds of men and women who wait in a huddled and silent mass beneath the open sky on the beach between Venice and Ocean Park, Aimee Semple McPherson, their beloved leader, still lives.

A faith as strong and deep as the ocean they watch hour after hour with aching eyes holds them there.

“She can’t be dead. She can’t be dead.”

It is almost a refrain, repeated time and time again, an expression of faith which flings defiance into the teeth of death itself.

“God wouldn’t let her die. She was too noble. Her work was too great. Her mission was not ended. She can’t be dead.”

The crowd remains hushed and tense. The words are alike. They come only in answer to direct questions. The speakers say them as if quoting. Then their eyes turn back to the sea.

Source: “Faithful Cling to Waning Hope; Men and Women Followers of Mrs. McPherson Grouped on Sands at Venice Pray That Leader Will Return to Them.” Los Angeles Times, May 26, 1926.

uary of 1926. A few months later, on May 18, McPherson disappeared as well.

On the day she disappeared, McPherson had gone to the beach with her secretary, Emma Schaffer, as she often did, to work on the text for her sermon and to relax. She asked Schaffer to check on some visuals for her sermon, swam from shore, and did not return. A search began. Looking for a story, reporters stormed the church parsonage, forcing McPherson’s daughter to hide in the basement while they ransacked closets and drawers. McPherson’s son, who had been boarding with church friends on a ranch near Winters, California, was rushed back to Los Angeles by the local sheriff to evade reporters. Reported sightings of McPherson around the country as well as a reward of twenty-five thousand dollars that was soon withdrawn, suggested that McPherson was alive. However, after a month, her mother held a memorial ceremony. In

mid-June, more than one month after her disappearance, McPherson was found at a hospital in Douglas, Arizona. Her mother, daughter, and son went to Douglas and then brought her home, on June 26, to a crowd of tens of thousands of supporters.

McPherson explained that she had been lured to a car by pleas of help for a sick child. She claimed that when she got to the car she was abducted, drugged by three kidnappers, and eventually taken to a shack in Mexico, where she was bound and tortured (with a cigar burn to her hand). Left alone briefly, she cut her ties loose on the jagged edge of a tin can and then walked hours to Agua Prieta, Mexico, and later was taken to the Arizona hospital near the border. Her story was questioned first by the local sheriff, who stated that her appearance and physical condition did not indicate that she had just walked through a desert. Additionally, Ormiston reportedly had been seen with a mysterious woman. McPherson's enemies saw an opportunity.

In addition to the journalists looking to develop news stories for their papers, others were eager to malign McPherson. Robert P. Shuler, who owned a local radio station and was pastor of Trinity Methodist Church in Los Angeles, resented her drawing crowds from other Protestant churches. Shuler would eventually lose his radio license because of his controversial broadcasts. The Los Angeles business community, including the Chamber of Commerce, and crime lords objected to her alleged interference in their business activities. Reporters pressed Los Angeles district attorney Asa Keyes to investigate the alleged kidnapping, but their real motive was to uncover an affair. After a grand-jury investigation failed to indict any kidnappers, a second investigation began, prompted by the testimony of a woman who had named the mystery woman with Ormiston as her sister-in-law; this witness told the grand jury that she had been paid to say this. McPherson and her mother were then charged with obstruction of justice, corruption of public morals, and conspiracy to manufacture evidence. At their trial, grandstands had to be constructed at the courthouse to accommodate the crowds.

Although McPherson presented herself as a defenseless woman, she managed herself well. During

the trial, she responded to reporters with humor and irony, and she famously announced that she was sticking to her story. She had become a savvy manager of the media. In addition to continuing her magazine *Bridal Call*, she created her own weekly newspaper, *Foursquare Crusader*, and she continued to use radio for her sermons, one of which portrayed her major critic, Shuler, as the devil. Charges against McPherson and her mother were dismissed in January, 1927, for lack of evidence.

McPherson worked to exhaustion and died at the age of fifty-four from an accidental overdose of sleep medication. Her son carried on the work of the Foursquare Church and its hundreds of missions worldwide.

IMPACT

After the trial, McPherson came to see herself as a star, which brought both influence and problems. Her life and the scandal unwittingly increased the popularity of Pentecostal Christianity, as it exacerbated the schism between the conservative, fundamental Protestant Church and the moderate Protestant Church. While she kept loyal followers and had supporters, from the famed Baltimore journalist H. L. Mencken to the Ku Klux Klan, she was portrayed by others as a fraud and hypocrite. She traveled abroad with as much access as an ambassador, holding conversations with Benito Mussolini, Mohandas Gandhi, lepers, and impoverished Japanese fathers. Her actions continued to provoke publicity and lawsuits, causing fractures in relationships with her mother and daughter. Lonely, she married again unsuccessfully.

McPherson's disappearance also led to the ruin of California Superior Court judge Carlos S. Hardy, who was later impeached for providing McPherson and her mother with legal advice and for intimidating witnesses. McPherson's attorney, Russell A. McKinley, died under mysterious circumstances in an auto accident.

—Bernadette Flynn Low

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December 26, 1926

TY COBB AND TRIS SPEAKER ARE ACCUSED OF FIXING BASEBALL GAMES

Major League Baseball superstars Ty Cobb and Tris Speaker abruptly retired from baseball in 1926 after facing accusations that they fixed a game in 1919. A lack of supporting evidence and witnesses, however, as well as the general public's sympathy with the popular players, led the baseball commissioner to dismiss the case, though vestiges of the scandal remained.

LOCALE: Detroit, Michigan

CATEGORIES: Corruption; gambling; hoaxes, frauds, and charlatanism; sports

KEY FIGURES

Ty Cobb (1886-1961), professional baseball player

Tris Speaker (1888-1958), professional baseball player

Dutch Leonard (1892-1952), professional baseball player

Kenesaw Mountain Landis (1866-1944), commissioner of Major League Baseball

SUMMARY OF EVENT

The baseball world was shocked in November, 1926, when living legends and player-managers Ty Cobb of the Detroit Tigers and Tris Speaker of the Cleveland Indians abruptly retired from professional baseball. It was later revealed that their sudden departures were linked to the allegations of a former Cobb teammate who accused the two of fixing a game in 1919.

Cobb, whose aggressive style of play on the field and racist behavior off it, was both an idol and a villain to fans. He held several prominent records upon his retirement, including most hits, runs, and steals. Likewise, Speaker, who played the majority of his career for the Boston Red Sox, retired in 1926 with a .345 batting average, nearly 3,500 hits, and with a ranking that placed him among the best defensive

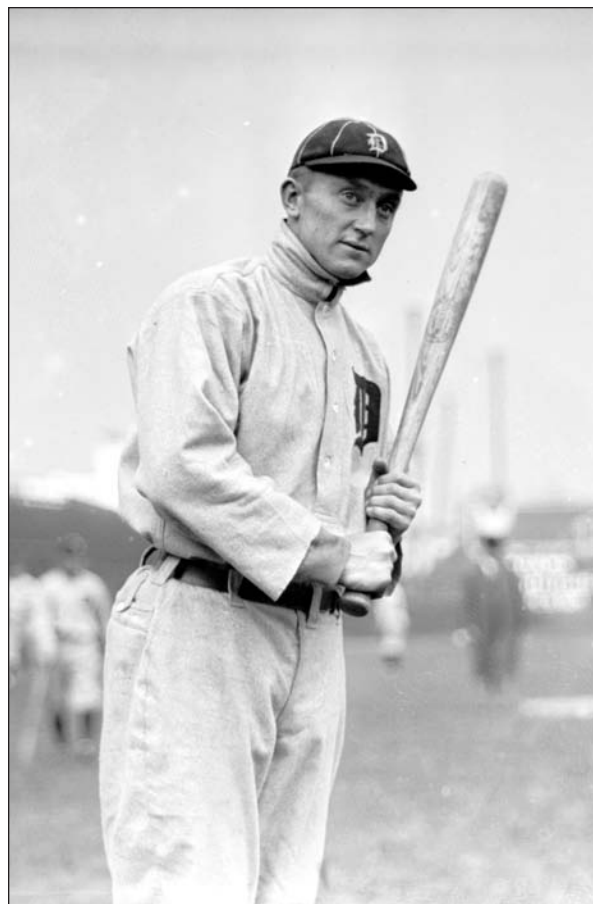
center fielders. Speaker and, particularly, Cobb were two of the most iconic players of the era and were ubiquitous as athletes, managers, and representatives of the game well into the 1920's.

Nevertheless, both players, and Cobb mainly, displayed intolerant, crude, and violent behavior in public. In one episode, Cobb savagely beat a black groundskeeper, then attempted to strangle the man's wife while his Detroit teammates tried to subdue him. In another episode, Cobb entered the grandstands and beat a one-armed heckler named Claude Lueker after Lueker called Cobb a "half nigger." Both incidents revealed Cobb's racism and violent temperament. Although Speaker was not as violent off the field, the native Texan did engage in a number of brawls during games and was at one time affiliated with the Ku Klux Klan.

Given the reputations of the two players, it came as no surprise when former Detroit pitcher Dutch Leonard publicly accused Cobb and Speaker, on December 26, 1926, of fixing a game near the end of the 1919 season. Still, the fallout created quite a shock wave. Leonard, who pitched two no-hitters and held the major-league record for the lowest single-season earned run average, or ERA (0.96 in 1914), had a well-known and longstanding feud with Cobb that emerged after Cobb felt he was intentionally struck by a Leonard pitch during the pitcher's record-setting year.

The bad blood between Leonard and Cobb continued until it climaxed in 1921, the year Cobb became Leonard's manager in Detroit. Cobb consistently fined Leonard, who was reputed as something of a night owl, for violating curfew. The two fought over how best to pitch to star players such as Speaker and George Sisler. Cobb also verbally derided Leonard because of his lackluster season on the mound. Although Leonard ultimately quit the team during the 1921 season, the quarrel manifested yet again when he rejoined the club in 1924. The Leonard-Cobb feud pinnacle in 1924 after Leonard accused Cobb of overworking him on the mound. Seemingly motivated by reprisal, Cobb left the pitcher in for an entire game—which was common in 1924—even though Leonard was being badly beaten and was not throwing well. Leonard

Cobb and Speaker Are Accused of Fixing Games

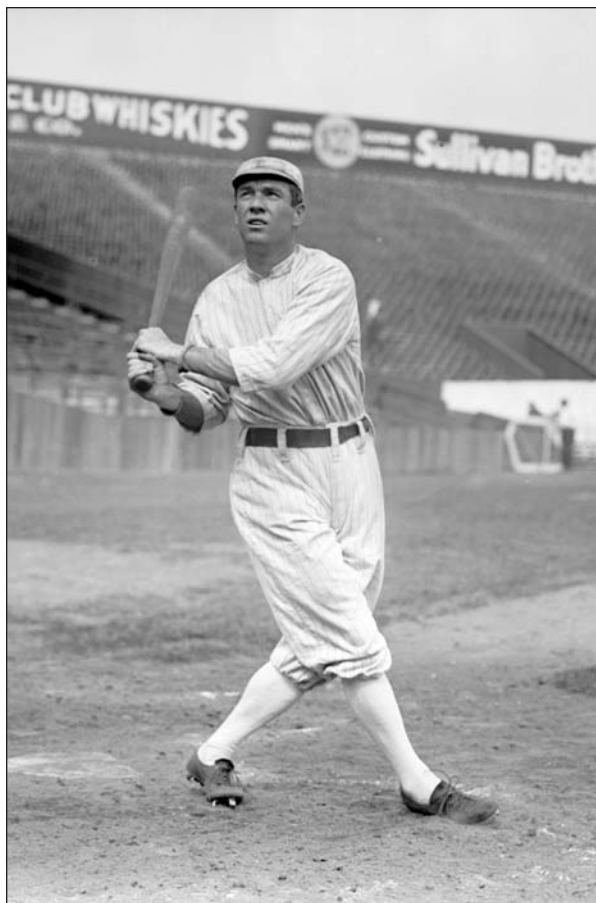


Ty Cobb. (Library of Congress)

1920's

was subsequently placed on waivers and, when no other team elected to pick him up, his career in major-league baseball effectively came to a close.

In the years following Leonard's retirement, rumors began to swirl that Leonard had some sort of knowledge about Cobb that could be used to blackmail him. According to Cobb biographer Al Stump, Leonard was heard on more than one occasion wanting to publicly disgrace Cobb. In 1926, Leonard gave baseball commissioner Kenesaw Mountain Landis detailed information that implicated Cobb and Speaker in fixing a game in 1919. Leonard alleged that Cobb and Speaker, who was a player-manager for the Indians at the time, conspired to fix the September 24 game between the Tigers and Indians. Detroit, the home team, won the game 9-5. Leonard also produced an ample amount



Tris Speaker. (Library of Congress)

of evidence to corroborate his claim. Two letters in particular, one written by Cobb and another by retired Red Sox pitcher Smokey Joe Wood, referred to gambling and game fixing.

Moreover, baseball commissioner Landis revealed that league president, former baseball commissioner, and longtime Landis adversary Ban Johnson permitted Cobb and Speaker to resign rather than risk the type of fallout that came from the 1919 “Black Sox” scandal. Allegedly, Johnson had found the charges against Cobb, Speaker, and Wood so damning and likely to lead to convictions that he paid Leonard twenty thousand dollars to suppress the evidence. Landis’s revelation of Johnson’s intentions later factored into claims that the commissioner was using the Cobb-Speaker scandal as a personal publicity stunt.

A veritable firestorm erupted when Landis made the information public, in part to prevent reporters from picking up on the information first and exacerbating the indignity. Surprising to many, Landis’s decision to go public with the accusations produced the opposite effect. Fans and many in the baseball community, fueled by the newspaper syndicate, claimed Landis’s announcement was one of shameful self-advertisement intended to gain cheap exposure. However, had a newspaper rather than Landis broken the story, it is likely that fans would have accused baseball authorities of lacking the nerve to expose, denounce, and discipline its own stars. In hindsight, Landis probably made the right decision by disclosing the case himself rather than risking media exposure. Still, in 1926, the disreputable specter of game fixing still loomed large over baseball. That such prominent names as Cobb and Speaker could be deeply involved in such a scandal was threatening to both the business of baseball and the faith of the American public.

After being confronted with the charges, Cobb and Speaker immediately defended themselves. Most important, the public ultimately believed the two stars. Cobb implied that Leonard was traitorous by nature and that Leonard had publicly debased his own reputation. Cobb also claimed that Leonard’s evidence had been misinterpreted and that the monetary figures he was referring to were business investments.

Ultimately, Landis dropped the case against Cobb and Speaker, in part because of Leonard’s lack of cooperation (Landis refused to face the players and testify in court purportedly because he feared a beating from Cobb). A lack of further evidence or witnesses sealed the dismissal.

IMPACT

Many sportswriters and those within baseball continued to believe that Cobb’s and Speaker’s stardom and public stature, and not insufficient evidence or Leonard’s abnormal behavior, played chief roles in their exonerations. Still, the general public refused to believe that outstanding players such as Cobb and Speaker could have been cheating.

Cobb and Speaker resumed their playing careers with the Philadelphia Athletics after being reinstated by the commissioner, but both retired permanently after the 1928 season. After retirement, Leonard went on to become a successful fruit farmer and winemaker in California. Personal and public grudges against Landis and Leonard never mended. For his part, Landis used the episode to strengthen baseball's policy on gambling: Those involved with Major League Baseball who are found guilty of fixing a game are banned from the game for life. Still, the 1926 gambling scandal, coupled with the 1919 Black Sox case, was a negative mark on professional baseball and remained so for years.

—Matthew E. Stanley

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1927

MAE WEST'S PLAY ABOUT GAYS IS BANNED ON BROADWAY

Mae West's play The Drag was first performed in Connecticut to packed houses because of censorship restrictions in New York. It was American theater's first substantial and somewhat realistic picture of the world of cross-dressing and drag among gays. Although the play was naïve by modern standards because of its view that gay men want to be women, its advocacy of restraint to prevent disruptions to family life, and its claim that cross-dressing harms society, there is no doubt that the play's theme was heartfelt on the part of its creator and its tolerant views were ahead of their time.

LOCALES: Bridgeport, Connecticut; New York, New York

CATEGORIES: Performing arts; public morals; sex

KEY FIGURES

Mae West (1893-1980), American film star and playwright

Edward Elsner (fl. 1920's), American director, producer, performer, and writer

James Timony (d. 1954), American attorney and stage manager

SUMMARY OF EVENT

Mae West, who wrote and acted in the successful and notorious play *Sex* (1926), wrote what would become another notorious—and scandalous—play: *The Drag: A Homosexual Comedy in Three Acts* (1927). *The Drag*, written under the pseudonym Jane Mast, offered its audience a glimpse into the lives of the gay men of New York City's infamous drag, or cross-dressing, balls. The publicity leading up to the anticipated opening of the play on Broadway in New York caused such a stir that legislation quickly was introduced to ban such plays in the city. The Society for the Suppression of Vice campaigned against it as well. Newspapers and entertainment magazines all condemned the play. West,

who had been arrested for *Sex*, was forced to end production of *The Drag* before it opened in New York.

The play, which premiered on January 31, 1927, at Poli's Theatre in Bridgeport, Connecticut, tells the story of Rolly Kingsbury, who is gay but married to a woman to conceal his homosexuality. His friends include several flamboyant gays, and his wife is very unhappy in their marriage without fully understanding why (until the end of the play). Eventually, Kingsbury is killed by a former lover, David Caldwell. The play includes brief discussion between a sympathetic character representing the medical community and a character representing the law, a judge who finds homosexuals a threat to society.

For her first twenty-five years in show business, West had a fair amount of success in vaudeville, musical comedy, and even burlesque. To expand her career, she founded the Morals Production Company with James Timony and her mother. She then developed into a notable figure with star power with her play *Sex*, the story of a Montreal madam and the various goings-on in her brothel. With its April 26, 1926, premiere, *Sex* became one of the biggest hits on Broadway until it was forced to close permanently in March of 1927. A month earlier, on February 9, West and the entire cast and crew of *Sex* had been arrested for creating a public nuisance and producing an immoral play.

The popularity of *Sex* convinced West to begin another work in September, 1926. Another inspiration for her was timing. A new genre was developing on the Broadway stage—sex plays—and *The Drag* would fit right in as a “homosexual comedy-drama,” as West called her new production. A French play about lesbians, *The Captive*, had premiered on Broadway earlier in 1926. Adapted from Edouard Bourdet's *La Prisonniere*, the American production was restrained in its depiction of lesbian desire (although this play, too, would be raided by police). Because of *The Captive*'s general accep-

tance, West felt she could create her gay-themed production (which, she and Timony would later claim, was envisioned as a gay version of *The Captive*). West and Timony began recruiting from known, albeit underground, gay neighborhoods in late 1926. She hired Edward Elsner to direct the play. (Elsner pushed West's creative imagination, and West credited him for pointing out her distinguishing, and later trademark, walk.)

Daly's 63rd Street Theatre served as the space (part of which they rented) where they would begin their work. The midnight-only rehearsals began, but the play was not quite complete. West, again with Elsner's strong encouragement, allowed many in the cast to help "write" the play by ad-libbing their lines. The characters displayed extremely stereotypical mannerisms, but for the time it seemed appropriate.

The Drag did manage one staging in New York City: a private showing for doctors and New York City officials in an attempt to win support for bringing it to Broadway. To limit the chance that it would be censored, West had written into the play a doctor character, who argues that homosexuals are not criminals or dangerous to society; they simply need help, whether medical or psychological or simple compassion. West could then claim that the play was a vehicle for sex education and not merely a play about sex. However, the officials and doctors were not persuaded, and they refused to approve the play's staging. Because of West's previous arrest, for which she was awaiting trial, she decided against fighting for *The Drag*. She had hoped someday to turn it into a book or even to produce a film version of the play, but those plans never developed fully.

IMPACT

The public's reaction to *The Drag* revealed how scandal would accompany homosexuality—and depictions of homosexuality—in 1920's America, so much so that the play was taboo on stage even in the seemingly open and tolerant city of New York. Official condemnation of the play, too, only reaffirmed what many already knew: homosexuality, and its depiction, was taboo, officially.

Scholars have speculated that when it first premiered, *The Drag* had a significant social impact, both positive and negative. Although many insist that West was attempting to "help" the homosexual community by writing the play, others believe she was merely exploiting New York's gay community for profit. Many argue that she saw the potential in the sex-plays genre and exploited it for her sole benefit, not only financially but also personally. Later, however, she often spoke on how she had always been in full support of gays, and that her support came out with the play.

—Michael T. Martin

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1927

PRESIDENT WARREN G. HARDING'S LOVER PUBLISHES TELL-ALL MEMOIR

In her 1927 book The President's Daughter, Nan Britton spoke of her longtime romantic affair with U.S. president Warren G. Harding. Britton claimed she had had sex with Harding in the White House and that Harding had fathered her daughter. The affair was the first sex scandal involving a U.S. president revealed not by the press but through a book's publication.

LOCALE: Washington, D.C.

CATEGORIES: Publishing and journalism; government; politics; public morals; sex

KEY FIGURES

Nan Britton (1896-1991), President Harding's mistress, author of a tell-all book

Warren G. Harding (1865-1923), president of the United States, 1921-1923

Elizabeth Ann Blaesing (1919-2005), alleged illegitimate daughter of Britton and Harding

SUMMARY OF EVENT

After the tumult of World War I, much of the United States wanted to move back to a simpler and quieter era. It seemed that Warren G. Harding would provide that comfort when he was elected president in 1920. However, Harding's administration was

wracked by scandal, and the Roaring Twenties, as the name suggests, were anything but quiet. Harding-administration scandals included personal indiscretions and misconduct by his political appointees. Harding's mistress, Nan Britton, published an account of her trysts with him in her 1927 book *The President's Daughter*.

Harding was not considered to be presidential material in 1920 by most political pundits. The Republicans had been unable to agree on a first-rate presidential candidate but settled on him as their next-best choice. Harding benefited from the nation's rejection of Woodrow Wilson and the Democrats, and he promised a return to better times, or, in Harding's terms, "normalcy." The new president, however, had long been distanced from middle-class America's public definition of "normalcy." Harding had been cheating on his wife for nearly two decades, generally with his first mistress, Carrie Phillips, and he also enjoyed a good poker game, with drinking, even while the nation was deep in Prohibition.

Harding's second long-term mistress was Britton, who was about thirty years younger than the president. Britton had met him in 1912, and their affair began in 1916. It continued throughout his service in the U.S. Senate (which lasted until he be-

came president). It was while Harding was a senator that one of the most disputed events allegedly took place. Britton gave birth to a daughter, Elizabeth Ann Britton Blaesing, in 1919 and then claimed in *The President's Daughter* that Harding was the father.

The Britton affair was but one of many unacceptable actions by the president. Most people in the United States, after finding out about the affair, also condemned the frequent poker parties and drinking at the White House. However, because the press was much less investigatory during the 1920's, most of his indiscretions remained virtually unnoticed by the public. Harding was not as hands-on as other presidents, and he delegated much of his work to his cabinet secretaries and aides. Also, Harding was not interested in remaking the world or substantially remaking the United States—after all, he had promised normalcy, not change. He was interested, though, in continuing his life and affairs, particularly the one with Britton. The office sometimes wore on Harding, and he allegedly once remarked that the presidency was “one hell of a job.”

Harding's appointment of Interior Secretary Albert B. Fall turned out to be a bad one, as Fall was caught taking a bribe to arrange for oil leases to government land (the infamous Teapot Dome scandal). Harding's administration found itself in the middle of controversy by 1923. To address and counteract the controversy (and in part to get away from it), Harding began a speaking tour of the West Coast. In San Francisco, California, he collapsed and died after suffering either a heart attack or stroke.

Harding's quick death, combined with Britton's personal allegations, led some to suspect that his wife, Florence, had poisoned him, but that theory was not given much credence. Harding's wife died the following year. The nation quickly forgot about the Hardings until 1927, when Britton published her tell-all book, revealing her escapades with Harding. Throughout her life, Britton had been smitten with the president, which she reveals in her memoir.



Nan Britton and her daughter, Elizabeth Ann Blaesing, in 1931. (AP/Wide World Photos)

1920's

However, this revelation did not help her effort, which she said was aimed at providing for herself and her daughter. The book caused an immediate scandal. Previous scandals had merely been whispered about and were kept from the press.

To refute Britton's claims, Anton Shrewsbury Jenks published *A Dead President Makes Answer to "The President's Daughter"* (1929). That same year, a lawsuit was filed by Britton against those who backed the claims in Jenks's book. Britton could not prove her claims, and the attorney hired by her opponents painted her as vile, out for money, and a person who had created the entire affair and was besmirching Florence Harding's good name (and, thus, speaking ill of two dead people). Regardless of the truth, Harding's earlier affair shows that he was indeed a cheater. Claiming that Britton was lying about her affair helped win the lawsuit, but that claim likely had little truth.

Britton's allegations about her daughter's paternity were never proven, but most scholars do accept that Britton had an affair with Harding. The question remains whether the details in Britton's book support her affair with Harding. Most historians believe that those White House particulars were mostly imagined, even while believing in the existence of the affair and his possible paternity. Britton's daughter, coincidentally, was not interested in discovering her father's identity. The situation became even more complicated because many of Harding's personal letters and papers were sealed by court order (until 2023) and because Florence Harding burned some of his other papers to protect his reputation. The sealed papers generally consist of love letters between Harding and his first mistress, Phillips.

IMPACT

The Harding-Britton affair marked the first sex scandal involving a U.S. president revealed through a book's publication. However, this was not the first highly publicized scandal, as U.S. president Ulysses S. Grant's affairs were well known during his administration, nor was it the first time that a president slept with someone not his wife.

Britton's book also provides insight into the gender relations of the time: During the trial and after, Britton was condemned for trying to make money off the scandal and for suggesting that a president would be adulterous, even while the evidence was clearly there that Harding had not been faithful to his wife. Phillips's experiences, for those who do not find Britton's case convincing enough, suggest that Harding did have extramarital affairs, and Harding's character implies that Britton very well could have been telling the truth. Finally, the sealed Phillips letters suggest that Harding's extramarital affairs will remain a vital topic.

This scandal also has relevance for studies of the lives and times of U.S. presidents Bill Clinton and John F. Kennedy. Clinton's administration was marred by his affair with Monica Lewinsky, and Kennedy likely had extramarital affairs as well.

—Scott A. Merriman

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Early 1928

JOSEPH P. KENNEDY BEGINS AN AFFAIR WITH GLORIA SWANSON

Business tycoon Joseph P. Kennedy, the father of future U.S. president John F. Kennedy, met film star Gloria Swanson during a business venture. Though both were married to others at the time, they embarked on an affair that was an open secret in Hollywood. Kennedy also financed several of Swanson's films. The two broke up amid personal accusations.

LOCALES: New York, New York; Hollywood, California

CATEGORIES: Sex; Hollywood; film; public morals

KEY FIGURES

Joseph P. Kennedy (1888-1969), business investor
Gloria Swanson (Gloria May Josephine Svensson; 1899-1983), silent-film star

Rose Fitzgerald Kennedy (1890-1995), Joseph P. Kennedy's wife

Henri de la Falaise (1898-1972), Gloria Swanson's husband

SUMMARY OF EVENT

By 1927, Joseph P. Kennedy, nearly forty years old, had been married to Rose Fitzgerald, the daughter of a former mayor of Boston, for thirteen years; the couple had seven children. Kennedy had amassed a fortune through stock manipulation, and he was looking to invest in Hollywood, believing money could be made through mergers of the production and distribution of films. Also by 1927, Gloria Swanson was at the height of her career as a silent-

film star. In 1925, she had married her third husband, Henri de la Falaise, in France and returned to the United States in triumph. She opted to forgo her studio contract and join United Artists, a group of actors producing their own films independently. While her self-produced films were successes (especially *Sadie Thompson*, 1928), she was in debt and unsure of her financial footing.

When Kennedy and Swanson met in New York to discuss Swanson's business affairs, Kennedy seemed the answer to her prayers: confident, ebullient, and a person who knew money. Swanson seemed the answer to his dreams: petite, sensual, and a star. Soon, she had given him power of attorney over her business affairs. He reorganized her estate into Gloria Productions, replacing virtually all of her advisers with his own team. To reduce her costs, he recommended economies; to reduce her debt, he advised she sell her rights to *Sadie Thompson*.

By early 1928, Swanson and Kennedy were lovers. Kennedy solved the problem of Swanson's husband by employing him as director of his holdings in Pathé Studio, Europe, and he solved the problem of his wife by spending long periods away from home.

While Kennedy was wheeling and dealing, creating mergers that would become RKO Studios and making associations with the Radio Corporation of America (RCA)—an association that led to the success of talking films—he also wanted to produce serious cinema, starring Swanson. He hired Erich von Stroheim, a director known for high-art but

over-budget films, to create an artistic vehicle for Swanson. That story, to be known as *Queen Kelly*, was made as a silent film just as talkies were becoming the rage. After miles of shot film and hundreds of dollars of Swanson's money, the project would be shelved. Kennedy also appeared as producer on *The Trespasser* (1929) and the much less successful *What a Widow* (1930).

Hollywood knew of the Swanson-Kennedy affair but did not tell, though gossip columnist Hedda Hopper hinted. The two lovers never cohabited. For reasons that can only be imagined, Kennedy decided that Swanson would visit his family in the East and that they—not the triangle of Joseph and Rose Kennedy and Swanson but the full quadrangle of Joseph and Rose Kennedy, Swanson, and la Falaise—ought to travel together to the European premieres of *The Trespasser*. The events, many recorded in the memoirs of both Swanson and Rose Kennedy, were surreal.

While in Hyannis Port, Massachusetts, Kennedy arranged a tryst with Swanson aboard a sailboat at anchor, only to have his impressionable son, John, who was twelve years old, surprise the two lovers. Shocked and distressed, John jumped overboard

and tried to swim to shore. He had to be saved from the water by his father. On the ship to Europe, Kennedy fawned over Swanson in Rose's presence while the women tried to pretend the situation was not what it was. Rose was the more successful at this, leading Swanson to wonder if she was a fool, a saint, or the better actor.

Perhaps Rose was not as unaware as she pretended to be. In the fall of 1929, while in New York, Swanson was called into the presence of Boston's Roman Catholic cardinal William Henry O'Connell. He had been asked—by whom he would not say—to tell her that her relationship with Kennedy was an “occasion for sin” and that she should end the affair. Swanson, a non-Catholic, was livid.

By December, 1930, Kennedy's ardor for Hollywood mergers and for Swanson was cooling. After a dinner at which she questioned him (jokingly, she claims) about an expenditure from her personal accounts, he left her and Hollywood without a goodbye. As the affair ended, Swanson discovered that the trust she had granted him had been betrayed. He had indeed misused her personal funds, giving her extravagant “gifts” that she actually paid for herself.

The aftermath of the affair seemed minimal. Kennedy may have had a significant impact on the way Hollywood did business, but his affair did not play a major role in his business decisions. He got in, he made money, he got out. His status as a family man and patriarch also did not suffer, and he entered politics as an adviser to Franklin D. Roosevelt untarnished. Likewise, Rose Kennedy's choice to ignore the affair meant her relations with her husband could return to a chilly normalcy after 1930. The ninth and final Kennedy child, Ted, was born in 1932.

Swanson's husband did not ignore the goings-on. He opted for an amicable divorce, which was



Joseph P. Kennedy in 1934. (AP/Wide World Photos)



Gloria Swanson in 1927. (Hulton Archive/Getty Images)

finalized in 1931. Almost immediately he married actor Constance Bennett, herself an heir. He later married a third time. The position at Pathé in Europe arranged for him by Kennedy paid long-term dividends. La Falaise and Swanson remained friends until his death.

IMPACT

The three years of Swanson's liaison with Kennedy were critical ones for the film industry. Those years were critical for Swanson as well. Twenty-eight years old when the relationship began, she was thirty-one years old when it ended. In the life of a screen actor, these were important years. Furthermore, the work that she did under Kennedy's tutelage (if it could be called that for a woman who had star status when they met) was not her best. *The Trespasser* was a great success, but that film was the least influenced by Kennedy. *Queen Kelly* was a fiasco and never released in the United States; *What a Widow* (1930) was coolly received. Her career was fading. A series of flops during the 1930's confirmed that she was finished. Years later, her appearance in the Hollywood classic *Sunset Boulevard* in 1950 was a final success. In it, as the aging

actor Norma Desmond, she played a ruthless caricature of herself.

Financially, too, Swanson suffered from the affair. When she followed Kennedy's advice to sell the rights to *Sadie Thompson*, she lost one of her most profitable properties. Most of the production costs (and losses) for *Queen Kelly* and *What a Widow* were hers, not Kennedy's.

Beyond the effects on the immediate players, historians have argued that Kennedy's open secret had a deep and negative impact on the attitudes of his sons. The Kennedy men learned to marry up (in class) but sleep down. For the Kennedy politicians of the next generation, marriage was important for its public face and dynastic implications; fidelity in marriage was not. Though John F. Kennedy's womanizing was quietly ignored while he was in the White House, he appears to have followed in his father's footsteps where Hollywood affairs were concerned. Senator Ted Kennedy's longer political career, too, was marred by scandal.

—Jean Owens Schaefer

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1928-1929

ACTOR IS SUSPECTED OF FALSELY CLAIMING TO BE AN AMERICAN INDIAN

American Indian journalist and activist Buffalo Child Long Lance starred in a silent film with an American Indian cast. Before the film's release, however, rumors circulated that he was actually an African American, not a Native American. The scandal led to his ostracization, seclusion, and suicide. Historians have used the scandal to debate issues such as contested racial and ethnic identities, "Indianness," and cultural impersonation.

LOCALES: United States; Canada

CATEGORIES: Hoaxes, frauds, and charlatanism; social issues and reform; publishing and journalism; murder and suicide

KEY FIGURES

Buffalo Child Long Lance (Sylvester Clark Long; 1890-1932), American activist, actor, and journalist

William Douglas Burden (1898-1978), American naturalist and film producer

Ilia Tolstoy (1902-1970), American film director
Chauncey Yellow Robe (1870-1930), American Indian chief of the Rosebud Sioux, film adviser, and actor

SUMMARY OF EVENT

In the Roaring Twenties, one of the best-known American Indians in North America was journalist, activist, and future actor Buffalo Child Long Lance, chief of the Bloods, one of the four nations of the Blackfoot Confederacy of the northwestern United States and western Canada. His life story was so impressive that he reached eager readers and listeners from indigenous and nonindigenous communities.

In 1927, Long Lance was offered a contract by the publisher Cosmopolitan to write his autobiography. The book, *Long Lance: The Autobiography of a Blackfoot Indian Chief* (1928), chronicled his life from infancy—during the last years of fighting against the Crows and the Royal Canadian Mounted Police—until his decision to protect the Blackfoot culture by embracing white civilization through ed-

ucation. The autobiography became an immediate best seller in Canada, the United States, and England and was translated into Dutch and German. By 1928, Long Lance became a frequent sight in posh restaurants, theaters, opera houses, and the homes of New York City's wealthy elites. Dressed in top hat and tails, he entertained hosts and guests with American Indian folklore, songs, sign language, and dances. His popularity and notoriety would cause his downfall.

Long Lance signed on for the lead acting role in a film planned by producer and naturalist William D. Burden, who wanted to portray the harsh lives of Canada's indigenous peoples before the arrival of European technology and science. Long Lance was to be the star in an "all full-blooded Indian cast." The film, *The Silent Enemy* (1930), portrays a group of Ojibwa (Chippewa) peoples starving to death before the arrival of the seasonal caribou migration. During the film's editing stages, costar-adviser Chauncey Yellow Robe, a chief of the Rosebud Sioux, privately shared with Burden his doubts about Long Lance's identity as an American Indian.

Yellow Robe was convinced that Long Lance did not grow up in the Bloods community. Long Lance did not know tepee etiquette, his tribal dances were not authentic, and his sign language made no sense. He was loud and boisterous, behavior that offended cast members, and he was always punctual, another oddity. Yellow Robe suspected that Long Lance was white. Burden, fearing that his all-Indian cast would be compromised and his film discredited, launched an investigation of Long Lance's past.

Long Lance's autobiography shows that he had been immersed in American Indian and Western culture as a youth. At an early age he worked on cattle ranches in Alberta, Canada, and Montana and rode with Buffalo Bill's Wild West show. He graduated from the famed Carlisle Indian Industrial School in Pennsylvania, where he played on the football team with the legendary athlete Jim Thorpe. U.S. president Woodrow Wilson appointed Long Lance to the U.S. Military Academy at West Point, making him only the second American Indian to receive such an appointment. From West Point, Long Lance returned to Canada, enlisted in the Canadian army,

and served with the Canadian Expeditionary Force in France during World War I. After being wounded three times, he was awarded France's Croix de Guerre, promoted to the rank of lieutenant, and transferred to an intelligence unit in Italy. In Italy he was promoted to captain and awarded the Italian War Cross. Upon returning to Canada in 1919, he began a career as a journalist in Calgary, Alberta.

Long Lance started his career as a general reporter, but he demonstrated talent for sports reporting and for feature writing about Canada's indigenous peoples. In the first half of the 1920's, he worked at several newspapers in western Canada and spent weeks at a time on different Indian reserves (known as reservations in the United States). His detailed reports resembled anthropological fieldwork and were read widely in Canada. In a short time his stories went beyond descriptions of the disappearance of traditional lifestyles to accounts of high death rates from diseases and the institutional neglect and abuse at the hands of the federal government in Canada.

When invited to speak to Native American communities, Long Lance spoke of the importance of education and adapting to white civilization without giving up indigenous cultures and values. He further advocated that the scattered indigenous communities unite with the fledgling allied tribes movement to recover lost lands and to pressure the government to deliver services denied but required by treaty and law. Newspapers and magazines in Canada and the United States purchased articles from him, and he became a popular speaker throughout Canada and the American Midwest. In his talks he explained to white audiences the rich heritage of the Plains cultures and how indigenous peoples suffered at the hands of the negligent government agencies required to protect them. His speaking and writing made him a celebrity.

In 1928, an investigation inadvertently triggered by *Cosmopolitan* discovered that Long Lance's autobiography was fictional. Investigators found that when Long Lance first arrived in Alberta in 1919, he had identified himself as a Cherokee from Oklahoma. His adoption by the Bloods in 1922 had been honorary, but it gave him no claims on Blood prop-

erty, rights, or titles. Burden's later investigation further exposed Long Lance's fabricated public persona. Long Lance's highest rank in the Canadian army had been corporal, and he never received medals for valor, from any nation. He did receive a presidential appointment to West Point but never attended the academy. He did graduate from Carlisle but was not on the famous football team with Thorpe. Long Lance's name did not appear on the roster of any Cherokee tribe, and the Cherokee students at Carlisle regarded him as more African American than Cherokee. He had added Chahuska and Lance to his given name, Sylvester Clark Long, to make his name appear Cherokee. When confronted with this evidence, Long Lance insisted that he was a Cherokee who had been adopted by the Long family of Winston-Salem, North Carolina.

Burden sent the film's coproducer, and Long Lance's friend, Ilia Tolstoy to Winston-Salem to examine the adoption story. Tolstoy learned that Long Lance was not adopted but was born to Joe Long and Sallie Carson Long on December 1, 1890. Both parents were of mixed American Indian and white ancestry and denied that their antecedents were African or African American. William Blair, a prominent white banker, told Tolstoy that when the Longs came to Winston (as it was then called) during the 1880's, everyone in the white community understood them to be American Indian. They were treated as "colored" because the segregation system had two categories only, but they were not African American. Burden was greatly relieved and continued his promotional campaign.

IMPACT

Long Lance's performance in *The Silent Enemy* brought great praise, but rumors that he was African American and not American Indian circulated throughout New York City. He was all but shunned and was left off the lists of invitees for social events. Offers to write or speak stopped coming in as well, but one woman, Anita Baldwin, continued to believe in him.

Baldwin, one of the wealthiest women in the United States and a student of American Indian culture, hired Long Lance as her body guard and pri-

vate secretary at her three-thousand-acre ranch near Los Angeles. Long Lance tried to remake himself by earning a pilot's license. He planned to buy his own airplane and take part in archaeological expeditions in Latin America, but he despaired of raising enough money.

However, Long Lance frequently disappeared for days at a time and returned to the ranch drunk and violent. At the end of one binge, on March 30, 1932, he fatally shot himself with his own pistol. The news and manner of his death shocked those who knew him. After a short time of speculation that Long Lance had been murdered, his name disappeared from the news. *The Silent Enemy* was all but forgotten. It was one of the last of the silent films and did poorly at the box office.

No attempt was made to investigate thoroughly the rumors of Long Lance's family background. The literary and film communities embraced the barriers of segregation and distanced themselves from him, even though he was a great communicator and champion of the rights of American and Canadian Indians. In a short time, Long Lance's name and his film *The Silent Enemy* were unrecognized beyond the circle of those who knew him.

—Paul E. Kuhl

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March 21, 1928

ALBERTA GOVERNMENT STERILIZES THOUSANDS DEEMED GENETICALLY AND MENTALLY UNFIT

In an attempt to stem the growing population of immigrants and the urban poor, the Alberta, Canada, legislative assembly passed a law designed to keep genetically “unfit” people from reproducing. Once in place, the government agency in charge of approving sterilizations removed itself from the public eye and continued its project of eliminating so-called social deviants from the gene pool long after the science of eugenics was discredited. Despite the draconian aspects of this eugenics law, it was not repealed until 1972.

ALSO KNOWN AS: Sexual Sterilization Act

LOCALE: Edmonton, Alberta, Canada

CATEGORIES: Medicine and health care; law and the courts; psychology and psychiatry; science and technology; human rights; civil rights and liberties

KEY FIGURES

John W. MacEachran (1877-1971), Canadian academic and chairman of the Alberta Eugenics Board

Margaret W. Thompson (b. 1920), Canadian geneticist and Eugenics Board member

Leilani Muir (b. 1944), Canadian cafeteria worker who sued the province of Alberta

SUMMARY OF EVENT

For forty-four years, the Canadian province of Alberta pursued one of the most aggressive and persistent eugenics policies in North American history. Eugenical theories during the 1920's proposed that the human race could be improved by selective breeding. Alberta's Sexual Sterilization Act of 1928 attempted to alleviate social problems of unemployment, crime, and poverty by authorizing surgical operations on mental patients who were deemed unfit to reproduce. The act originally targeted ethnic minorities and women who lived in poverty, though adolescent children were frequently targeted as well. Though eugenics lost its scientific credibility during the following thirty years, surgical sterilization continued at a high rate in Alberta until 1972, when sweeping civil rights reforms led to the law's repeal. By that time, over twenty-eight hundred men, women, and children had been sterilized, most of them without their knowledge or consent.

The sterilization act permitted mental institutions to sterilize particular inmates as a precondition for their release. It called for the creation of the Alberta Eugenics Board, a four-person committee composed of two physicians and two individuals from outside the medical profession. The board would be responsible for determining whether a

given patient might produce offspring who would inherit the characteristics that led to institutionalization and whether sterilization would alleviate the risks involved in the patient's reintegration into society. If the board agreed unanimously that these conditions were met, a surgeon could legally sterilize the patient. Before its revision in 1937, the law required that the patient (or the next of kin, if the patient was mentally incompetent) give consent before the surgery could become legal. The bill met with public opposition and opposition among members of Alberta's Legislative Assembly. Strong support from the United Farmers of Alberta, the dominant political party in the Legislative Assembly, pushed the bill to passage on March 21, 1928.

The sterilization act was implemented in 1929 with the first meetings of the Alberta Eugenics Board under Chairman John M. MacEachran, founder of the University of Alberta's Department of Philosophy and Psychology. Under MacEachran the board soon developed an efficient system to approve sterilizations. A representative from a mental institution had to present each candidate for sterilization to the board in person. The board reviewed the patient's case history, interviewed the patient, and made its decision. It authorized sterilization in 99 percent of all cases it reviewed. For the remaining 1 percent, the board deferred its decision until a later date; it never denied authorization.

Before 1937, the consent requirement had prevented many authorized sterilizations. Although the board approved 1,283 candidates for sterilization between 1928 and 1938, 644 persons were actually sterilized. To increase this rate, the legislative assembly removed the consent requirement for mentally "defective" patients and expanded the grounds for sterilization to include psychotics and people considered unfit to raise children—a characterization that in practice was applied to women who drank heavily or who had become pregnant out of wedlock. As eugenics programs declined after World War II, the Eugenics Board's activities were mostly forgotten by the general public. MacEachran maintained a small network of contacts in the provincial government and the mental health system, but he remained isolated from much of the sci-

entific community, whose consensus now rejected most of the old beliefs that justified the board's creation.

The removal of the consent requirement made most who resided in a mental institution vulnerable to involuntary sterilization. Though the number of candidates presented dropped after the 1930's, the number of sterilizations increased once institutions began diagnosing more patients with mental deficiencies. Tests for mental deficiency favored well-educated English speakers from middle-class backgrounds. Women and Canadian Indians were the most vulnerable to sterilization because of gender and ethnic biases in the evaluation procedures. Mental defectiveness could be diagnosed at an early age, and the growth of training schools for disadvantaged youth after 1950 led to a greater proportion of young people among the candidates presented to the board. At the same time, the number of adult patients declined rapidly. Ninety-three percent of candidates under the age of fifteen already had been diagnosed as mentally defective before they were presented.

The administration of the Provincial Training School for the Mentally Defective (PTS) was especially zealous in its approach to sterilization during the 1950's and 1960's. The PTS administration wanted to sterilize mentally defective children at the earliest possible age, referring many children soon after the onset of puberty. After 1955, parents had to sign a consent form for sexual sterilization before their children could be admitted. One administrator used the children for medical experiments, obtaining authorization from the board to remove the testicles of boys with Down syndrome (who were already known to be infertile), which he then used as tissue samples for his research. These were blatant violations of the Sexual Sterilization Act because the patients were not going to be discharged from the institution and the surgical procedure was completely unnecessary, but by this time the board's entrenchment and lack of oversight had given it near-complete autonomy. In its first decade of operation, the board had sometimes spent up to an hour discussing certain cases, often because of consent issues or concerns about possible negative

effects of sterilization. By 1960, it often spent less than ten minutes on each case before authorizing sterilization.

The Eugenics Board gained public attention in 1969, when several women who had been sterilized requested medical help in restoring their fertility. This prompted two University of Alberta law professors to review the Sexual Sterilization Act. They presented a scathing attack on the act's antiquated science and imprecise language. It questioned the board's ability to determine the heritability of a mental deficiency. The act was repealed in 1972 by the newly elected Progressive Conservative government.

IMPACT

The extent of the harm done by the Sexual Sterilization Act did not become evident until 1995. Former PTS resident Leilani Muir sued the province of Alberta for wrongful confinement and sterilization while she was a teenager at PTS from 1955 to 1965. In court it was discovered that children in PTS were often sterilized not as a precondition for their release but to suppress sexual behavior when they reached puberty. Muir, like many PTS patients, had been retained at PTS for labor and illegal experimentation. After she left the institution, an IQ test showed her to have normal intelligence.

Margaret W. Thompson, a geneticist who served briefly on the Eugenics Board, acknowledged that it was impossible to determine the risk of a patient having children with genetic disorders. By 1960, the board had realized that the standards of the law were too high to meet, so it approved sterilizations of nearly every individual who came before the board, which included patients with conditions that rendered them infertile. Most of the patients, Thompson claimed, were unable to read or write or dress themselves. School records showed that this was untrue, but the board did not spend sufficient time on any one case to verify the accuracy of the information it was given. In 1996 an Alberta court awarded \$900,000 to Muir for wrongful sterilization, pain and suffering, damages, and court costs. The case of *Muir v. Alberta* (1996) set a precedent that prompted more than eight hundred victims to

seek claims against the province for wrongful sterilization over the next four years. By February, 2000, Alberta had paid \$150 million in compensation and legal fees.

After *Muir v. Alberta*, the Sexual Sterilization Act became a cautionary tale in the application of biological theories to social policy. Some commentators have drawn parallels between the repercussions of the Sexual Sterilization Act and the ethical dilemmas that may arise from breakthroughs with the Human Genome Project, stem-cell research, and prenatal screening for birth disorders. The prospect of medical technologies that may allow doctors to detect or manipulate certain genetic characteristics in fetuses may lead to concerns about how far human beings can, or should, go in the attempt to control the biology of future generations.

—Shaun Horton

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kon Shield Contraceptive Is Removed from the Market; Sept. 26, 1979: Love Canal Residents Sue Chemical Company; Sept. 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Sept., 2000: American Scientists Are Accused of Starting a Measles Epidemic in the Amazon; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research.

June 6, 1929

LUIS BUÑUEL'S *UN CHIEN ANDALOU* SHOCKS PARISIAN AUDIENCE

Generally regarded as the first Surrealist film, Un Chien Andalou aroused public fury after its inaugural screening because of its shocking and disconnected imagery. Nevertheless, the film helped launch the artistic careers of its makers, Luis Buñuel and Salvador Dalí.

LOCALE: Paris, France

CATEGORIES: Film; art movements; cultural and intellectual history; public morals

KEY FIGURES

Salvador Dalí (1904-1989), Spanish Surrealist painter

Luis Buñuel (1900-1983), Spanish Surrealist filmmaker

André Breton (1896-1966), French writer and founder of the Surrealist movement

Cyril Connolly (1903-1974), English writer and critic

SUMMARY OF EVENT

Luis Buñuel and Salvador Dalí's short film *Un Chien Andalou* (an Andalusian dog) is filled with perplexing and nightmarish scenes. On June 6, 1929, it had its first showing at Paris's Studio des Ursulines. Because the government censor did not

grant permission to show the film publicly, it was screened before a private audience of mostly Surrealists. André Breton, Surrealism's domineering leader, had been known to organize disruptions of events claiming to be Surrealist without his authorization, so the audience's expected response was uncertain for *Un Chien Andalou*. Buñuel expected a fight and stood behind the screen, prepared to throw stones at anyone who made trouble. However, the film was received enthusiastically by the Surrealist artists in attendance, many of whom welcomed anything deemed scandalous. The notoriety the film brought to Paris's Studio 28 made it a popular avant-garde attraction visited by those who spurned bourgeois respectability. The general public's response to the film, however, was different.

The film opened to the public on October 28, together with a crime film called *The Cop*. Surviving reports of the first public screening are unclear and contradictory. According to some, the public greeted *Un Chien Andalou* with quiet perplexity. However, British critic Cyril Connolly reported that many of those with whom he watched the film raised catcalls and shouted obscenities. Connolly himself saw the film as a liberation of the unconscious and of primordial instincts. In Spain, the famed poet Federico García Lorca read reviews of

the film and became angry because he interpreted the film as an attack on him.

Buñuel and Dalí had become friends while Buñuel was studying at the University of Madrid and Dalí was studying at the San Fernando School of Fine Arts (SFSFA). They moved among a set of young artists, writers, and intellectuals. In 1925, Buñuel moved to Paris and worked as a director's assistant on silent films. Four years younger than Buñuel, Dalí was regarded as eccentric from a very early age but showed talent and versatility as a painter. After his arrogance and unorthodox behavior got him expelled from SFSFA in 1926, he began splitting his time between Madrid and Paris.

In Paris, Dalí and Buñuel became acquainted with many of the most advanced artists of their day and were particularly close to writers and artists of the Surrealist movement. Surrealists sought to break up the rationality of everyday life to attain a reality like that of dreams that was beyond ordinary realism. Influenced by the theories of Austrian psy-



Luis Buñuel in Spain, c. 1970. (Hulton Archive/Getty Images)

Luis Buñuel's *Un Chien Andalou* Shocks Audience

choanalyst Sigmund Freud, among others, they attempted to bring the unconscious into the realm of consciousness through spontaneity, the merging of incongruous images and objects, and intentional shocks to ordinary expectations and morality. Later in his life, Buñuel called scandal one of the weapons Surrealists used to counter society.

As Buñuel absorbed the influences of the Surrealists, he aspired to become an artist. However, unlike Dalí, he could not paint, so he moved into the emerging art of filmmaking by writing film reviews. An admirer of the work of German director Erich von Stroheim, Buñuel studied the early dedication of silent films to coherent narrative structures and realistic settings. Eventually, he would apply the Surrealist principles to film to turn the early cinema against itself.

Meanwhile, Dalí had been living at Cadaques in Spain, where Buñuel visited him in 1929. Trying to find where he might fit into the art world, he proposed to Dalí that they make a film together. They began writing a script by sharing their dreams and working out how they could express these dreams through visual images. They agreed that they would include no idea or image that would lend itself to rational explanation.

Buñuel and Dalí shot *Un Chien Andalou* in only fifteen days, and the film was only sixteen minutes long. Its opening scene gained notoriety the first moment it was shown to an audience. It depicts a man (played by Buñuel) sharpening a razor. As he gazes at the sky and sees a drifting cloud, he takes a woman's face in one hand and with his other hand draws his razor across her eye. A calf's eye was used in filming, but the shot appears to show a living person's eye being slit open. Many commentators regard the shot as a symbolic attack on the viewers themselves, expressing the Surrealist impulse to assault and disturb audiences, instead of providing entertainment. After this jolting beginning, the film continues with a progression of images, many clearly sexual or anticlerical in character.

The eye-slashing sequence is followed by the words "Eight Years Later" and a shot of a figure, who appears to be a Roman Catholic nun but turns



Salvador Dalí in Paris, 1934. (Library of Congress, Carl Van Vechten Collection)

out to be a man, bicycling down a street. A woman shown indoors reading suddenly looks up, sees the bicyclist fall over, and runs down some stairs to kiss and caress the fallen man. She then returns to her room. A nearby man looks at a hole in his hand from which ants are crawling. In the street, a short-haired woman pokes a severed hand with a stick. After additional disturbing scenes, the film ends with a man and a woman embracing and walking along a shore. The words "In the Springtime" appear, and then the film concludes with two figures seemingly buried in sand.

IMPACT

Un Chien Andalou ranks as one of the most notorious films in cinematic history. Its eye-slashing scene still shocks and disturbs even modern film audiences jaded by screen violence. Although Dalí and Buñuel made a second film together—*L'Âge d'or* (1930; the golden age), which provoked riots in Paris before being banned—their friendship soon ended, and *Un Chien Andalou* became one of the points of contention between them. Although Buñuel apparently contributed much more to the

film than his partner, Dalí claimed that he should have received more credit than he did. Dalí also accused Buñuel of withholding profits from the film, although it appears that the film did not actually make a profit.

Buñuel and Dalí both eventually became famous and controversial. Buñuel made a career in cinema after returning to Spain but fled to Mexico when the fascist dictator Francisco Franco came to power in 1936. After a long career in Mexico, he returned to Spain to make *Viridiana* (1961), an attack on Roman Catholicism and Spanish morals that scandalized Franco and his supporters while garnering international praise. As viewers increasingly expected artistic films to be ironic and subversive, Buñuel's genius at expressing the scandalous made him

one of the grand old artists of modern cinema.

Dalí also turned his rejection of convention into success and became the most widely recognized Surrealist painter, even though most Surrealists shunned him. His odd behavior, as well as his art's striking images, made him a popular icon who transformed scandal into reputation and reputation into marketable products.

The techniques of *Un Chien Andalou*, the sudden movement from one image to another without regard to logical or strictly narrative connections, influenced many later filmmakers. The film's influence can be found in the work of such modern filmmakers as David Lynch and in the anarchic comedy of the group Monty Python. Film scholars have also noted more subtle influences in the works of many directors, such as Alfred Hitchcock and Roman Polanski, who produced films with more traditional plot structures.

—Carl L. Bankston III

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November, 1929

BANQUE OUSTRIC ET CIE FAILURE PROMPTS FRENCH INQUIRY

Albert Oustric was a clever and less-than-honest speculator in the volatile financial climate of 1920's France who declared bankruptcy on his phantom companies, then quickly formed others. His stock manipulations and fraudulent bankruptcy had significant repercussions in the French political world, as several government ministers had business dealings with him and were criminally implicated as well.

LOCALE: Paris, France

CATEGORIES: Banking and finance; business; government; politics; law and the courts

KEY FIGURES

Albert Oustric (b. 1887), banker and speculator who founded the Banque Oustric et Cie

Raoul Adolphe Péret (1870-1942), attorney for Oustric, minister of finance, and minister of justice

André Tardieu (1876-1945), premier of France, March 2-December 13, 1930

SUMMARY OF EVENT

Before the outbreak of World War I, Albert Oustric worked as a messenger, a waiter, and a café singer in Toulouse, France, then as a wine salesman. Because of certain connections he had made, he obtained a job in a munitions factory during the war. Thus, he was able to avoid the harsh life of a French soldier in the trenches of World War I. After the war was over and France was inundated by a wave of inflation, he began speculating, or investing. Oustric was intelligent and talented in financial dealings, and he helped companies such as Blanchisserie de Thaon and Peugeot become successful after the war.

In 1919, Oustric opened an office on Rue Auber in Paris. This site became the Banque Oustric et Cie, a limited partnership bank with a supposed capital of one million francs. In reality, its capital amounted to only 250,000 francs. From the time he opened his bank to 1925, Oustric carefully acquired useful relationships with important politicians. Among the politicians with whom he established friendships were Raoul Adolphe Péret, the minister

of finance, and René Bernard, French ambassador to Rome. Using his connections in the ministry of finance and in the ministry of foreign affairs, Oustric succeeded in listing the Italian artificial-silk manufacturer Snia Viscosa on the Paris bourse, or stock market. This successful venture netted him a substantial fee from the Italian banker and a favorable reputation in the business world.

Oustric moved forward and became heavily involved in speculation on the Paris bourse. As the owner of a bank, he began lending significant sums of money to companies with financial problems in exchange for stock in the companies. He preferred to purchase stock, which gave him a plurality of votes to gain control of the companies. He then used these stocks as security to borrow money at a discounted rate from the Banque de France.

Using this money, Oustric began buying up companies in one particular trade area and consolidating them. His first such venture was in the purchase of a number of shoe companies. After he had combined the companies, he sold stock in the merged companies at four or five times its actual value. Oustric also bought the controlling interest in the Banque Adam. He then began creating phantom companies to finance other companies. His schemes attracted a large number of investors both large and small. In October, 1929, the Paris bourse posted a warning about Oustric, and by October 30, the institution suspended his companies' listings. In November, Oustric's banks—Oustric and Adam—and all of his satellite companies declared bankruptcy. The losses amounted to the equivalent of \$56 million. Oustric was arrested, found guilty of fraudulent bankruptcy, and sentenced to eighteen months in prison in November, 1930. He also was required to pay a fine for irregularities in his stock dealings, particularly in regard to the shoe companies.

The failure of Banque Oustric and Banque Adam and the bankruptcies declared by Oustric made for sensational news in the French press. *Le Canard enchaîné*, the satirical French weekly founded in 1915, reported the affair in great detail. The publication not only made known the facts of the scandal but also added fabricated interviews, cartoons, and a *jeu d'oie* (game of the type of snakes and ladders)

called *Le Canard et du Financier*. A number of books on the scandalous affair, such as Maurice Privat's *Oustric et Cie* (1930), were published, and *Le Canard enchaîné* also carried reviews of them.

Oustric's relationship with a number of French politicians brought about a French senate investigation in April of 1931. In the parliamentary inquiry, former minister of justice Péret, Senator René Besnard, and Gaston Vidal and Albert Favre, two other politicians with whom Oustric had established connections, were brought to trial before the senate on charges of corruption for their dealings with Oustric. Péret had given legal advice to Oustric and was the minister of finance when Oustric received approval to place the stocks of Snia Viscosa on the Paris bourse. Péret was minister of justice when Oustric was charged with irregularities in his business ventures and delayed bringing Oustric to trial. (At the time, Premier André Tardieu supported Péret.) Even though Péret had denied any wrongdoing, he resigned as minister of justice on November 17, 1930. The Oustric scandal also brought an end to Tardieu's cabinet. It also was alleged that Péret had received considerable sums of money from Banque Oustric.

Much of the trial centered on the listing of the Snia Viscosa stock on the Paris bourse. An official in the ministry of finance under Péret in 1926 testified that he had issued a favorable report on the Italian firm's stock on the direct order of Péret. Also, Bernard was accused of having received a large amount of money from Oustric after the listing. The trial lasted from April 3 to July 21, 1931, when all the Oustric affair defendants were acquitted by the senate.

IMPACT

Oustric's stock manipulation and speculation were actually not uncommon occurrences in the period after World War I and during the Great Depression. In 1928, Marthe Hanau had bought an economic newspaper in which she gave tips on which stocks to buy. These stocks were almost always in companies that existed only on paper, which she set up with a number of unscrupulous business partners. When she began issuing short-term bonds at 8 per-

cent interest, the government began investigating her practices. She and her business partners were arrested, tried, and imprisoned.

In 1934, another financial scandal, the Stavisky affair, rocked France. Alexandre Stavisky had established a credit union that sold worthless bonds to the French working class. When his duplicity was discovered, he fled to Chamonix and either committed suicide or was murdered by the police. In each instance, government officials were involved, and there was evidence of bribery and the exchange of considerable amounts of money.

All three scandals contributed to distrust of the government and the strengthening of the antiparliamentary movement and the popularity of left-wing politicians. The Oustric affair, however, involved politicians at a higher level of government. During the period of his involvement with Oustric, P  ret was the head of a government ministry. As minister of finance, he helped Oustric start his scandalous banking and speculating career by approving the listing of the Snia Viscosa stock on the Paris bourse; then, as justice minister, he delayed Oustric's trial. P  ret's involvement with and favoring of Oustric had far-reaching impacts, as it ruined his political career and caused the demise of Tardieu's government. Oustric also defrauded a broad segment of French society.

The failure of the Banque Oustric and the resulting scandal serve as examples of the opportunities for unscrupulous speculation and defrauding of the investing public. The scandal shows that governments must maintain stringent controls on financial institutions and the government officials with whom they deal.

—Shawncey Webb

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1930

LIBERIA IS ACCUSED OF SELLING ITS OWN CITIZENS INTO SLAVERY

The League of Nations' slavery commission led an investigation into the continuing trade in forced labor between Liberia and the Spanish cocoa plantations on the island of Fernando Pó and into corruption in the Liberian government. The subsequent report led to many reforms by the Liberian government.

ALSO KNOWN AS: Christy Commission

LOCALES: Monrovia, Liberia; island colony of Fernando Pó (now Bioko, Equatorial Guinea); Geneva, Switzerland

CATEGORIES: Human rights; labor; trade and commerce; colonialism and imperialism; government; international relations

KEY FIGURES

Charles D. B. King (1871-1961), president of Liberia, 1920-1930

Allen Yancy (1881-1941), vice president of Liberia, 1928-1930

Robert Cecil (1864-1958), president of the British League of Nations Union

Cuthbert Christy (1863-1932), British doctor

Charles S. Johnson (1893-1956), American social scientist and civil rights advocate

Arthur Barclay (1854-1938), former president of Liberia, 1904-1912

W. E. B. Du Bois (1868-1963), American social activist, author, and educator

SUMMARY OF EVENT

In 1930, the League of Nations, the precursor of the modern United Nations, issued a report issued by the Christy Commission, an international team that investigated charges that the African nation of Liberia was selling its citizens to the Spanish island colony of Fernando Pó (now Bioko). The allegations were shocking to the world on many levels, but chiefly because Liberia was the culprit. Liberia had been founded in 1847 by former American

slaves as a land of freedom, far from the reaches of slavery in the United States. The 1930 controversy, the commission found, was complex on several levels.

The United States government had alleged that there were human rights abuses in Liberia and that Liberian citizens were being pressed into forced labor, both within the boundaries of Liberia and at Fernando Pó. The Liberian government expressed its desire to have an impartial investigation of these allegations, and it asked for help in the matter. Robert Cecil, president of the British League of Nations, appointed the International Commission of Inquiry on Slavery and Forced Labor in Liberia. Because the United States was not a member of the League of Nations, its request for an impartial, international-level investigation would have to originate as an inquiry by the League of Nations. The League formed the Christy Commission, comprising Chairman Cuthbert Christy, a British doctor and a specialist in tropical diseases; Charles S. Johnson of Fisk University, an American social scientist and advocate for African Americans; and Arthur Barclay, a former president of Liberia.

The inquiry lasted over five months and not only investigated the allegations of slavery and forced labor but also examined the administration of Liberia more broadly. The Christy Commission found widespread corruption and a vastly mismanaged governmental base. It found that Liberia was a nation that foundered in massive amounts of national debt and an unstable infrastructure. The commission issued a "plan of assistance" as a remedy. The Liberian government agreed with the commission's report and asked for the League's help in providing administrative and financial assistance.

Fernando Pó, an island off the coast of Cameroon, had long suffered a decline in the population of its native people, the Bubi, because of sexually transmitted diseases brought by European colonists to the island and because of social dislocation.

Fernando Pó was forced to look to the African mainland for laborers. In 1905, the governments of Fernando Pó and Liberia worked out a system where representatives from Fernando Pó's plantations sent African recruiters into the Liberian interior. The recruiters were promised large bonuses for every laborer brought back to the island colony. The transfer of Liberian workers to Fernando Pó was implemented by the German company Wiechers & Helm. Those persons who were "recruited" into such labor conditions were given a passage order for travel to Fernando Pó. Though laborers were supposed to work no more than two years, most worked far longer.

One of the commission's immediate goals was to clean up the corruption of the Liberian government at its top levels. Liberian vice president Allen Yancy and members of the Monrovia cabinet were impeached, and President Charles D. B. King resigned. Because the country's next official election was not until January of 1932, Secretary of State Barclay was made interim president.

Yancy, investigators found, had organized and conducted the slave traffic from Liberia to Fernando Pó and was the chief beneficiary of this traffic. He also instigated the creation of camps where more than two hundred women were held against their will to "serve" male administrators and laborers. The women were taken away from their own communities and families to live in what were, in effect, rape camps.

The structural changes in Liberian government, though necessary, did not address the alarming and pressing fact that Liberian citizens were being sold by their own government to another country and were likewise being pressed into forced labor in their own homeland. The Christy Commission found Liberian society to be immensely fractured along lines of birth—those who were indigenous (native African) and those who were of American lineage. Those who were of American descent overwhelmingly were socially dominant, owned land, and governed, and they were often the perpetrators of the human rights abuses that included human trafficking: the sale of Liberian citizens as slaves.

Liberia Is Accused of Selling Citizens into Slavery

The commission's plan of assistance sought to equalize the social standings of the indigenous and those of American lineage. It attempted to readjust the administration of the outlying areas of Liberia, where people lived more traditionally but increasingly at the whim of the government in Monrovia. It planned to financially bolster the Liberian government.

IMPACT

The Christy Commission was deeply criticized by American civil rights activist and educator W. E. B. Du Bois. Du Bois condemned the investigative attacks on Liberia while the commission ignored forced labor in European-occupied Africa. He condemned the exclusive focus on Liberia rather than on the Spanish colony of Fernando Pó for its corrupt role in "receiving" human slave traffic. Furthermore, Du Bois questioned why no one condemned the practices of the American tire company Firestone, which had invested in Liberia, created vast rubber plantations, and become wealthy from the heavy labor it exacted from Liberians. The Christy Commission, however, did not investigate Firestone.

Human trafficking has been a constant thread through world history, yet most people believe that slavery has been abolished. However, humans are still bought and sold. The accusations of the sale of Liberian citizens as laborers on the island colony of Fernando Pó came as a shocking revelation to most. The investigation by the Christy Commission found that the accusations were indeed shocking and complex. The case was littered with the effects of poverty, corruption, and greed. It was fed by a web of colonial powers (Spanish), German company officers, and Liberian politicians. At the local level, the commission's findings led to a massive restructuring of Liberian government, including President Barclay's new three-year program of development and governmental overhaul. At the global level, the sale of Liberian citizens called into question the world community's awareness—or lack thereof—of mass injustice and suffering and led to questions of what it would do to address these problems.

—Alison Harper Stankrauff

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May, 1930

POSTMASTER'S DIVISION OF AIRMAIL ROUTES CREATES A SCANDAL

The Air Mail Act of 1930 gave U.S. postmaster Walter Folger Brown complete power over the movement of mail by air. After its passage, Brown met with airline executives to divide airmail routes among only three airlines. President Franklin D. Roosevelt soon dissolved the monopoly and ordered the Army Air Corps to deliver the mail. Twelve ill-equipped pilots died before a better-regulated private industry could resume mail delivery.

ALSO KNOWN AS: Airmail scandal; airmail fiasco

LOCALE: United States

CATEGORIES: Government; space and aviation; business; corruption; military; politics

KEY FIGURES

Walter Folger Brown (1869-1961), U.S. postmaster general, 1929-1933

Herbert Hoover (1874-1964), president of the United States, 1929-1933

Franklin D. Roosevelt (1882-1945), president of the United States, 1933-1945

SUMMARY OF EVENT

In 1930, U.S. postmaster general Walter Folger Brown was enabled by federal legislation to rule like a czar over not only the airmail routes of the United States but also its accompanying contracting. Newly empowered, Brown met in May, 1930, with the top executives of three major U.S. airlines (precursors to American Airlines, Trans World Airways, and United Airlines). At the meeting, which came to be called the Spoils Conference, Brown developed three primary airmail routes, with each airline company covering a given route exclusively. Curiously, rather than pay the airlines according to the amount of mail, in pounds, they actually deliv-

ered, Brown elected to pay them based on the cargo volume of their respective operable airplane fleets.

Brown's decision, scandalous as it was revealed to be, would have three significant consequences: the deaths of U.S. Army Air Corps (AAC) pilots, the alteration of the fledgling commercial airline industry, and the development of a modern U.S. Air Force. In the most negative light, Brown had negotiated in a private setting with a cadre of industry leaders. By doing so, he prevented smaller companies from competing in an open marketplace. This both stifled competition and led smaller airline operators to insolvency. American taxpayers lost in this deal because they were paying noncompetitive rates for airmail delivery. In a positive light, Brown was a visionary who was charged with a task quite unusual for a postmaster general.

This twisting, yet vital story began with the first delivery of mail by airplane in 1918 in a flight from Washington, D.C., to New York (with a stop in Philadelphia). During the early days of aviation, the delivery of mail was exciting and challenging. Airplanes had open cockpits, and pilots were forced to cope with buffeting winds and extremely cold temperatures while flying without instruments. Needless to say, the design and manufacture of airplanes was primitive by modern standards. These earliest of airmail flights were conducted not by contractors but rather by an arm of the federal government called the Air Mail Service.

The Kelly Act (also known as the Air Mail Act) of 1925 began the process of ending this government service and replacing it with private contractors. The idea was that the high risks of airmail should be assumed by a private company rather than by government employees. Within a short period of time, however, the price being charged for airmail delivery began to rise. In an attempt to rectify this problem, the U.S. Congress, on April 29, 1930, passed the McNary-Watres Act (best known as the Air Mail Act of 1930), which enabled President Herbert Hoover's postmaster general to corral the upstart airline industry into providing less expensive mail delivery.

The 1930 act made Brown an important figure in civil aviation. At the time, he faced a youthful in-



Walter Folger Brown. (Library of Congress)

dustry without stable financing, but he envisioned possibilities beyond mail delivery. By paying airlines by volume, he provided an incentive for the largest companies to create high-volume fleets, which could be used for passenger travel. He thereby helped create a modern passenger airline industry. However one views Brown—as a visionary or as an industry bagman—public outrage was followed by congressional hearings in 1934 that would expose his superficially bizarre pay structure for airmail contractors.

As the newly elected president, Franklin D. Roosevelt was faced with the problem of efficiently delivering the nation's mail. Congressional hearings led to the dissolution of all private airmail contracts on February 19, 1934. In place of private airmail delivery, the AAC was tasked with flying the routes. The AAC program, called AACMO (Army Air Corps Mail Operation), however, assigned inexperienced pilots to the mail routes, which were flown

at night and in poor weather, two conditions little encountered by the young airmen assigned to the flights. One dozen aviators crashed and died during the short period (February 19-June 6) in which the AAC made the flights.

Much like Brown's contracting scandal, the AACMO crashes led to inflammatory headlines of their own. Only the pilots of one region—headed by aviation hero H. H. Arnold—flew their routes without suffering fatalities. (Arnold went on to command the Army Air Forces during World War II and became a driving force behind the creation of the modern U.S. Air Force.)

IMPACT

The politics of airmail played an important but often overlooked role in U.S. history. The airmail scandal of the early 1930's in particular should be remembered more for its remarkably lasting effects than for the particularities of its unfolding. The scandal further developed the fledgling commercial airline industry and provided an impetus for creating the modern U.S. Air Force. Furthermore, the scandal highlighted the significance of monopolyst busting government regulation.

The confidence and risk taking of the AAC brought to public light the shortcomings of the airborne military capacity of the United States. The lessons learned during the military's turn at airmail delivery proved crucial, leading to reforms in both AAC funding levels and safety before World War II. The nation took notice of the pilots' crashes and wondered, even on the floor of Congress, what would become of such a unit if it had to carry bombs rather than mail.

The congressional oversight of Alabama senator Hugo L. Black (later associate justice of the United States) would cast a dark shadow over the corrupt practices of Brown, who was portrayed as an insider who had it out for the "little person," whether that person was a small business owner in the airplane industry or a postal customer. On June 12, 1934, Black introduced what would become the Air Mail Act of 1934, which further regulated the airline industry by breaking monopolies. The act also set airmail rates, routes, and schedules; regulated air traf-

fic; and licensed pilots. Brown was exonerated several years after the hearings.

The profits generated from the contracts Brown devised likely helped to support the struggling airline industry during the early 1930's. Furthermore, the protection provided by contracts consolidated the industry, leading to an effective system of domestic air travel.

—R. Matthew Beverlin

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December 3, 1930

SURREALIST FILM *L'ÂGE D'OR* PROVOKES FRENCH RIOTING

L'Âge d'or, the second collaborative film of Luis Buñuel and Salvador Dalí, was targeted by anti-Semitic, xenophobic protofascists at its screening in Paris, provoking a riot. The protestors, reacting to the film's subject matter, which challenged Christian morals regarding love and sexuality, threw ink at the screen and destroyed Surrealist paintings that accompanied the premiere. Parisian police banned the film from distribution.

ALSO KNOWN AS: *L'Âge d'or* scandal

LOCALE: Paris, France

CATEGORIES: Film; violence; art movements; popular culture; religion

KEY FIGURES

Luis Buñuel (1900-1983), Spanish filmmaker
Salvador Dalí (1904-1989), Spanish Surrealist painter

André Breton (1896-1966), French writer and founder of the Surrealist movement

SUMMARY OF EVENT

Following the striking success of their controversial film *Un Chien Andalou* (1928; *An Andalusian*

Dog), Spanish filmmaker Luis Buñuel and Spanish artist Salvador Dalí immediately began to think of another film that would extend the surrealist aesthetic that had made their initial effort so compelling. Buñuel and Dalí came up with *L'Âge d'or* (*The Golden Age*), which was to be a "film about Rome." The script that Buñuel prepared focused on his own lifelong preoccupation (according to his biographer John Baxter). Buñuel summarized this obsession as "the obstacles which religion, as well as society, oppose to the attainment of love."

L'Âge d'or, which premiered October 28, 1930, in Paris, France, earned generally respectful but bemused reviews, and the film played without incident through November. By December, however, fascist agitators were planning a demonstration in Paris against what they considered was the corruption of French culture by Jews and atheist artists. In the film, a documentary-like prologue shows two scorpions killing a rat. Scenes follow in Surrealist juxtaposition. Prosperous colonists arrive on an island. They recall Spain's voyages of discovery and Christianization. Protestors reacted to the film on December 3, when right-wing thugs interrupted the show by throwing ink at the screen and shouting "Death to the Jews!" The protestors set off fumiga-

tion devices in the audience, attacked spectators with blackjacks, smashed furniture, and slashed many of the paintings on exhibit in the theater's lobby. Most of the audience, however, remained in the theater to see the rest of the film. They also signed a petition condemning the riot.

The League of Patriots, a right-wing organization, attempted to distance itself from the most destructive acts of its followers but condemned "the immorality of this Bolshevik spectacle." The newspaper *Le Figaro* declared that no one could find "the faintest artistic value" in the film. On December 5, the distributor was ordered to cut two scenes featuring archbishops, and on December 8, the Paris prefect (chief magistrate) demanded the removal of all scenes with a Christ figure, of which there were none. (The prefect, or one of his minions, apparently had depended on Dalí's comment that in the film "the Comte de Blangis is obviously Christ.") On December 11 the film was nevertheless banned from further showings, and police raided Studio 28 in Montmatre (Paris) and Buñuel's home on December 12, seizing two of the three existing copies of the film. Charles de Noailles and Marie-Laure de Noailles financed *L'Âge d'or* as well as *Un Chien Andalou* and managed to hide the negatives of *L'Âge d'or* at the Spanish Bookshop.

French Surrealist writer André Breton, characteristically, was excited by the furor and prepared a manifesto demanding an accounting of the incident. He and poet Paul Éluard also produced a leaflet, which had a photograph of the ripped Dalí paintings and the ink-covered screen under the title "A Christian Alphabet." Breton also encouraged a screening in London, which took place on January 2, 1931, with the sole surviving print.

Buñuel's and Dalí's collaboration on this film had not proceeded profitably, however, as Dalí dismissed most of the ideas that Buñuel had sketched out in his notebook, while Buñuel did not find

BRETON'S DEFINITION OF SURREALISM

In his now-classic Manifesto of Surrealism (1924), André Breton, who helped inspire the making of the Surrealist films of Luis Buñuel and Salvador Dalí, provides the following definition:

SURREALISM, *n.* Psychic automatism in its pure state, by which one proposes to express—verbally, by means of the written word, or in any other manner—the actual functioning of thought. Dictation of thought, in the absence of any control exercised by reason, exempt from any aesthetic or moral concern.

ENCYCL. *Philos.* Surrealism is based on the belief in the superior reality of certain forms of previously neglected associations, in the omnipotence of dreams, in the disinterested play of thought. It tends to ruin once and for all all other psychic mechanisms and to substitute itself for them in solving all the principal problems of life.

Source: Manifestoes of Surrealism, translated by Richard Seaver and Helen R. Lane (Ann Arbor: University of Michigan Press, 1969).

Dalí's fixation on images drawn from Roman Catholic regalia interesting, rejecting them as "insufficiently savage." Noailles was ready to support their next effort. Buñuel, while remaining ambiguous about his new screenplay, proposed a budget of one million francs for the new film. Noailles wanted to keep it closer to 350,000 francs, but as the project grew from two reels to seven, the budget eventually reached Buñuel's mark.

While Dalí always claimed that he was instrumental in the creation of both of their first two films, Buñuel insisted that "Dalí sent me several ideas, and one of them at least found its way into the film." Evidence shows that both artists had ideas that were incorporated into the final production, but Buñuel prepared the shooting script and controlled the actual shooting. Noailles asked Buñuel to prepare a silent and a sound version because many theaters did not yet have equipment for synchronous sound.

The film was made at the Billancourt studios, utilizing the same cinematographer and production manager as *Un Chien Andalou*, with location shots in Catalonia, Spain, and in the Paris suburbs. Painter Max Ernst played a pirate chief, and poet Jacques Prévert appeared as a man walking along a

street. Éluard provided some voice-over narration. During the time that the film was in production, a group of surrealist activists invaded a nightclub they believed had taken its name disrespectfully from writer French Comte de Lautreamont's *Les Chants de Maldoror* (wr. 1868-1869), excusing Buñuel from the action because, as a foreigner, he would risk deportation if he participated.

L'Âge d'or's tight production schedule, typical of Buñuel's rapid fashion of work, ran from March 23 to April 3. Buñuel edited the film in Paris, adding a musical score with excerpts from Wolfgang Amadeus Mozart, Ludwig van Beethoven, Claude Debussy, and Richard Wagner. Russian film director Serge Eisenstein also had been working at the Billancourt studios and had neglected to offer a gift (actually, an expected bribe) to a charity in the name of the Parisian police, which further aggravated the prefect's distrust of foreign filmmakers (including Buñuel and Dalí).

Buñuel waited for the distributor, Maclair, to release the film, but it premiered at several private screenings. A notable screening on July 9 had an international audience that included American writer Carl van Vechten and British sculptor Jacques Lipschitz. The film opened at Studio 28 on October 12. Breton and Éluard prepared a twenty-eight-page program book with a gold cover. The studio's foyer displayed paintings by Dalí, Ernst, Jean Arp, Joan Miró, Man Ray, and Yves Tanguy. Buñuel was in Hollywood at the time of this private screening, negotiating unsuccessfully with Metro-Goldwyn-Mayer (MGM) studios.

Noailles was the most vulnerable of those involved with the production. He wrote to Buñuel, insisting that "We are obliged to avoid all scandal in the future." He was forced to resign from Paris's ultra-exclusive Jockey Club, and the intercession of his mother at the Vatican prevented Noailles from being excommunicated. Her bribes and a promise to destroy the print reduced the pressure on Noailles, and he himself defended the film, offering to send Buñuel copies in the United States and the negatives and the print when Buñuel returned to Europe. Buñuel biographer Baxter surmises that Buñuel actually thought of destroying the film as a kind of

dramatic gesture epitomizing his career to that point. Buñuel wrote that "After *L'Âge d'or*, I sometimes thought that my career as a director was finished."

When Buñuel learned that the right-wing Spanish government had been overthrown, he sailed to France and arrived at Le Havre on April 1, remaining in Europe until 1936. He then went into exile in Mexico after the attack on the Spanish government by Francisco Franco's armies.

IMPACT

American writer Henry Miller, an enthusiastic and knowledgeable film lover, contended in a 1938 essay ("The Golden Age") that the most important aspect of the cinema was that "in it all the possibilities for creating antagonisms, for stirring up revolt" were present. He believed *L'Âge d'or* placed the spectator "at a miraculous frontier which opens up before us a dazzling new world which no one has explored." Buñuel was unable to explore this world in the immediate aftermath of the *L'Âge d'or* scandal. However, Buñuel's reputation as an avant-garde artist working on the fringe of the cinema continued to grow even as *L'Âge d'or* remained out of general circulation for the next four decades. The film's scarcity contributed to the legend surrounding its production and suppression, which Dalí used to his advantage during the rest of his life as a painter and notorious advocate of Surrealist art.

Although the film itself has lost its power to shock and startle an audience in the manner it did in 1930, when it offered onscreen a vision of a world that had no precedent in any form, the film remains intriguing both as a historical record and as an act of cinematic invention. Also, the various economic and cultural obstacles that Buñuel continued to confront in Mexico followed him upon his return to Spain in 1961 to direct *Viridiana*. The film outraged Franco and his supporters in a fashion similar to the Fascist response to Buñuel's first two films. Buñuel's ability to scandalize the bourgeoisie and fascinate and delight film lovers sealed his legacy as one of the most admired of filmmakers of the twentieth century.

—Leon Lewis

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March 30, 1931

“SCOTTSBORO BOYS” ARE RAILROADED THROUGH RAPE TRIALS

The arrest of nine African American youths in 1931 for rape began a long-standing legal ordeal that ruined the lives of most of the young men. The years of trials, sentencing, and appeals, however, would lead to the expansion of constitutional rights for criminal defendants.

LOCALES: Paint Rock and Scottsboro, Alabama

CATEGORIES: Racism; law and the courts; social issues and reform; government

KEY FIGURES

Haywood Patterson (1913-1952), defendant
Clarence Norris (1912-1989), defendant

Roy Wright (1918-1959), defendant
Victoria Price (1911-1982), mill worker
Ruby Bates (1915-1976), mill worker
Samuel Leibowitz (1893-1978), defense attorney

SUMMARY OF EVENT

On the morning of March 25, 1931, in the depths of the Great Depression, seven disheveled young white men appeared at a railroad station office in northern Alabama. They reported that they had been riding on a freight train as hoboes when “a bunch of Negroes” had assaulted them and thrown them off the train. The station master telephoned the local sheriff’s office. As soon as the train arrived at



Haywood Patterson, center, one of the defendants in the Scottsboro case, at trial in 1933. (NARA)

the nearby depot in Paint Rock, a deputized posse arrested nine African American youth and two white teenage girls. At first, it appeared that the girls were arrested for vagrancy and that the males were arrested for both vagrancy and assault. However, while the detainees were being transported to the jail at Scottsboro, about ten miles east of the depot, one of the girls, Ruby Bates, claimed that she and her friend, Victoria Price, had been raped by the nine young black men.

In Scottsboro, the sheriff had the two women examined by separate physicians. As the alleged rapes became widely known, an angry mob of approximately five hundred townspeople threatened to lynch the detainees. The sheriff notified the Alabama governor, who then dispatched National Guard troops to help maintain the peace. The mob dispersed after assurances of speedy trials and prompt sentencing.

As was typical for many African Americans during the Depression, the nine suspects were poor, uneducated, and without financial resources. They had hitched a ride on the freight train to seek employment. Five of the youths were from Georgia and four were from Chattanooga, Tennessee. Twenty-year-old Charles Weems was the eldest of the nine. Both Eugene Williams and Roy Wright were only thirteen years old. Seventeen-year-old Olin Montgomery was legally blind. Willie Robertson, also seventeen years old, suffered from syphilis and walked unsteadily with a cane.

On March 30, a grand jury indicted all nine of the so-called Scottsboro boys for the capital crime of rape. Judge Alfred Hawkins invited local attorneys to represent the defendants without pay, but no attorneys volunteered. Although Tennessee attorney Stephen Roddy and a local attorney agreed to assist in an informal way, they made no effort to investi-

gate the case, and they spoke to the defendants just thirty minutes before the trials began. Roddy, who had a criminal record for drunkenness, was reportedly inebriated during part of the proceedings. The youth were tried in four separate trials, all of which were concluded within a single week (April 6-7, April 7-8, April 8-9, and April 9).

In courtroom testimony, Price claimed that she had been gang-raped and "beaten up" until she "lost consciousness." Supporting her story, Bates added that a defendant had held a knife to their throats. One of the examining physicians, R. R. Bridges, reported having seen a few scratches and bruises on the two accusers but no evidence of violent rape. He went on to say that both young women showed evidence of having had recent sexual intercourse, and that even though the semen was "nonmotile," or inactive, he refused to estimate its age.

Defendant Wright, who testified that the rapes had taken place, later renounced his confession as coerced. The defendants, except Wright, were sentenced to death. Wright's trial was inconclusive because of a hung jury: eleven jurors voted for the death penalty and one juror voted for life imprisonment. The executions were stayed pending appeals. The rapidity of the trials and the severity of the sentences infuriated liberals and radicals throughout the United States. In Harlem, New York, 300,000 protesters marched to the slogan "The Scottsboro Boys Shall Not Die."

All but one of the sentences were upheld by Alabama's highest court. Both the National Association for the Advancement of Colored People (NAACP) and the Communist Party's International Labor Defense (ILD) offered to appeal the case to the U.S. Supreme Court, but the defendants chose the latter organization to represent them. The result was the landmark case of *Powell v. Alabama* (1932), in which the Court overturned the convictions and held that the principles of due process required the states to provide indigent defendants in capital cases with effective counsel. The cases were remanded to the lower court.

When the state ordered new trials, the ILD engaged a noted criminal defense lawyer, Samuel Leibowitz, to represent the defendants. Haywood

Patterson was the first to stand trial. Surprisingly, Bates changed her story and confessed that she had lied at the first trial, but the prosecutor suggested that she was being paid by the ILD. Patterson was sentenced to death, but Judge James Horton set aside the conviction as unreasonable and ordered a new trial. In his third trial, Patterson again received a death penalty. Shortly thereafter, Clarence Norris also was sentenced to death. In a second landmark decision, however, the Court, in *Norris v. Alabama* (1935), reversed both convictions, based on the systematic exclusion of African Americans from the jury.

In 1936, Patterson was convicted a fourth time and sentenced to seventy-five years in prison. All charges against four of the defendants were dismissed. The next year, the remaining four were tried and found guilty. Norris was sentenced to death, Wright was sentenced to ninety-nine years, Weems was sentenced to seventy-five years, and Powell received a sentence of twenty years for stabbing a guard while attempting an escape.

In 1938, Alabama governor Bibb Graves was close to pardoning the five prisoners, but after meeting with them, he decided that they were dangerous and undeserving of a pardon. In 1943, Weems was released from prison, and in 1950 Wright was pardoned. Patterson escaped in 1948 and was arrested in Michigan during the 1950's, but the governor of Michigan refused to extradite him to Alabama. The last prisoner, Norris, was finally given a full pardon by Alabama governor George Wallace in 1976.

IMPACT

Based on the weakness of the evidence, most scholars have concluded that the nine black youths were not given fair trials and that, almost certainly, they were innocent of rape. The accused spent years in prison, and their unfair incarceration embittered most of them for the remainder of their lives. In the South under a Jim Crow system, blatant racial discrimination was common in the criminal justice system, but that racism usually escaped public attention. The publicity surrounding the Scottsboro case helped many understand the nature of "southern justice." The legal battles came to symbolize the

unfair treatment of African Americans and encouraged legal reform.

Furthermore, the long Scottsboro case led to two landmark decisions by the Supreme Court that significantly expanded the rights of criminal defendants. In *Powell* the Court declared that indigent criminal defendants have a constitutional right to an attorney. *Norris* was the first case in which the Court held that systematic exclusion in jury selections may deprive defendants of due process and the equal protection of the law. Both precedents, which were based on the Fourteenth Amendment, were expanded and refined by the Court in later cases.

—Thomas Tandy Lewis

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1932

INSULL UTILITIES TRUSTS COLLAPSE PROMPTS NEW FEDERAL REGULATION

The Insull Trusts was a network of public utilities and electric railways that had been created through extensive borrowing. Because of the Great Depression and questionable corporate governance, the empire folded in 1932 amid scandal. Following Insull's collapse, the U.S. Congress enacted the Public Utility Holding Company Act, which requires extensive financial disclosures by utility companies.

ALSO KNOWN AS: Insull Trusts scandal

LOCALE: United States

CATEGORIES: Business; banking and finance; law and the courts; government

KEY FIGURE

Samuel Insull (1859-1938), British-born American businessman

SUMMARY OF EVENT

Samuel Insull was one of the most respected businessmen of his era. He appeared on the cover of *Time* magazine on at least three occasions and controlled a huge corporate empire. Insull, who had started out as the secretary of Thomas A. Edison, became vice president of Edison General Electric Company in 1889 and president of Chicago Edison Company in 1892. By 1908, he had formed the Commonwealth Edison Company in Chicago and made it the greatest single electricity producer in the world. He was responsible for unifying rural electrification efforts and eventually took control of financially troubled electric commuter trains. He administered an integrated electrical conglomerate and was revered for making electric power universally cheap and abundant to millions.

Insull was an early supporter of utility regulation; he recognized that government regulation would treat utilities as natural monopolies and, thus, would allow them to grow without competi-

tion. This would allow for greater economies of scale and permit electric companies to sell electricity at lower prices. Eventually, Insull became a director of eighty-five corporations, chairman of sixty-five, and president of eleven. He controlled a utilities empire worth more than four billion dollars. This control was achieved through a trust system—a series of holding companies—that allowed Insull to organize his companies in a pyramid fashion, with a series of much-leveraged companies owning each others' shares.

At the age of seventy-three, Insull was indicted for perpetrating a corporate fraud and cheating investors of millions of dollars. He fled the United States to avoid prosecution but was eventually returned to face trial. In his state and federal trials, however, he was acquitted of all charges.

With the start of the Depression in 1929, the number of passengers on the Insull railroads declined, people who had lost their jobs tried to cut costs by conserving electricity, and there was less money available from bankers and investors. Losses at the Insull companies soared. Several of his companies went into receivership in 1931, but the real collapse of the Insull empire began in 1932 with the bankruptcy of the Chicago Rapid Transit Company (CRT). Insull's other holdings had been drained of cash to support the CRT. As a result, Insull was left in financial ruin. Little cash was available from lenders, but this did not matter because Insull had previously made enemies of many of New York's financial leaders, leaving him without support from the national financial markets as well.

In June, 1932, Insull initially fled to France, then to Italy, Greece, and Istanbul, Turkey. He resisted extradition but eventually was caught when the U.S. Coast Guard illegally boarded the ship he was on in the Mediterranean and brought him back to the United States for trial. Millions of investors had lost money in the Insull companies. A scapegoat was

needed, and that person was Insull. The indictment for fraud was enough to convince the public that the federal and state authorities were trying to do something about the situation. The prosecutors made a strong point, arguing that Insull's 1931 salary had been \$485,767, while 25 percent of Americans were out of work. However, Insull was acquitted on all charges. During the trial, he explained that he had fled the United States because he felt that if he had stayed, his trial would have been politicized because the state prosecutor had been running for reelection.

In 1932, the accounting firm Arthur Andersen & Company was selected to oversee the financial restoration of Insull's bankrupt utilities empire. During the 1920's, the Andersen company had started a service known as financial and industrial investigations, which were specialized studies using accounting analysis to evaluate organizational structures, plants, or products. This proficiency landed the firm the Insull job.

Despite the publicity surrounding the bankruptcy of the Insull Trusts and Insull's flight to avoid prosecution, there was little in the way of criminal activity. Insull was guilty of nothing more than participating in a few wash sales of stocks in the last days when the Depression was toppling his empire. Although Insull was tried on a variety of charges, he was subsequently acquitted of all wrongdoing. Insull's empire did not all crumble at the same time. Small companies would periodically file for bankruptcy, and some never succumbed to bankruptcy. For many of those companies that did go bankrupt early in the Depression, Insull was appointed by the court as their trustee.

One accountant explained the situation at the Insull Trusts with the comment that although Insull's holdings might have been difficult to unravel, there was no secrecy involved. One of his biographers described the Insull Trusts as being so full of intricacies that they almost defied human understanding.

At the age of seventy-eight, Insull died of a heart attack in 1938 in a Paris subway station. He had eighty-four cents in his pocket, leading to rumors that he died nearly penniless. Others, however, say that his wallet must have been stolen by a thief be-

fore the police arrived on the scene. He was buried in London, England, the city of his birth.

IMPACT

The scandalous collapse of the energy-based empire created by Insull resulted in investors losing millions of dollars in 1932. The immediate result of the collapse was the enactment of the Public Utility Holding Company Act (1935), which would prevent the formation of private, investor-owned utility empires, such as that put together by Insull. Other energy regulation followed: the Rural Electrification Act of 1936 and expansion of the Tennessee Valley Authority. Even before the Holding Company Act, Congress passed the 1933 Securities Act, which some people believe was influenced by the Insull bankruptcy. In fact, U.S. president Franklin D. Roosevelt mentioned Insull in his pleas to Congress to pass a securities act. Nevertheless, the Insull case was only one of many to influence Congress in 1933; the 1932 bankruptcy of Ivar Kreuger was more of a concern to Congress than the Insull case because the Kreuger case was indeed a massive fraud.

After trial, Insull was left with nothing. In 1935, one of his companies voted to give him an eighteen thousand dollar annual pension because of his fundamental contributions to the electricity industry, contributions that led to three major shifts in American history. First, Insull's innovations in the delivery of low-cost electric power made possible the modern consumer age. Second, the failure of his financial empire became a basis for New Deal laws that affect corporate America into the twenty-first century. Third, his creation of the power grid, which fuels large urban areas, was instrumental in creating the modern city.

In summary, the case of Insull was more of a rumored scandal than a real scandal. Insull and his companies were as much victims of the Great Depression as were the investors who lost their fortunes because of the bankruptcy of his empire. Insull lost more than anyone else; his son claimed that the loss of his utility properties was the ultimate cause of his death.

—Dale L. Flesher

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July 28, 1932

U.S. TROOPS DRIVE WORLD WAR I VETERANS FROM WASHINGTON

Suffering through the Great Depression, close to twenty thousand World War I veterans, collectively known as the Bonus Army, descended on Washington, D.C., to demand from the U.S. president and Congress the bonuses promised them for their wartime service.

ALSO KNOWN AS: Bonus Army; Bonus Expeditionary Force

LOCALE: Washington, D.C.

CATEGORIES: Civil rights and liberties; government; politics; military; social issues and reform; violence

KEY FIGURES

Walter W. Waters (b. 1898), former U.S. Army sergeant, leader of veterans' protest

Herbert Hoover (1874-1964), president of the United States, 1929-1933

Douglas MacArthur (1880-1964), U.S. Army chief of staff

George S. Patton (1885-1945), U.S. Army major
Smedley Butler (1881-1940), U.S. Marine general

SUMMARY OF EVENT

In 1932, the United States was suffering through a severe economic downturn called the Great Depres-



Bonus Army marchers outside the Capitol building await the outcome of the U.S. Senate vote on a bill for veterans of World War I. (U.S. Senate Historical Office)

1930's

sion. Millions of citizens were without work, and many of the unemployed were military veterans of World War I. The veterans had been promised by the U.S. government that they would get cash bonuses for their service to the country.

Given the country's poor economic conditions, the veterans wanted an immediate cash payment on certificates that had been issued to them under the Adjusted Service Certificate Law of 1924, payable in 1945, some twenty years after their issuance. The law called for the payment of \$1.25 for each day served overseas and \$1 for each day served state-side. The U.S. Congress proposed that the delay in payment was necessary so that a fund could be established to earn interest until the 1945 payment

date. In this way, Congress believed, federal budget planning would not be compromised.

Many prominent Americans supported the veterans' demand. General Smedley Butler, a decorated U.S. Marine Corps war hero, publicly backed the effort to move the payment of the bonus to 1932. As economic conditions worsened, veterans' groups soon began to form throughout the United States. They planned to protest to Congress directly. Calling themselves the "Bonus Expeditionary Force" or "Bonus Army," they traveled in freight cars, in the backs of trucks, and in some cases by foot, and descended on Washington, D.C., beginning in May. Some came from as far away as Portland, Oregon. The veterans, many accompanied by their families

and other supporters, established camps across the Anacostia River at Anacostia Flats, adjacent to the capitol building.

At its peak, the number of participants reached close to twenty thousand. The veterans, led by Walter W. Waters, a former Army sergeant, organized the encampments along military lines, with strict rules of conduct for all of the participants. Drinking, panhandling, and other types of negative behavior were discouraged. "We're here for the duration," Waters said, "and we're not going to starve. We're going to keep ourselves a simon-pure [authentic] veteran's organization. If the bonus is paid it will relieve to a large extent the deplorable economic condition."

On June 15, in response to the veterans' demands, the House of Representatives passed the

Patman Veterans' Bill (for Representative Wright Patman), designed to pay the bonuses. Two days later, however, the Senate defeated the proposal. Vocal protests and some violence by the veterans soon followed. Washington police superintendent Pelham D. Glassford received orders to begin the removal of the protesting veterans, but only those protestors occupying government buildings in the city itself. In their efforts to clear a federal construction site, the police killed two protestors. In retaliation, protestors began stoning police officers. The District of Columbia commissioners then announced that they could no longer maintain law and order.

U.S. president Herbert Hoover ordered Patrick Hurley, the secretary of war, to initiate a mobilization of the military. Hoover was convinced that

some members of the American Communist Party as well as a large number of hoodlums and former convicts were behind the Bonus Army protest. The information he received in this regard later proved to be of questionable validity.

On July 28, U.S. Army chief of staff Douglas MacArthur, following Secretary Hurley's instructions, ordered the Army's Twelfth Infantry Regiment and the Third Cavalry Regiment (led by another future World War II hero, George S. Patton) to clear out the protesting veterans from the capital. Although not ordered to do so, Major Patton and his troops then crossed the Anacostia River and commenced the destruction of the encampments. Although the troops did not fire their weapons, they did unsheath their bayonets as they pressed into the crowd, and some cavalry units did use their sabers in dispersing the protestors. Blood was spilled as a result.

The camps were soon in flames, set on fire either by troops or the veterans themselves. In the melee, several veterans were killed and hundreds were injured. After the termination of the conflict, the government made provision for

AGAINST MOB RULE

U.S. president Herbert Hoover resolved to temper "mob rule" one day after U.S. military troops attacked American veterans of World War I who were protesting outside the capital in Washington, D.C. Several people were killed and hundreds more injured in the attack. Hoover's public statement is excerpted here.

A challenge to the authority of the United States Government has been met, swiftly and firmly.

After months of patient indulgence, the Government met overt lawlessness as it always must be met if the cherished processes of self-government are to be preserved. We cannot tolerate the abuse of Constitutional rights by those who would destroy all government, no matter who they may be. Government cannot be coerced by mob rule.

The Department of Justice is pressing its investigation into the violence which forced the call for Army detachments, and it is my sincere hope that those agitators who inspired yesterday's attack upon the Federal authority may be brought speedily to trial in the civil courts. There can be no safe harbor in the United States of America for violence.

Order and civil tranquillity are the first requisites in the great task of economic reconstruction to which our whole people now are devoting their heroic and noble energies. This national effort must not be retarded in even the slightest degree by organized lawlessness. The first obligation of my office is to uphold and defend the Constitution and the authority of the law. This I propose always to do.

the veterans to return to their homes. About six thousand chose to accept the government's offer.

After some delay, the balance of the Bonus Army left the capital on its own. Although Waters did not accompany them, he did suggest that they reassemble at Johnstown, Pennsylvania, because the mayor there offered them space in his city to assemble. The plan proved to be impractical, however, because the only assistance available was open land for an encampment; the veterans needed more than a place to camp. Waters then sent the word from Washington, D.C., that the veterans should leave Johnstown and return home. The Bonus Expeditionary Force ceased to exist.

IMPACT

President Hoover's handling of the Bonus Army's protest did little to enhance his campaign for reelection in November of 1932. The public at large disagreed with his decision to turn down the veterans over his concern for the federal budget. The veterans themselves supported his opponent, Franklin D. Roosevelt, en masse, and helped propel him to the presidency in the national elections in 1932.

In 1933, following Roosevelt's inauguration, the veterans again attempted a protest. Roosevelt handled the situation much more effectively, and demonstrations in the capital were kept to a minimum. Still, the Bonus Army's demands were yet to be met, even by Roosevelt. His administration did launch a work program called the Civilian Conservation Corps, which provided jobs for many of the unemployed, including veterans, and First Lady Eleanor Roosevelt persuaded a substantial group of veterans to take jobs building a new causeway in the Florida Keys. Unfortunately, many of those who accepted the work were killed in the Labor Day hurricane of 1935. The public's support of the veterans began to increase.

As the country's mood changed in support of the veterans, Congress passed, over the veto of Roosevelt, the Adjusted Compensation Payment Act of 1936, which authorized the long-sought bonus payments to four million World War I veterans. Several years later, in 1944, Congress would pass

Troops Drive War Veterans from Washington

the G.I. Bill, which provided an extensive list of benefits for veterans of World War II (and, later, military veterans in general). Benefits included a college education and low-cost home loans. The overall effects of the G.I. Bill proved to be of immense benefit not only for veterans but also for the United States as a whole. The Bonus Army's legacy includes inspiring the formation of this important veterans' bill.

—Carl Henry Marcoux

FURTHER READING

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September 4, 1932

FILM STAR JEAN HARLOW'S HUSBAND IS AN APPARENT SUICIDE

Film star Jean Harlow was married to studio executive Paul Bern, a reportedly volatile personality who also was financially supporting a woman with whom he had an earlier affair. He died under mysterious circumstances, ruled a suicide by the Los Angeles County coroner. Rumor and speculation followed the scandal for years after Bern's death, and the case was reopened in 1960, but no new evidence was found.

LOCALE: Beverly Hills, California

CATEGORIES: Murder and suicide; publishing and journalism; Hollywood

KEY FIGURES

*Jean Harlow (1911-1937), film star
Paul Bern (1889-1932), film-studio executive
Dorothy Millette (1880-1932), Bern's lover*

SUMMARY OF EVENT

Jean Harlow achieved stardom as a tough-talking, sexually alluring young woman, paired with leading men such as Clark Gable and James Cagney. Women dyed their hair platinum blond in imitation of Harlow. Although she created a sensation after appearing in the Howard Hughes production of *Hell's Angels* (1930), her rise to superstardom coincided with her romantic involvement with film-studio executive Paul Bern, who convinced Irving Thalberg, head of production at Metro-Goldwyn-Mayer (MGM), to buy out her contract with Hughes.

Bern became Harlow's second husband on July 2, 1932, but their marriage was brought to a sudden, shocking end at their home in Beverly Hills, California, with his sudden death on September 4. About 11:30 A.M., John Carmichael, Bern's butler, found Bern's body lying in a pool of blood and with a pistol by his side. By 12:45 P.M., studio executives arrived; at least an hour transpired before the police were called. What happened during that one-hour period "remains unknown," according to Harlow biographer David Stenn. Rumors circulated that the studio tampered with the death scene.

Rumors also spread that Harlow had murdered her husband. Her studio, seeking to protect her and divert public attention, put out the story that Bern had shot himself in the head because of impotence. He had left an enigmatic note, which read, "Dearest Dear, unfortunately this is the only way to make good the frightful wrong I have done you and to wipe out my abject humiliation. I love you. Paul. You understand that last night was only a comedy." The household staff gave conflicting testimony about the state of the marriage. One staff member said it was "blissful" but another mentioned a fight between Bern and Harlow the night before his body was found. Studio head Louis B. Mayer told reporters that Bern was behaving strangely during the last days of his life. A rumor also spread that an autopsy revealed that Bern was a hermaphrodite.

Harlow is rumored to have told police that she had a wonderful marriage and that she loved her husband dearly. She did not understand what the suicide note meant. It was a mystery to her. Because

a distraught Harlow issued no other statement, and because Bern's note was so suggestive, the ensuing scandal was magnified by gossip, public interest, and press coverage. During the investigation, Harlow told a grand jury that she knew nothing that could explain Bern's death. A coroner's jury heard testimony from studio executives, who described Bern's mood swings. Other witnesses reported that Bern often spoke about suicide. The jury concluded Bern's death was a suicide. Harlow never commented on the case.

Precisely because there was no convincing account of why Bern took his life—other than the studio's transparent effort to make his suicide look like the desperate act of a man who could not please his wife sexually—reporters and later biographers tried to construct a chronology of Bern's last days that might, through circumstantial evidence, provide a reason for his death. However, the gaps in the evidence and contradictory testimony could not resolve the mystery of what actually happened.

Bern's brother, Henry, could offer no explanation for his sibling's suicide, other than to say his brother had been living "under tension always." Henry insisted the Bern-Harlow marriage was a happy one and that his brother suffered from no malady, physical abnormality, or concern that would have harmed his relationship with Harlow. The later release of grand jury testimony from the medical examiner confirmed Henry's contention that his brother had normally developed sexual organs.

A curious public kept showing up at the Harlow residence, hoping to take or purchase photographs of the "suicide house." Harlow remained inside, protected by guards. A mob attempted to attend the Bern funeral and broke through police lines to see Harlow and ask her for autographs.

The scandal took on new life when the press discovered that Bern had supported a woman who went under the name of Mrs. Paul Bern. According to Henry, Mrs. Paul Bern was Dorothy Millette, a woman who suffered from a religious mania, and though his brother had been involved with her, he was no longer so when he married Harlow. Furthermore, Bern had told Harlow about this previous liai-

Jean Harlow's Husband Is an Apparent Suicide

son. Bern had generously continued to support Millette, although he was not married to her. Tabloid newspapers reported that Harlow traveled to San Francisco for a secret meeting with Millette. A Sacramento judge issued a warrant to search Millette's belongings.

Shortly after Bern's funeral service, Millette disappeared. Speculation circulated that she was avoiding police questioning about the Bern case. A woman matching Millette's description was reported to have thrown herself from a ferryboat. Her body could not be found. This sensational event, and Henry's decision not to speak with the press, provoked yet another round of speculation in the press, especially after the police reported but did not disclose the contents of letters Millette had written



Jean Harlow and Paul Bern in Beverly Hills in April, 1932, following the couple's marriage. (AP/Wide World Photos)

to Bern. Then, Millette's badly decomposed body was recovered along the California coast.

Initially, Bern's death seemed a blow to Harlow's career. The Los Angeles County district attorney briefly considered her a suspect in Bern's death. However, when expert testimony established that Bern's head wound was consistent with a self-inflicted gunshot, Harlow no longer was under suspicion. Now, the prolongation of the Bern mystery worked in Harlow's favor; that is, the public began to sympathize with her as a woman in the public eye who had to live with the constant prying of the press and the search for new revelations about her husband's death. In spite of her anguish, Harlow managed to return to her film career.

IMPACT

Even after Harlow's death in 1937, the mysterious circumstances of Bern's death continued to be the subject of newspaper articles and magazine features. Screenwriter Ben Hecht suggested that Millette might have murdered Bern. In 1960, the Los Angeles district attorney reopened the Bern case and interviewed members of Harlow's household staff, but no new evidence was discovered and the suicide verdict remained in effect.

In 1990, Samuel Marx, a story editor at MGM who knew both Harlow and Bern, cowrote a book with Joyce Vanderveen that drew on his memories of visiting the Harlow-Bern home shortly after Bern's death and before the police arrived. To Marx, the death certainly looked like a suicide, although it did seem that Thalberg and other studio executives had tampered with the crime scene. After accessing grand jury files and interviewing those who knew Bern, Marx and Vanderveen concluded that Bern was indeed murdered by Millette, who then committed suicide, and that MGM went to considerable lengths to ensure a grand jury verdict that would minimize the scandal.

Biographer Stenn accepted the suicide verdict but suggested that the mystery of Bern's death was the result of the studio's tampering with evidence and its effort to cover up its embarrassment over the self-inflicted death of one of its own executives. If the police had been called promptly to the Bern-

Harlow home, Stenn concluded, there would have been no mystery. Stenn rejected the story that Bern was impotent, preferring instead to rely on considerable testimony that Bern was perhaps gay, and that living as a so-called sexual imposter drove him to suicide. To Stenn, Marx's circumstantial case that Millette murdered Bern was not conclusive.

Biographer Eve Golden, on the contrary, cited evidence that Bern was heterosexual and concluded that Millette, who seemed to have shown up on the night of Bern's suicide, "pushed the already neurotic man over the edge." Thus the suicide note, Golden surmised, was intended for Millette, whom Bern had abandoned.

—Carl Rollyson

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Rory Calhoun's Criminal Past; Apr. 4, 1958: Actor Lana Turner's Daughter Kills Turner's Gangster Lover; Feb. 25, 1977: Film Producer David Begelman Is Found to Have Forged Checks; Aug. 4, 1978: British Politician Jeremy Thorpe Is Charged with Attempted Murder; Mar. 10, 1980: Scarsdale Diet Doctor Is Killed by His Lover.

January 20, 1933

HEDY LAMARR APPEARS NUDE IN THE CZECH FILM *EXSTASE*

The Czechoslovakian film Exstase was the first mainstream film to include a nude scene, in which actor Hedy Lamarr played a young bride having an extramarital affair. The scandalous film, denounced around the world, was tagged in its American release as "the most whispered about picture in the world." Lamarr was known ever after as the Ecstasy Girl.

LOCALE: Prague, Czechoslovakia (now the Czech Republic)

CATEGORIES: Film; sex; art movements; public morals; popular culture

KEY FIGURES

Hedy Lamarr (Hedwig Eva Maria Kiesler; 1913-2000), Austrian-born American actor

Aribert Mog (1904-1941), German actor

Gustav Machatý (1901-1963), Austrian-Czechoslovakian film director

Louis B. Mayer (1884-1957), Russian-born American film producer

Joseph Breen (1890-1965), American film censor

Fritz Mandl (1900-1977), Austrian arms manufacturer and Lamarr's first husband

SUMMARY OF EVENT

The Czechoslovakian film *Exstase* (*Ecstasy*), released in Prague on January 20, 1933, was the first mainstream film to show female frontal nudity and a woman's orgasm. The film's star was seventeen-

year-old Hedy Lamarr, acting under her birth name Hedy (Hedwig) Kiesler. This was her fifth film. Directed by Gustav Machatý, the film rocked Lamarr to Hollywood stardom largely because of its checkered reception, which was drawn upon by Lamarr and her publicists throughout her life.

Although technically a sound film, *Exstase* includes very little dialogue, moving through lusciously shot images to an almost continuous musical score. The story is very simple. Lamarr plays a young bride, Eva, disappointed on her wedding night by her much older husband (played by noted Croatian actor Zvonimir Rogoz), whose impotence leaves her lonely and depressed. The famous nude scene occurs on a summer day when Eva goes riding, leaving her clothing on her horse as she goes for a nude swim. Her mount, attracted by another horse, gallops off with Eva's clothing, leaving the beautiful young woman to wander nude through meadows and woods in pursuit. Early versions show equine copulation, but censored versions go directly to the horse's capture by a handsome young worker, Adam, who later makes love to Eva in a scene with a close-up of Lamarr's face, showing pleasure in orgasm, with her violently broken pearls spilling on the floor beside the bed. Aribert Mog, who played Adam, was rumored to have been in love with Lamarr, raising suspicions that their on-screen passion accompanied a real-life affair.

Exstase raised immediate interest and was censored around the world. Roman Catholic pope Pius

XII denounced the film, and Nazi leader Adolf Hitler banned it, especially because Lamarr was Jewish. The Paris release of the film at the Pigalle Theatre was of a cut version. In London, only small film societies showed it until 1938, when the ban against it was lifted. Italy's Benito Mussolini, however, championed the film's participation in the Venice Film Festival, where opposition from the Roman Catholic Church is rumored to have cost it a prize. In fact, despite its innovative filming techniques, *Exstasy* won only one major award, a prize at the 1934 International Film Exposition in Vienna.

The film's history in the United States was as mixed as its reception in Europe. Eureka Productions released the film as *Ecstasy* for the United States in 1935, where it became the first movie to be denied entry by the U.S. Customs Department under the 1930 Tariff Act, a decision later upheld by the U.S. Supreme Court. U.S. customs allowed the film entry in 1937, but only after significant alterations. Hollywood censors, using the production

code, however, did not give *Ecstasy* its blessing until 1940, so between 1937 and 1940 the film played only in art houses in such cities as Washington, D.C., Newark, Los Angeles, and Boston. Even after 1940, individual states continued to restrict screenings. Pennsylvania and New York initially refused the film altogether. Massachusetts banned Sunday showings of *Ecstasy*, and Maryland insisted on further cuts, significantly affecting the coherency of the film's story line.

Ecstasy has alternately been considered as voyeuristic fluff and as a serious aesthetic representation of female sexual desire and fulfillment. The long-lasting controversy around the film's artistic merit is fueled partly by the multiple versions created by Eureka in an attempt to appease different censors in different countries. Furthermore, copies of the original are rare, since soon after *Ecstasy*'s release, Lamarr married Austrian munitions magnate Fritz Mandl, who was possessive of his beautiful young wife and spent great sums (estimates range from \$280,000 to millions of dollars) in an attempt to purchase and destroy all copies of the film.

More than thirty years after *Ecstasy*'s first release, Lamarr's 1966 autobiography *Ecstasy and Me* illustrated the importance of this early film to her career. The book shares many stories about her most famous performance, claiming that the simulated orgasm scene in *Ecstasy* was accomplished by director Machatý poking a pin into her buttocks from under the bed. She also writes that she was tricked into doing the nude scene, and she recounts her parents' shock and dismay when they saw the premiere of the film. The book also recounts her daring escape from Mandl and her first meeting with Louis B. Mayer, cofounder of Metro-Goldwyn-Mayer (MGM) Studios, with whom Lamarr negotiated her first Hollywood contract. Mayer was responsible for her name change, ostensibly in honor of the silent-film star Barbara La Marr but perhaps also because he felt that the name Kiesler was too close to the word "keister" (buttocks), a name he considered unfortunate given Lamarr's on-screen revelation.



Hedy Lamarr. (Hulton Archive/Getty Images)

MOTION PICTURE PRODUCTION CODE (1930)
<i>Film censors in the United States used Ecstasy as a benchmark film to reiterate and strengthen the Hollywood production code of 1930. Section II outlines the rules in depictions of sex and sexuality in film.</i> The sanctity of the institution of marriage and the home shall be upheld. Pictures shall not infer that low forms of sex relationship are the accepted or common thing. 1. Adultery, sometimes necessary plot material, must not be explicitly treated, or justified, or presented attractively. 2. Scenes of Passion a. They should not be introduced when not essential to the plot. b. Excessive and lustful kissing, lustful embraces, suggestive postures and gestures, are not to be shown. c. In general passion should so be treated that these scenes do not stimulate the lower and baser element. 3. Seduction or Rape a. They should never be more than suggested, and only when essential for the plot, and even then never shown by explicit method. b. They are never the proper subject for comedy. 4. Sex perversion or any inference to it is forbidden. 5. White slavery shall not be treated. 6. Miscegenation (sex relationships between the white and black races) is forbidden. 7. Sex hygiene and venereal diseases are not subjects for motion pictures. 8. Scenes of actual child birth, in fact or in silhouette, are never to be presented. 9. Children's sex organs are never to be exposed.

IMPACT

Ecstasy set the stage for Lamarr's rise to prominence in Hollywood and her lifelong notoriety. Her first Hollywood role, in the critically acclaimed 1938 film *Algiers*, was perhaps her finest. Her next role, in *Lady of the Tropics* (1939), marked her as a salable commodity in Hollywood, with young women imitating the turban and pearls she wore in the film. Also in 1939, Lamarr appeared on the covers of at least nine American magazines. Throughout her career, she often played sexually aggressive

women in such famous films as *Boom Town* (1940), *Ziegfeld Girl* (1941), *White Cargo* (1943), and *Samson and Delilah* (1949).

Lamarr's career had a downturn after *Samson and Delilah*, and she became more notorious for off-screen happenings than for those on screen. Each of her six marriages ended in divorce. She was involved in several well-publicized lawsuits throughout her life, including a messy (successful) custody case and a (failed) claim against the ghostwriter and publisher of *Ecstasy and Me*. Although she earned much money throughout her career, she ended up living with modest means and was twice accused of shoplifting. She was rehabilitated in the press—and *Ecstasy* was released again—during the 1990's, when she was celebrated for inventing, with avant-garde composer George Antheil, an antijamming device in 1941 that became a foundation for wireless technology.

Machaty also earned an MGM contract as a result of *Ecstasy's* notoriety, but he enjoyed far less success than the leading lady of the most famous film he ever directed. Although he worked in Hollywood during the 1920's and again during the late 1930's and 1940's, *Ecstasy* was his only major commercial success. One of his innovative touches was used by Orson Welles while directing *Citizen Kane*. Welles used Macha-

ty's technique of filming a man being reflected in several mirrors as he walks.

Ecstasy also provided a benchmark for film censorship in the United States, especially clarifying the part of Hollywood's production code dealing with representations of sex. American film censor Joseph Breen considered *Ecstasy* indecent and dangerous, and his detailed reading of the film under the code resulted in several changes to future versions. For example, the code denounced the extramarital affair between Eva and Adam, and altered

1930's

versions of the film took several strategies to bypass this criticism. One reveals the divorce papers of Eva and Emil before the scene in which Eva sleeps with Adam, demoting her crime from illicit affair to premarital sex. Another announces the nuptials of the young couple before the sex scene, through a diary entry, or, in one version, through an English language voice-over not matching the German of the film. These alterations demonstrate areas of moral anxiety among film censors, who saw themselves as protectors of America's moral decency. The reception history of the film suggests that in 1930's America, preventing representations of scandalous material as defined by the production code was more important than preserving aesthetic or narrative continuity.

—Pamela Bedore

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- SEE ALSO:** 1927: Mae West's Play About Gays Is Banned on Broadway; Dec. 3, 1930: Surrealist Film *L'Âge d'or* Provokes French Rioting; Jan. 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized; May 27, 1949: Actor Rita Hayworth Marries Aly Khan After Adulterous Affair; Feb. 7, 1950: Swedish Film Star Ingrid Bergman Has a Child Out of Wedlock; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; May 21, 2003: Sexually Provocative Film *The Brown Bunny* Premieres at Cannes Film Festival.

March 31, 1933**NEW YORK TIMES REPORTER DENIES REPORTS OF A SOVIET FAMINE**

Pulitzer Prize-winning reporter Walter Duranty denied widespread reports of millions of starving Russians during the height of the Communist-enforced famine of 1932-1933. Duranty's news stories deliberately hid the worst of the Stalinist regime and undermined his own journalistic career once the truth of the famine became known.

LOCALE: Moscow, Soviet Union (now in Russia)**CATEGORIES:** Publishing and journalism; corruption; politics; hoaxes, frauds, and charlatanism**KEY FIGURES**

Walter Duranty (1884-1957), American reporter for *The New York Times*

Gareth Jones (1905-1935), British reporter for the *Manchester Guardian*

Eugene Lyons (1898-1985), American reporter who defended Duranty

Malcolm Muggeridge (1903-1990), British reporter for the *Manchester Guardian*

SUMMARY OF EVENT

On March 31, 1933, *The New York Times* published a news story by Pulitzer Prize-winning reporter Walter Duranty that dismissed an earlier article detailing famine in the Soviet Union. That earlier article, written by a young British journalist, Gareth Jones, described widespread famine throughout the southern and central portions of the Soviet Union. In challenging Jones's story, Duranty was putting his prestige behind the patently false contention that Soviet leader Joseph Stalin was not engaged in deliberate and widespread famine, which would kill millions of Russians.

Duranty was an experienced journalist who had reported on Russian and Soviet affairs since the Bolshevik Revolution in 1917. He was one among a

contingent of foreign reporters, including several American and British socialists who looked favorably on the Stalinist regime. Among these reporters were the British socialist Malcolm Muggeridge, who was writing articles for the *Manchester Guardian*, and his colleague, Jones, a twenty-seven-year-old reporter whose aggressive style produced some of the best articles on the Soviet famine. Duranty, writing for *The New York Times*, was joined by another American, Eugene Lyons, who shared Duranty's pro-Soviet views and defended him against the British journalists.

The Soviet Union was a totalitarian nightmare, as Stalin's regime engaged in wholesale murder through the twin strategies of starvation and exile. The Stalinist policies were at their fiercest during the early 1930's, as the government forced collectivization on millions of people. The Communist Party sought to eliminate private property ownership by confiscating grain and cattle and by forcing peasants to join communes. As a result, Russian farmers limited grain production to what they needed to feed their families and slaughtered their herds to prevent their cattle from falling into government hands. Widespread hunger followed, and by 1930, many of the country's rural villages were suffering through a deep famine.

Even while the famine was spreading in 1929-1930, Duranty assumed the role of Stalinist propagandist rather than neutral journalist. Just as the Soviet killing machine began exiling, starving, or executing middle-class Russian peasants, Duranty praised collectivization and wrote about the ecstatic desire of Russian peasants to join the new collective farms. Duranty explained away failures by relying on the Communist Party line of denouncing as terrorists the farmers who resisted collectivization. He claimed any starvation that occurred was the result of either the backward Russian peasants adhering to outdated ideas or the lazy peasants who refused to

work and fulfill their duties within the new communist paradise.

The 1931 and 1932 famine brought out the worst in Duranty's reporting. As the Soviet Union descended into widespread starvation, Duranty defended the Soviet system and policies, noting the government recognized and accepted that some deaths were necessary to bring about the revolution promised by Vladimir Ilich Lenin and Stalin. Duranty also blamed reports about starvation on Nazi propaganda. A report from Riga, Latvia, described tens of thousands of deaths each day from starvation and bands of Russian peasants roaming the countryside in search of food. Again, Duranty denied the truth of the report, dismissing it as either propaganda or mistaken reporting.

In the middle of the suffering, Duranty traveled through Ukraine, where the worst of the famine was killing tens of thousands of people daily. Duranty's reports from the southern city of Rostov resembled Soviet propaganda pieces, as he wrote of happy workers toiling for the advancement of world socialism. Sticking carefully to the Potemkin-like communal farms created just for Western visitors, Duranty denounced the reports of suffering as ab-

surd and those who made the reports as tools of anti-Soviet propaganda.

Faced with actual signs of suffering in cities such as Kharkov, Duranty claimed the famine was the result of poor planning by Communist officials rather than a deliberate policy of using food to force farmers off their land. Again describing collectivization efforts in terms of military conflict, Duranty left out the reality that the soldiers in the battle were land-owning peasants who were starving by the millions.

Duranty was producing articles with surrealistic titles such as "Masses in Soviet Look to Future" (December, 1932), "Russians Hungry, but Not Starving" (March 31, 1933), and "Soviet Hopes High as Industry Gains" (July, 1933). His denial of the Russian famine in 1933 included his famous comparison of Soviet policies to making an omelet, both requiring the breaking of eggs.

IMPACT

Duranty's misplaced optimism about the Soviet system was not shared by all of his colleagues. Muggeridge traveled into the rural areas and composed three stories detailing the gruesome effects of the famine, though his stories were ignored. Later, Muggeridge described Duranty as the most dishonest journalist he had ever known. Duranty also had his defenders, including Lyons, who shared his fellow American's positive views of the Communist state. However, even Duranty had second thoughts, telling officials in the British embassy that some ten million people had starved, a startling admission considering the upbeat stories he was producing for *The New York Times*.

Duranty's willingness to abandon journalistic ethics and become a Western propagandist for the Soviets has been attributed to internal and external pressures on the reporter. Seeking information on the Soviet Union that he could send to his editors, he realized any articles



Walter Duranty reading the Soviet newspaper Pravda in 1925. (Hulton Archive/Getty Images)

overly critical of the regime would lead him to being expelled from the country and being blocked from return. The Soviet government's tight control of information forced reporters to cooperate with Communist officials to receive any information, true or false. His most notorious article, the one that denied the existence of famine (March 31, 1933), was prompted by a Soviet threat to exclude any anti-Soviet reporter from access to the trial of four British citizens accused of economic sabotage. Eager to report the story, Duranty surrendered his independence in exchange for personal glory and fame.

There also were personal reasons for Duranty's behavior. He was married to a Russian woman and had a son with her. Because his wife and son were Soviet citizens, they could be forced to remain in the country if Duranty were expelled. The reporter also had less ethical reasons for his actions. Western reporters were granted housing and food well beyond what the average Soviet citizen received. Duranty enjoyed these perks even more than his colleagues, and while married, he had a succession of mistresses, all of them government informants eager to spread Soviet propaganda. This made him more susceptible to Soviet pressure to write progovernment stories.

Duranty's biased reporting earned him praise from many in the West who favored Communism and supported Stalin. The true nature of Stalin's genocide would become known only after Duranty's death, though. When he left the Soviet Union in 1933, his journalistic career faltered.

With the collapse of the Soviet Union in 1991, a campaign was launched against Duranty's main accomplishment, his Pulitzer Prize for serving as a Stalinist propagandist. Keeping Duranty's memory alive, *The New York Times* and the Pulitzer Prize committee rejected any effort to revoke his award. The debate continued into the twenty-first century, as Duranty's false reporting raised questions about how reporters write about totalitarian systems.

—Douglas Cloutre

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SEE ALSO: Oct. 25, 1924: Forged Communist Letter Brings Down British Government; May 16, 1934: General Douglas MacArthur Sues Newspaper Columnist for Libel; Nov. 13, 1969: American Massacre of Vietnamese Civilians at My Lai Is Revealed; June 13, 1971: *New York Times* Publishes the Pentagon Papers; July 25, 1972: Newspaper Breaks Story of Abuses in Tuskegee Syphilis Study; June 4, 1979: South African President B. J. Vorster Resigns in Muldergate Scandal.

January 8, 1934-January 17, 1936

STAVISKY'S FRAUDULENT SCHEMES ROCK FRENCH GOVERNMENT

A lifelong swindler who moved from petty scams to grandiose schemes involving huge sums of money, Alexandre Stavisky was found dead soon after the French police took action against him. He had either killed himself or been murdered to keep him from revealing the complicity of prominent politicians, civil servants, and journalists in his crooked dealings. Public outrage over the case led to the resignations of the prime minister and the head of the Paris police.

LOCALES: Orléans, Bayonne, and Paris, France
CATEGORIES: Banking and finance; corruption; gambling; hoaxes, frauds, and charlatanism; murder and suicide

KEY FIGURES

Alexandre Stavisky (1886-1934), Ukrainian-born French swindler

Camille Chautemps (1885-1963), French prime minister

Jean Chiappe (1878-1940), head of the Paris police prefecture

SUMMARY OF EVENT

Alexandre Stavisky was born in Ukraine in 1886. Emmanuel, his father, was a dentist who later committed suicide when it was suspected that he was involved in his son's nefarious swindling activities. When Stavisky was three years old, his family moved to Paris, France, and later took up French citizenship. As an adolescent, Stavisky began a life of crime, operating on the margins of the world of theaters, nightclubs, and gambling sites. One early venture involved the printing of business cards with a publisher's name that he used to obtain free theater tickets.

Stavisky's youthful illegal activities earned him a brief jail term. After his release, he formed a com-

pany that advertised meat-based, canned consommé to gullible buyers, relying on an endorsement praising the nutritional merits of the nonexistent product that Stavisky obtained from a doctor. He also sought to market a useless device called a matryscope, which, he claimed, would accurately determine pregnancy. Other scams involved raising the sum on a check given him by a nightclub owner from two thousand to sixty thousand francs and dealing in fraudulent stock transactions and counterfeit treasury notes. Stavisky also was believed to have been responsible for the theft and sale in 1925 of bonds stolen from aboard the steamship *Valdivia*, which had anchored in France after sailing from South America.

For these misdeeds, Stavisky was confined for seventeen months in La Santé, the Paris city jail, in which he waited while the police dug for sufficient evidence to convict him. His attorneys maneuvered to postpone his trial nineteen times, and Stavisky finally was released late in 1927 on a faked medical diagnosis of internal disorders and a serious nervous condition. He vowed that he would rather kill himself than face another stay in prison.

Stavisky thereafter graduated into grander schemes. His core fraud involved the deposit of 155 "emeralds," most of them worthless spinach-colored glass, in the municipal pawnshop—the *crédit municipal*—in Orléans, one of thirty-four such institutions in France and Algeria. The Orléans *crédit municipal*, operating with scant oversight, expanded its mission from aid to the impoverished into public works projects and banking transactions. Stavisky and his allies bribed an appraiser to set the value of the "emeralds" at wildly inflated amounts. This allowed the schemers to obtain short-term bonds from the credit organization with face values of millions of francs. Stavisky and allies then exchanged the bonds at a discount for cash from Paris banks and insurance companies.

In 1931, when the law enforcers, often handcuffed by Byzantine intramural antagonisms, became suspicious of the legitimacy of the Orléans operation, Stavisky hurriedly redeemed the pawned items and redeposited them with much grander financial benefits in a *crédit municipal* that he established in Bayonne in southwestern France. He craftily inveigled a cadre of luminaries who were greedy, short of funds, or naïve to serve on its board of directors to make the Bayonne operation appear to be a legitimate enterprise.

Stavisky also managed the Société d'Installations Mécaniques et Agricoles (SIMA), an agricultural supply company that produced Phébor, a wooden refrigerator that he claimed required no electricity for its operation. He said it was an ideal product for the North African market and for ships, but it soon became obvious that the Phébor did not work. Stavisky was besieged by disgruntled purchasers and SIMA stockholders. He managed to stay beyond the reach of the authorities by compensating those who kept after him with funds secured from subsequent gullible investors. As his loans became due, Stavisky sought unsuccessfully to purchase, at rock-bottom prices, agrarian bonds issued to Hungarians displaced during wartime and use them as collateral for additional loans from French banks or for sale to investors who were not aware that they were practically worthless.

A bon vivant, heavy gambler, and owner of racehorses, among other indulgences, Stavisky did not have the funds to redeem the bonds that he had placed with the banks and insurance companies. When the police closed in, he took flight to a ski chalet in Chamonix in the French Alps. On January 8, 1934, he likely killed himself, as his father had done; less likely, he was murdered by the police to protect prominent persons who had shared in his ill-gotten gains. Those who suspected murder emphasized that there were no powder burns on Stavisky's body and that the pistol that was used was clutched in his right hand while the lethal wounds were inflicted on parts of his body somewhat inaccessible for a right-handed person. Profuse bleeding also suggested internal hemorrhaging. The headline of a Paris newspaper noted

sarcastically, "Stavisky Commits Suicide with a Bullet Fired at Him at Point-Blank Range."

On February 21, the Stavisky affair took a notably bizarre turn when the wife of Albert Prince, a court-of-appeal judge who had been the top investigating magistrate in the financial section of the Paris prosecutorial office, received a call allegedly from someone in the town of Dijon, telling her that her husband's mother was in serious condition there and that he must go to Dijon immediately. Two days later Prince's body was found on a railroad track near Dijon, ripped into three parts by a train, his head a dozen meters from his torso. It was claimed by some that he had been executed to keep him from implicating other officials in Stavisky's nefarious activities, but the most likely interpretation is that Prince staged the suicide, hoping it would be seen as a murder, in an attempt to divert attention from his failure to have dealt forcefully with Stavisky's crimes.

On November 4, 1935, almost two years after Stavisky's death, the trial began in Paris for those allegedly tied to his fraudulent practices. Many persons who had been involved escaped prosecution because of the difficulty of convincing a jury that they had knowingly rather than innocently violated the law. Of the twenty defendants put on trial, the jury found nine guilty on January 17, 1936. Two defendants were sentenced to seven years in prison, the rest to shorter terms. Among those deemed not guilty was Arlette (Simon) Stavisky, Stavisky's partner in a close-knit marriage. She later would marry an American Army officer and live out her days in Puerto Rico.

IMPACT

Stavisky's dramatic end and the revelations that came in its wake convulsed France. The right-wing, conservative opposition accused Prime Minister Camille Chautemps and his government of having killed Stavisky to protect those in the government who, as rumors had it, were part of Stavisky's dealings. The affair led to the resignations of Chautemps, several ministers, and civil servants. Jean Chiappe, the prefect of the Paris police, was forced from office by the government that replaced that of

Chautemps. For a time the episode seemed likely to overthrow the liberal Third Republic that had been established in 1870 after the collapse of the empire under Napoleon III.

Riots, known as Bloody Tuesday, launched by right-wing forces erupted in Paris on February 6, 1934. Government forces managed to quell the outbreak but not before fifteen persons were killed and more than one thousand were wounded. Those on the political left retaliated by calling a general strike, but the Third Republic would survive, although discredited and dishonored by the Stavisky affair, until the German invasion of France during the 1940's.

—Gilbert Geis

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May 16, 1934

GENERAL DOUGLAS MACARTHUR SUES NEWSPAPER COLUMNIST FOR LIBEL

While serving in the Philippines, U.S. Army general Douglas MacArthur had an affair with a teenage girl named Isabel Cooper, and he secretly brought her to the United States when he was reassigned to Washington, D.C. After months of enduring scathing critique by columnist Drew Pearson on other matters, MacArthur sued Pearson for libel. He dropped his lawsuit, however, after learning that Pearson knew about his relationship with Cooper and that he was prepared to reveal the affair if MacArthur pursued his libel suit.

LOCALE: Washington, D.C.

CATEGORIES: Publishing and journalism; law and the courts; sex

KEY FIGURES

Douglas MacArthur (1880-1964), U.S. Army chief of staff

Drew Pearson (1897-1969), syndicated columnist
Isabel Cooper (1910-1960), Filipina singer who was MacArthur's lover

Louise Cromwell Brooks (1890-1965), MacArthur's first wife, who blew the whistle about the affair

SUMMARY OF EVENT

During his assignment as commander of all U.S. troops in the Philippines, the recently divorced Army general Douglas MacArthur befriended a teenage song-and-dance entertainer of Philippine and Scottish ancestry named Isabel Cooper (nicknamed Dimples by the general). MacArthur and Cooper, who was between sixteen and eighteen years old, became lovers.

MacArthur returned to the United States in 1930 after being assigned as chief of staff. He arranged for Cooper to meet him in Washington, D.C. He gave her a ticket to follow him on a different ship

and set her up in her own apartment for his visits (first in a Georgetown apartment and then in a downtown hotel). When military duties made those visits less frequent, Cooper—despite receiving gifts of clothes and jewelry from MacArthur—became bored.

Meanwhile, MacArthur was targeted by syndicated columnist Drew Pearson, who claimed that the general's promotion to major general came about through the intervention of his former father-in-law. In response, MacArthur filed a libel suit against Pearson. The suit never got to court, however, because MacArthur found out that Pearson knew about his relationship with Cooper. MacArthur chose to drop the suit rather than risk his affair being made public.

Born into a military family, MacArthur was the son of Medal of Honor winner Arthur MacArthur, who had served in the Civil War and become a lieutenant general. The younger MacArthur distinguished himself quickly when he entered the Army. He became the decorated commander of the Forty-second Division during World War I. In 1918, he was promoted to brigadier general and became the youngest division commander in France. After the war, still a brigadier general, he became the youngest superintendent in the history of the U.S. Military Academy at West Point, New York. Next, he became the youngest officer appointed as Army chief of staff. Furthermore, at the age of forty-three, he was the youngest two-star general in Army history.

In 1922, MacArthur had married socialite Louise Cromwell Brooks, who was twice divorced. Brooks, used to more glamorous surroundings, became disenchanted with military life in the Philippines, where her husband was stationed. They divorced in 1929, after seven years of marriage. MacArthur then found romance in the arms of Cooper, a young Eurasian musical performer.



Douglas MacArthur. (NARA)

Pearson was a journalist with the Washington bureau of the *Baltimore Sun* when he launched, with Robert S. Allen, the syndicated column *Washington Merry-Go-Round* in 1932. The column was distributed by United Feature Syndicate, and it appeared in newspapers throughout the United States. In 1931, Pearson and Allen, the Washington bureau chief for the *Christian Science Monitor*, had anonymously published a muckraking book, also called *Washington Merry-Go-Round*. Pearson was fired from the newspaper because of the book.

In 1932, Pearson criticized MacArthur for his use of force in breaking up a demonstration by some fifteen thousand out-of-work veterans of World War I in Washington, D.C. The veterans, popularly called the Bonus Army, were demanding congressional approval to cash bonus certificates issued to them for their military service. MacArthur used overwhelming force, including tanks and the threat of bayonets, to break up the demonstration. Several people died, and countless were injured. Bad blood developed between the columnist and the general,

and Pearson's criticism of MacArthur continued for the next two years.

Brooks contacted Pearson with disparaging claims about her former husband. She told Pearson that MacArthur was promoted because of those he knew and because of his family background. In his December 20, 1932, column, Pearson wrote, "General Douglas MacArthur, chief of staff, hero of the Bonus War, was jumped by Newton Baker from major to brigadier general. MacArthur's father was Lieut. Gen. Arthur MacArthur." Finally, on May 16, 1934, a fed-up MacArthur, after facing months of criticism by Pearson, filed a \$1.75 million libel suit against both Pearson and *The Washington Times*, which printed the column. If the case had gone to trial with MacArthur as plaintiff, and if Pearson had lost, it might have ruined the credibility of his fledgling column. Pearson apparently thought Brooks would testify as to the veracity of her claims about MacArthur. However, she refused to testify, leaving Pearson without a defense.

The relationship between Cooper and MacArthur had been deteriorating as well. MacArthur gave Cooper another boat ticket, this one to take her back to the Philippines. She never used the ticket, though, and eventually settled in California. Before leaving for the West Coast, she met with Pearson. It is not clear how Pearson found out about Cooper—whether one of his sources told him about her or whether she contacted him independently. At their meeting, Cooper gave Pearson a batch of love letters from MacArthur, written to her during their affair. With the letters in hand, Pearson warned MacArthur that he would call Cooper to testify against the general, revealing their affair, if the libel suit came to trial.

Taking his family and career into account, MacArthur withdrew his libel action against Pearson. Pearson had to pay one dollar to have the suit formally dropped, and MacArthur ended up paying fifteen thousand dollars to Cooper for his letters and for her to leave Washington, D.C. She did just that.

IMPACT

MacArthur's military career likely would have been ruined had the affair come to light. His per-

sonal life would have been deeply affected as well. His mother, Mary Pinckney Hardy, oversaw the early development of his military career. He graduated from West Point in 1903, and his mother used both her military and civilian contacts to help him get choice assignments and promotions. She always encouraged her son to strive for perfection in his career, and there can be no doubt that she would have found his affair with Cooper as falling far short of that. She died in 1935, not long after accompanying him to Manila when he was reassigned to the Philippines. She apparently never learned of her son's affair with Cooper.

Pearson continued writing his column until his death in 1969, by which time it was being carried in more than 650 newspapers. The column was continued by his assistant, Jack Anderson. Pearson faced about fifty other lawsuits over his columns but lost in only one case. He continued to be critical of MacArthur in a number of columns over the years.

MacArthur rose again to prominence during World War II, and his vow to return to the Philippines after it was overrun by the Japanese became a rallying cry for U.S. soldiers. When the war in Korea broke out in 1950, he was initially named commander but was relieved by U.S. president Harry S. Truman when he challenged the president's order not to carry the war into China. His subsequent criticisms of Truman failed to generate support. He left the Army and became board chairman of Remington Rand in New York City, a position he held until his death in 1964.

After settling in California, Cooper appeared in several films, sometimes under the name Elizabeth Cooper. She already was somewhat notorious for a 1926 film in which she was part of the first kiss shown in a Philippine film. She made her last film in 1947 and committed suicide in 1960.

Cooper's letters from MacArthur were never made public. However, one of the subplots in the popular novel *Seven Days in May* (1962), by

MacArthur Sues Newspaper Columnist for Libel

Fletcher Knebel and Charles W. Bailey, told the story of a maverick general brought to heel by someone getting possession of letters he had written to a woman with whom he was having an affair. The resemblance to the MacArthur-Cooper-Pearson affair is clear.

—Paul Dellinger

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July 10, 1934

SEX SCANDAL FORCES RESIGNATION OF ALBERTA PREMIER BROWNLEE

Nine years into serving his post as the fifth premier of the province of Alberta, Canada, John Edward Brownlee was forced to resign after Vivian MacMillan, a stenographer in the attorney general's office, filed suit claiming Brownlee seduced her over a two-year period. Questions remain as to whether Brownlee was set up for political sabotage or was indeed guilty of violating the revised 1922 Alberta Seduction Act.

ALSO KNOWN AS: *MacMillan v. Brownlee*

LOCALE: Alberta, Canada

CATEGORIES: Sex; government; politics; law and the courts; public morals

KEY FIGURES

John Edward Brownlee (1884-1961), premier of Alberta, Canada, 1925-1934

Vivian MacMillan (1912-1980), stenographer in the office of Alberta's attorney general

Allan D. Macmillan (fl. 1930's), MacMillan's father, mayor of Edson, Alberta

SUMMARY OF EVENT

By July of 1930, John Edward Brownlee had been serving as Alberta's premier for five years. He was forty-six years old and married. Vivian MacMillan, the daughter of the mayor of Edson, Alberta (Allan MacMillan), was eighteen years old. According to the young MacMillan, she had met Brownlee at the home of her parents, whom Brownlee had been visiting. She later claimed that she was dissuaded by Brownlee from pursuing a career in music or nursing and was instead urged to go to business school in Edmonton. Brownlee purportedly promised her a job with the Alberta government. The young MacMillan followed Brownlee's advice and graduated a year later from the school, having become a welcome guest of the Brownlee family. She took a position as stenographer for the attorney general's office in Alberta.

According to MacMillan, Brownlee seduced her for the next two years, using her job as leverage for the seduction. Along with her father, she filed a lawsuit against Brownlee, generating intense scandal, forcing Brownlee from office, causing his party to lose the next election, and turning sour MacMillan's fiancé's affection for her.

In the fall of 1932, MacMillan had begun a romantic relationship with John Caldwell. A third-year medical student, Caldwell had proposed marriage around Christmas of that year but had added they would wait to marry until he had completed his degree. In January of 1933, MacMillan told her fiancé of her relationship with Brownlee. Caldwell first insisted MacMillan take legal action against Brownlee, then he broke off his engagement to the twenty-one-year-old, but not before participating in what was supposed to be an undercover sting operation, or possibly a head-on confrontation.

On July 5, two men followed Brownlee as he escorted MacMillan to his car to give her a ride home. The two men were MacMillan's fiancé and her soon-to-be courtroom attorney, Neil MacLean. Evidence would later show that Caldwell and MacLean stood to gain financially were they to contribute to the ruin of Brownlee's reputation.

By August, MacLean had mailed Brownlee a letter notifying him the Macmillans were suing him—Vivian seeking ten thousand dollars in unstated damages and costs and her father seeking five thousand dollars—under Alberta's revised Seduction Act of 1922. On September 22 the Supreme Court of Canada issued a writ, charging seduction of an eighteen-year-old and naming Brownlee as defendant. MacLean filed the statement of claim at the courthouse that day. As the rumors continued—after escalating for some time—Brownlee, who denied all charges, filed a countersuit accusing MacMillan and Caldwell of fabricating the story for financial gain. Brownlee made a counterclaim for ten thousand dollars in damages, alleging that the

claims by MacMillan and the others amounted to nothing more than attempts to blackmail him and harm his political reputation.

With the start of the trial on June 25, 1934, MacMillan offered the details of how Brownlee came to the MacMillan home, disapproved of her plans for a musical career (there was no money in it, he admonished) and of her considering going into nursing (too difficult a life for a young girl, he said), and recommended she study business in Edmonton. MacMillan also testified about his offers to act as her guardian, invite her into his home so she would not be alone in a strange city, and ensure she did not get into trouble. After the first round of suggestions, MacMillan testified, she and the premier attended a dance. On the dance floor together, Brownlee repeated his invitation and also told her she was beautiful and that he hoped she would come to Edmonton. She defined the relationship that ensued for more than two years as one in which she never loved him and, she believed, he never loved her.

Brownlee had insisted from the start that there was not one word of truth in the allegation. He said that what he had to face would enable him to come to grips with the rumors and was prepared to “defend the action to the limit.” Having submitted a file of defense on November 13, 1933, Brownlee not only denied all charges but also made his statement of defense to allege that MacMillan’s claim was indeed false, vexatious, and scandalous. Furthermore, he argued, the claim was frivolous and an abuse of the process of the courts. He added that the claim should be expunged from court records.

On cross examination by defense attorney A. L. Smith, MacMillan twice broke into tears, requiring a court recess. Smith rigorously pursued contradictions and inconsistencies in her testimony, and he successfully had MacMillan admit that she had not resided in the maid’s room at the Brownlee home in October of 1931, when Brownlee’s wife, Florence, was away. She also admitted that she had not gone to the premier’s bedroom during the night. Conceding that she must have slept in Florence’s room, MacMillan still did not retract the claim that there had been “improper intimacies” between her and Brownlee. In addition, the defense produced diaries

for the years between 1930 and 1933, which showed that Brownlee had been away from Edmonton, engaged in official business, or involved in personal or other engagements and therefore could not have been, as MacMillan had alleged, driving her around in his car. Also untrue, Brownlee said, was MacMillan’s claim that she had become a great friend to Florence and had become close as a family member, even a niece. Furthermore, he testified, there had been “nay intimacies” with MacMillan in his car, any other car, his home, his office, or any parliament building.

On July 3, after four hours and forty-five minutes of deliberation, the jury found Brownlee guilty of seduction, upheld the action, and awarded the MacMillans fifteen thousand dollars in damages. However, Judge William Carlos Ives overturned the decision, deciding that the MacMillans were to pay Brownlee’s legal expenses. Though the Court of Appeal would concur with Ives, the supreme court would not. On March 1, 1937, it awarded Vivian MacMillan ten thousand dollars plus legal costs. Brownlee’s 1940 appeal to Canada’s highest appeals court, the Judicial Committee of the Privy Council in London, was to no avail.

IMPACT

It is difficult to speculate who was the victim in this scandalous affair, one of the most sensational trials in Albertan history. Even more difficult to determine is the question of who suffered the most. For Brownlee—who had worked hard to effectively control Alberta’s natural resources, to lead a successful United Farmers of Alberta (UFA) to political victory, and to remain staunchly conservative during times of economic and agrarian depression—the sex scandal impelled his resignation from the provincial ministry (effective July 10, 1934), led to the failure of the UFA to win a single seat in the legislature, and ultimately destroyed his reputation. Brownlee died in 1961, almost unnoticed.

For MacMillan, though she won the case and was awarded ten thousand dollars, the scandal prompted her fiancé to break off their engagement, caused her to have a nervous breakdown, and despoiled her personal reputation. She returned to her hometown

of Edson, recovered from her breakdown, and married a druggist, with whom she had a son. She divorced him then married again and lived in Calgary for several years. She died in Florida in 1980 at the age of sixty-eight. The Brownlee-MacMillan debacle left neither defendant nor plaintiff the solitary victim or the sole victor.

—Roxanne McDonald

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December 16, 1935

FILM STAR THELMA TODD'S DEATH CANNOT BE EXPLAINED

Popular comedic film star Thelma Todd was found dead in a garage behind the restaurant she co-owned with her boyfriend. The official cause of death was listed as accidental carbon monoxide poisoning, but some investigators have suggested that she was murdered.

LOCALE: Pacific Palisades, California

CATEGORIES: Hollywood; murder and suicide

KEY FIGURES

Thelma Todd (1906-1935), American comedic film actor

Roland West (1885-1952), American film producer-director

Hal Roach (1892-1992), American film producer

SUMMARY OF EVENT

Beautiful and vivacious actor Thelma Todd made the transition from silent film to sound film, or talkies, with ease. She found her niche as a comedic actor and part of two popular comedy teams. Behind the scenes, Todd's personal life was far from idyllic. She had become addicted to alcohol and diet pills and suffered under the confines of a controlling mother and an abusive husband. She was also

co-owner of Thelma Todd's Sidewalk Café along the coast near Los Angeles, California. The discovery of Todd's lifeless body in her car shocked the film community.

The year 1934 was eventful for Todd. She divorced her husband, Pasquale "Pat" DiCicco, in March, and the Hal Roach Studios was getting ready to pair her with a new comedy partner. Hoping to help take her mind off her personal troubles, she agreed to open a restaurant with her sometime boyfriend, Roland West.

Thelma Todd's Sidewalk Café became an instant success with the Hollywood crowd. The building was situated on Roosevelt Highway (now called Pacific Coast Highway). The café was on the first floor, along with a drugstore.

The second story had been converted into apartments shared by Todd and West; the second floor also housed a cocktail lounge. The third floor was rumored to have been used for gambling. The café was located at the bottom of a hill, and behind the location were 270 cement steps that led up the hill to Posetano Drive. The garage Todd used to park her car was in front of a house on Posetano that belonged to West's estranged wife.

At 8:00 P.M. on December 14, 1935, Todd was dressed and ready for a party being held in her honor. Before leaving her apartment on Roosevelt Highway, she had an argument with West about what time she would be home. West, who was very possessive, told her to be in by 2:00 A.M.; she answered that she would be home when she wanted to be home.

Todd enjoyed herself at the party, despite a disagreement she had with her former husband, who had arrived late with a young actress. About 11:45 P.M., Todd was observed having a phone conversation in the ladies' powder room. Witnesses interviewed later agreed that Todd's mood changed after



A detective with the Los Angeles Police Department examines Thelma Todd's body, which was found in her garage-parked car. (AP/Wide World Photos)

that phone call, but she would not tell anyone why she was upset. She stayed at the party until 3:15 A.M., when her driver picked her up. They arrived back at the apartment around 4:00. Todd's driver offered to walk her up to her door, but she declined his offer.

At 10:30 A.M. on Monday, December 16, Todd's maid, Mae Whitehead, arrived at the garage on Posetano to get Todd's car and drive it to the restaurant, as she usually did. Whitehead opened the garage and found Todd's body slumped behind the wheel of the car, still dressed in clothes from the party on Saturday night. Whitehead tried waking her employer, but Todd did not respond. She then raced down the cement steps to the apartment to wake West.

The police arrived and began their investigation. They found blood on Todd's upper lip, which was consistent with carbon monoxide poisoning, but just how bloody and battered Todd's body was depended on whose report was read. Robbery was ruled out because Todd was found wearing her mink coat and twenty thousand dollars worth of

jewelry. Investigators had a female police officer walk up the 270 steps to the garage; her shoes were scuffed from the climb but Todd's were not. The coroner examined the body and determined that the cause of death was suicide by carbon monoxide poisoning. The time of death was approximately 2:00 A.M. on Sunday.

Todd's mother, Alice, arrived on the scene and claimed her daughter was murdered because she would never have committed suicide. The district attorney's office, wanting to avoid yet another Hollywood scandal, announced that Todd's death was an accident. However, an autopsy revealed she had a broken nose, several cracked ribs, and a chipped front tooth. The contents of her stomach included partially digested food, indicating she may have eaten just before her death. It was also noted that rigor mortis had not yet set in at the time her body was discovered. Because rigor mortis usually sets in after twelve hours, it would have been impossible for her to have died at 2:00 A.M. on Sunday; the time of death eventually was changed to 5:00 P.M. on Sunday.

Several theories exist about what happened to Todd. One theory suggests that she had become friendly with a known mob boss, Charles "Lucky" Luciano, whom she supposedly met through her former husband. It was believed that Todd refused Luciano's request to take over the gambling room on the third floor of her café. After arriving home from the party, Todd allegedly joined Luciano for a drive and a meal, after which Luciano had one of his hired thugs choke her and leave her in the garage to die. This could explain why she had undigested food in her stomach. Several witnesses at the grand jury trial refused to testify because they had received death threats from an unknown source. This theory could never be confirmed because there was no proof that Luciano had ever been to the Los Angeles area.

Another theory suggests that after being dropped off by her driver, a drunken Todd found herself locked out of her apartment. She climbed the steps to the garage, got in her car, and started it to stay warm until morning. The theory then suggests that she was overcome by the exhaust fumes, then

passed out and died. This theory does not take into account that although the key was turned in the ignition, the motor was off and two gallons of gas remained in the tank when police arrived on the scene. In addition, the café's treasurer and his wife lived in an apartment above the garage and could hear if a car were started; they heard nothing on the night of Todd's death.

A third theory involves a confession by Todd's boyfriend West. According to investigations and an interview with movie mogul Hal Roach in 1987, West had been angry with Todd for staying out so late that night. Roach said that West had locked the apartment from the inside so she could not get in after she arrived home. When she did come home, at 4:00 A.M., the two had an argument through the locked door; Todd then went up the steps to her garaged car. West followed her and locked the garage to keep her from leaving. The next morning, he went to the garage and found her lifeless body. Not knowing what to do, West left her body in the garage and went to the café. When asked where Todd was, he said that he did not know. Not knowing the whereabouts of Todd would have been unusual for West, who had been possessive and controlling of Todd and always knew her every move.

Roach continued his revelation of West's confession, but when asked why he had kept quiet about West's admitted involvement, he explained that he had had an affair with Todd and was concerned that if word got out it would result in a scandal he could not afford. His version also included a corrupt sheriff, who was West's lodge brother, and included film producer Joseph Schenck, who was afraid West would trade information about his tax-fraud scheme. Schenck also was a friend of the sheriff.

IMPACT

The speculations behind the events surrounding Todd's death served as an early example of scandal involving conspiracy theory. All parties with a stake in the case appeared to have valid reasons for keeping the truth a secret. Roach was afraid of involving his studio in a scandal, and the police and

district attorney wanted to avoid another unsolved Hollywood murder. Afraid of being accused of killing the woman he loved, West used his influence over Schenck, who paid a few people to point a finger at the mob. Todd's death remains listed as an accident.

—Marianne Barsotti

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British Cabinet Member Resigns After Budget Leak

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May 20, 1936

BRITISH CABINET MEMBER RESIGNS AFTER BUDGET INFORMATION LEAK

Cabinet secretary James Henry Thomas was alleged to have provided hints—perhaps unwittingly—about the British government budget to speculators who made quick, unseemly profits on the information. After a parliamentary tribunal issued an incriminating report, Thomas left the government in disgrace.

LOCALE: London, England

CATEGORIES: Banking and finance; corruption; gambling; government

KEY FIGURES

James Henry Thomas (1874-1949), British trade union leader, cabinet secretary, and member of Parliament, 1910-1936

Sir Leslie Thomas (1906-1971), son of James Henry Thomas and British member of Parliament, 1953-1966

Sir Alfred Butt (1878-1962), British member of Parliament, 1922-1936

Alfred Bates (fl. 1930's), British businessman

Reginald Marriott (fl. 1930's), British stockbroker

Neville Chamberlain (1869-1940), British prime minister, 1937-1940

SUMMARY OF EVENT

The budget scandal of 1936 brought a disgraceful end to the career of James Henry Thomas, one of Great Britain's most successful trade-union politicians. Born in Newport, Wales, in 1874 in straitened circumstances, Thomas had become a railway worker at the age of fifteen. Rising quickly through the ranks of the railway trade unions, he was elected a Labour Party member of Parliament from Derby in 1910 and would remain a member until 1936. In 1913 he helped found the National Union of Railwaymen, and as its general secretary from 1916 he oversaw its initial successes.

In 1924, Thomas was appointed to the king's cabinet as secretary of state for the colonies in the first Labour government, and in 1930 he was promoted to secretary of state for the dominions. In 1931 he controversially joined the emergency coalition National Government, which was seen as antagonistic to the labor movement and for which he was expelled with great acrimony from both the trade unions and the Labour Party. Thomas remained popular in his home district, but his indulgence in fine living, horse racing, and gambling came under increased scrutiny from his colleagues and the press.

Thomas spent much of a weekend in April, 1936, sporting with an old friend, Alfred Bates, a wealthy businessman. A week later, on April 21, a member of Parliament and well-known racehorse owner and gambler, Sir Alfred Butt, visited Thomas in his cabinet office. Later that day, Chancellor of the Exchequer Neville Chamberlain presented to the House of Commons the government budget, which included an increase on the taxes on income and tea.

Preparation of the British budget was a closely guarded government secret. However, two days later, London newspapers accused the government of allowing a leak of the budget, a leak that led to numerous insurance policies being taken out against a rise in taxes. Bates had taken out several insurances policies, worth four thousand pounds, through Thomas's son, Leslie Thomas, a stockbroker, and

Butt had taken out similar policies worth eight thousand pounds. Both men made quick profits. Suspiciously, both Bates and Butt had taken out policies in other people's names as well. Lloyds Insurance alone lost over £100,000. (At the time, one British pound was worth about five U.S. dollars.)

On May 5, Parliament instituted a tribunal, presided over by Judge Sir Samuel Porter, to investigate the leak. Holding hearings at the King's Bench, the tribunal called Thomas, his son Leslie, Bates, Butt, and others to testify. The most damaging testimony came from Bates and a stockbroker named Reginald Marriott. Bates testified that he had paid Thomas over fifteen thousand pounds to assist Thomas in purchasing his luxurious country manor, purportedly as an advance on Thomas's autobiography. Marriott testified that he had heard from a customer—who had heard from Bates's secretary—that Thomas leaked the tax increase. (The oft-repeated but apocryphal story that Thomas leaked the tea increase by shouting "Tee up!" during a golf game originated in jest.)

On May 20, Thomas resigned his cabinet position. In presenting his resignation to King Edward VIII, Thomas protested that the scandal was a "bloody conspiracy." Nevertheless, on May 27, the tribunal issued a twenty-four-page report that found Bates had obtained information about the budget from Thomas and had used this information for financial gain.

Because there was no direct evidence that Thomas had deliberately disclosed budget information, no one could be prosecuted under the Official Secrets Act. Marriott's hearsay testimony, for example, could not have been admitted in a criminal trial. However, Thomas was compelled to resign from Parliament, which he did on June 11. His spirits were crushed by this disgraceful end to his political career, by the public exposure of his carelessness with state secrets and of his habits of gambling and drink, and by the venom with which some of his opponents welcomed his fall. A communist member of Parliament, Willie Gallagher, implied that Thomas was a traitor to his class and bid him good riddance; another member called Thomas "a little swine."

There was considerable sympathy for Thomas as

well. Member of Parliament and future prime minister Winston Churchill wiped away tears when Thomas bowed to the Commons speaker for the last time. Edward VIII wrote in his book *A King's Story* (1951) of trying to console Thomas when he returned the cabinet seal. However, no concerted support for Thomas emerged.

Thomas's deficiencies in dealing with the questions of foreign dominions such as Ireland had already been exposed, and he was not considered indispensable to the government. His speaking abilities, which had enraptured his local constituents and the trade unionists, had declined considerably. His moderation in government policy already had alienated the more extreme elements of the labor movement and socialist parties. His unpopular decision to join the emergency National Government had already gotten him expelled from the trade unions he had helped lead for thirty years. In sum, he had lost the support of his working-class allies. To the middle and upper-class English citizens, he must have seemed simply a vulgar politician, the first to be punished for disclosing budget secrets.

Thomas immediately set out writing his autobiography *My Story* (1937), an unrelated series of reminiscences of his public life, emphasizing his lifelong resistance to "despotic capitalism" and his support of the trade unions and Labour Party. He did not mention the budget scandal except to call it the "greatest trial experienced by any public man, humiliated by a morbid and sensational press."

Thomas lived privately with his wife, Agnes, often visited by his children and grandchildren, until his death in 1949 at the age of seventy-four. Although his son, Leslie, was implicated in the scandal, he would be elected to Parliament in 1953.

IMPACT

The budget scandal of 1936 brought about the sad end of the career of one of Great Britain's more remarkable interwar politicians. Thomas had emerged from unlikely circumstances to become a leading trade-union official, one of the rising Labour Party's key parliament members, and an influential cabinet secretary. His oratorical abilities, his witty personality, and his gruff but diplomatic manner

British Cabinet Member Resigns After Budget Leak

had won the affection of his working-class constituency and charmed aristocrats and King George V. As the leading conciliator in the labor movement, Thomas was a truly beneficial influence in government and the economy. Although Thomas's abilities were clearly in decline by 1936 and he could expect no higher office, the scandal brought his career to a wretched end.

The scandal was not without its symbolic effect. Although Thomas had used his political talents to secure favorable compromises for workers, to the more radical elements he was a renegade who had been purchased by the attentions of the king, the favors of the rich, and the emoluments of office, which his extravagant lifestyle demanded. His fall, therefore, was his just deserts. To the more conservative British, the scandal revealed a man out of his depth, unaccustomed to the discretions of wealth, whose habits of drink, gambling, and horse-playing made the possibility of bribery inevitable.

Perhaps more would have been made of this symbolic fall but for the year in which it occurred. Chamberlain became prime minister in May, 1937, with the English public already in the middle of a crisis brought on by the aggression of Nazi Germany. If the actions of Chamberlain and his cabinet during this ensuing crisis would be much criticized in years to come, it would not be for the mistakes of the likes of Thomas.

—Howard Bromberg

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Thomas, J. H. *My Story*. London: Hutchison, 1937. In this hastily written memoir, allegedly written with an advancement that figured in the scandal, Thomas focuses on his relationship with famous English politicians without explaining the budget scandal that ended his career.

SEE ALSO: 1904: Theodore Roosevelt Is Accused of Accepting Corporate Funds; June 22, 1922: British Prime Minister David Lloyd George Is Accused of Selling Honors; May 30, 1923: U.S. Attorney General Harry M. Daugherty's Aide Commits Suicide; Oct. 22, 1923: U.S. Senate Begins Hearings on Teapot Dome Oil Leases; Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; June 22, 1972: Police Arrest Architect John Poulson for Bribery and Fraud; Nov. 20, 1974: British Politician John Stonehouse Fakes His Suicide; 1985-1986: Westland Affair Shakes Prime Minister Thatcher's Government; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair.

Summer, 1936

FILM STAR MARY ASTOR'S DIARY BECOMES A PUBLIC SENSATION

The contents of a diary kept by Mary Astor, a popular film actor, were revealed to the press during a custody battle with her former husband, Franklyn Thorpe. Although the diary was not proven genuine, its description of her sexual activities, particularly with playwright George S. Kaufman, titillated the American public. The scandal did not hurt Astor's public appeal.

LOCALE: Hollywood, California

CATEGORIES: Forgery; publishing and journalism; sex; public morals; Hollywood

KEY FIGURES

Mary Astor (1906-1987), American dramatic film actor

Franklyn Thorpe (1892-1977), American physician

George S. Kaufman (1889-1961), American playwright

SUMMARY OF EVENT

The lurid sections of actor Mary Astor's diary that were made public during the summer of 1936 graphically described an adulterous love affair she had had in 1934 with playwright George S. Kaufman while she was married to physician Franklyn Thorpe. Astor never denied that she had kept a diary during this time, but she did claim that a forged version with pornographic details was being circulated in newspapers and magazines.

The diary came to light when Astor tried to regain legal custody of her daughter following an uncontested divorce from Thorpe in 1935. Astor's career never suffered as a result of the scandal; if anything, critical acclaim for her performances increased, especially when she portrayed duplicitous women. She also regained custody (for nine months each year) of her daughter.

Astor and Thorpe had been married on June 29, 1931, more than one year after her first husband,

film director Kenneth Hawks, was killed in a plane crash. As a result, Astor began to suffer depression and had nightmares about the plane crash. She had been referred to Thorpe for treatment. He diagnosed her problems as malnutrition and incipient tuberculosis and prescribed rest, relaxation, and a more nutritional diet. As Astor's health improved, her relationship with Thorpe became less professional and more personal. They had a daughter, Marylyn Hauoli Thorpe, who was born on June 15, 1932.

Meanwhile, in films such as *Red Dust* (1932) and *The Little Giant* (1933), Astor's career was just beginning to regain the prominence she experienced during the 1920's, when she had appeared opposite John Barrymore in *Beau Brummel* (1924) and *Don Juan* (1926). While making those films, Astor and Barrymore had a romantic affair, even though Barrymore was married and was twenty-four years older than Astor.

Astor and Kaufman met in New York in January, 1934, shortly after she had finished acting in *The Man with Two Faces* (1934), which was based on Kaufman's play *The Dark Tower* (1933). According to published excerpts from her diary, Astor "fell like a ton of bricks" for Kaufman and continued to see him frequently for more than a year. She wrote, "Once George lays down his glasses, he is *quite* a different man. His powers of recuperation are amazing." In one of the more notorious and oft-quoted passages from the diary, Astor describes Kaufman's visit to California in February, 1934, which included a stop in the desert resort of Palm Springs. "Ah, desert night—with George's body plunging into mine, naked under the stars."

Astor had been keeping a diary since March, 1925, generally writing one line each day. When she acquired a larger ledger-type book in 1928, her entries became more extensive. She also started using a new ink, known as Aztec brown, which apparently looked purplish when viewed from a distance. This effect led the press to refer to the book as Astor's Lavender Diary because it looked like it had been written with purple ink. Furthermore, the newspapers reported that the diary contained two hundred pages.

AN AFFAIR TO REMEMBER

Snippets from Mary Astor's diary, or a falsified version of it, circulated in public in the summer of 1936. The following entry, allegedly written by Astor, moves from talk of sandwiches to singing birds to a dewy morning to George S. Kaufman's virility.

One morning about 4 we had a sandwich at Reuben's, and it was just getting daylight, so we drove through the park in an open cab, and the birds started singing, and it was a cool and dewy day and it was pretty heavenly to pet and French . . . right out in the open . . . Was any woman ever happier? It seems that George is just hard all the time . . . I don't see how he does it, he is perfect.

Source: Kenneth Anger, *Hollywood Babylon* (New York: Dell, 1975).

How the diary was discovered remains uncertain. Several sources claim that Thorpe accidentally came across it in a bedroom drawer where Astor kept her underwear. What is undisputed, however, is that Thorpe and his attorneys introduced the diary in July, 1936, as evidence of Astor's alleged immoral behavior. Astor had filed suit in California Superior Court, seeking full custody of their daughter. Thorpe had been granted legal custody of Marylyn after Astor did not contest their divorce in April, 1935. Although the diary was never officially admitted as legal evidence, its contents were released to the press, presumably by Thorpe's attorneys, in an attempt to discredit Astor. The court case concluded on August 13, 1936, when Judge Goodwin J. Knight bestowed nine months child custody to Astor each year, and the remaining three months to Thorpe. Knight further ordered that the diary be sealed and placed in a depository for safe keeping. The diary was burned in July, 1952, shortly after Marylyn reached the age of twenty. No copies of the diary are known to exist.

The court case and diary revelations provided sensational front-page news for several weeks, which meant that Astor became irrevocably associated with the scandal. Although some studio heads

initially feared repercussions for the film industry—as had been the case with some Hollywood scandals during the 1920's—they eventually realized that no serious harm was done. In fact, many movie fans admired Astor's motherly instinct to fight for custody of her child, even though her reputation would be damaged in the process. There were reports of audiences applauding Astor when she appeared on screen as the “other woman” in *Dodsworth*, which was released just after the trial ended.

For the next several years, the studios shrewdly capitalized on Astor's reputation. For instance, in *The Great Lie* (1941), Astor earned an Academy Award for Best Supporting Actress by playing a woman who gives birth to a child out of wedlock. Even more memorable was *The Maltese Falcon* (1941), in which Astor was perfectly cast as the deceitful Brigid O'Shaughnessy, a woman who would do anything to gain a jewel-encrusted falcon for herself. When O'Shaughnessy tells Sam Spade (played by Humphrey Bogart), “I haven't lived a good life. I've been bad, worse than you could know,” audiences at the time could appreciate the self-referential line.

Astor's personal life never attained the same success as her professional life. She was married and divorced two more times following the affair with Kaufman (to Manuel del Campo from 1937 to 1942 and Thomas G. Wheelock from 1945 to 1955). She suffered from alcoholism, and she attempted suicide several times, according to newspaper reports during the late 1940's and early 1950's.

IMPACT

Hollywood stars are often regarded as larger than life—more glamorous, more wealthy, and sometimes even more sinful than the average person. Their lives and their loves become public fodder, eagerly devoured by fans who never tire of learning more about the beautiful women and men on the screen. As a result, the Hollywood film industry has had a love-hate relationship with sensational scandals. On one hand, scandals can ruin lives and careers, bringing discredit to the industry as a whole (as occurred with the Fatty Arbuckle affair during the early 1920's). On the other hand, the right kind

of scandal can enhance a star's reputation and marketability on the screen.

The case of Astor's diary was a scandal of the latter kind. It did no harm to Astor's film career, as Hollywood producers exploited and incorporated her sinful reputation in the roles they gave her. Likewise, it did no harm to Kaufman's reputation, turning this bookish-looking playwright into “Public Lover No. 1,” as newspapers called him. Even Astor's wronged husband, Thorpe, was able to maintain a successful career as a physician until his death.

The excerpts from Astor's diary seem to reinforce the public belief about the sex lives enjoyed by Hollywood's stars. That Astor was able to weather this particular scandal may even have helped prepare the public for subsequent sexual scandals during the 1940's involving Charles Chaplin, Errol Flynn, and Ingrid Bergman.

—James I. Deutsch

FURTHER READING

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Rape; Jan. 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized; June 4, 1943: Actor Charles Chaplin Is Sued for Paternity; May 27, 1949: Actor Rita Hayworth Marries Aly Khan After Adulterous Affair; Feb. 7, 1950: Swedish Film Star Ingrid Bergman Has a Child Out of Wedlock; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; 1978: Actor Joan Crawford's Daughter Publishes Damning Memoir, *Mommie Dearest*; Jan. 13, 1992: Woody Allen Has Affair with Lover Mia Farrow's Adopted Daughter; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Nov. 20, 2006: News Corp Abandons Plan to Publish O. J. Simpson's Book.

December 10, 1936

KING EDWARD VIII ABDICATES TO MARRY AN AMERICAN DIVORCÉE

Less than one year after ascending to the throne of Great Britain, but before he was formally crowned, King Edward VIII, later known as the duke of Windsor, threw his country into a constitutional crisis by insisting on marrying a twice-divorced American socialite, Wallis Simpson.

LOCALE: London, England

CATEGORIES: Government; politics; royalty

KEY FIGURES

Duke of Windsor (Edward Albert Christian George Andrew Patrick David Windsor; 1894-1972), king of Great Britain as Edward VIII, r. 1936

Wallis Simpson (Bessie Wallis; 1896-1986), American socialite and later duchess of Windsor

Stanley Baldwin (1867-1947), British prime minister, 1923-1924, 1924-1929, and 1935-1937

Walter Monckton (1891-1965), attorney general to the duchy of Cornwall and legal adviser to Edward VIII

George VI (Albert Frederick Arthur George Windsor; 1895-1952), king of Great Britain, r. 1936-1952

SUMMARY OF EVENT

At 10 P.M. on December 11, 1936, the British people tuned in to the British Broadcasting Corporation (BBC) channel for a speech that became one of the most momentous of twentieth century Britain. In the space of just a few minutes, King Edward VIII, later known as the duke of Windsor, announced his abdication and immediate departure from England. The events leading up to this moment created a scandal that caught the public ear not only in England but also around the globe; it also defied tradition and brought the royal family into the modern era.

From his youth, Windsor was a compelling individual, comparatively modern in his views, particu-

larly regarding social issues such as poverty and care for World War I veterans. He had argued his way into serving in France, and although he was constrained to observing and inspecting the troops rather than engaging in direct combat, he spent much time at the front lines, earning the respect of the soldiers. This respect would resurface during the crisis leading up to his abdication and even later during his exile from England.

When he was invested as prince of Wales at Caernarfon Castle on July 13, 1911, much was expected of him in his role as heir apparent. By day, he performed the requisite royal duties, if not always in traditional form. Following the death of his father, George V, on January 20, 1936, Windsor became King Edward VIII. He was given to more casual dress and was less reserved in expressing his views. Most famously, while visiting poverty-stricken South Wales in November, 1936, he commented on the appalling living conditions and lack of work opportunities, saying "something must be done." His coronation had not yet taken place and never would; by the end of the year, Windsor would be living in exile, no longer a king. The reason was Wallis Simpson.



King Edward VIII announces his abdication in a December 11, 1936, address to the nation on British radio. (Hulton Archive/Getty Images)

Simpson, an American who had been divorced from her first husband and married to her second, met Windsor in January, 1931, at a party given by his lover, Lady Furness. Soon after, the prince fell deeply in love with the Baltimorean socialite, who was moving up in London society. Witty, incisive, acquisitive, and power-driven, Wallis became the prince's paramour and confidant while still married to Ernest Simpson.

By autumn of 1936, Windsor became convinced that he must marry Wallis, who had been granted a decree nisi and was awaiting a decree absolute to dissolve her marriage. The king intended to make her his queen, announcing his intent to British prime minister Stanley Baldwin. Baldwin objected on the grounds that Wallis was not acceptable as queen because of her divorced status and the king's position as titular head of the Church of England. The alternative of a morganatic marriage was suggested, in which Windsor and Wallis might marry and she not be queen but consort, but this would require a parliamentary bill. Put before the cabinet and the leadership of the dominions, this suggestion was rejected outright. International press had followed the scandalous love story for some time, and the British press finally broke its self-imposed silence on December 3, opening the situation to public uproar.

Some suggested that Windsor remain with Wallis as a lover, go ahead with the coronation, and perhaps marry someone else at a later date. On the surface, his decision to abdicate came down to a choice between true love and the throne, although there is evidence of additional complicating factors that may have forced the government's hand. Both Windsor and Wallis had developed sympathetic views of Nazism. Windsor's choice to step down elevated his brother, Albert, to the throne, even though the Windsors would continue to meet high-

ABDICATING FOR LOVE

On December 11, 1936, the day after he abdicated the British throne so that he could marry an American woman, the duke of Windsor addressed British citizens through a radio broadcast. He began with these words:

At long last I am able to say a few words of my own. I have never wanted to withhold anything, but until now it has not been constitutionally possible for me to speak.

A few hours ago I discharged my last duty as King and Emperor, and now that I have been succeeded by my brother, The Duke of York, my first words must be to declare my allegiance to him. This I do with all my heart.

You all know the reasons which have impelled me to renounce the Throne. But I want you to understand that in making up my mind I did not forget the country or the Empire which as Prince of Wales, and lately as King, I have for twenty-five years tried to serve. But you must believe me when I tell you that I have found it impossible to carry the heavy burden of responsibility and to discharge my duties as King as I would wish to do without the help and support of the woman I love.

level Nazi officials, including Adolf Hitler, who sent them a gift for their wedding on June 3, 1937.

Windsor's (Edward's) abdication speech was written by his longtime friend and legal adviser, Walter Monckton, who also drew up the Instrument of Abdication. This moving statement sealed history's commemoration of the romantic view of the event. It stated, in part, "I have found it impossible to carry the heavy burden of responsibility and to discharge my duties as King as I would wish to do without the help and support of the woman I love." It also dismissed any collusion of government against him. He signed the Instrument of Abdication on December 10, gave his speech to the nation the following evening, and by December 12 left England for Austria. Shortly afterward, he was given the title duke of Windsor.

IMPACT

The scandal surrounding the abdication of Edward VIII (Windsor) profoundly affected Britain's role during World War II, the relationship between British royalty and the press, and the line of succession that continued into the twenty-first century. Wind-

sor embodied the paradox of public persona, private individual, and monarch as no royal had during the modern era, but it was a paradox impossible to contain for long.

In its own way, the press declared war on its own long-held gentlemen's agreement not to expose the royal family's foibles and misdeeds. The appearance of the press placards on December 3, 1936, effectively ushered in the modern era of royal-family coverage that continues to range from investigative reporting to digging up possible scandals.

Viewing fascism as preferable to communism, Windsor threw his support behind the Nazis and likely would have supported Neville Chamberlain's appeasement policies, whereas his brother, George VI, fell in with Churchill's views. This ensured a unified monarchy

and government in the face of the looming Nazi threat and drew an absolute line between Britain and Germany. Although in exile from England, the Windsors continued to associate with various individuals of Hitler's party, but their support was effectively moot, especially once Britain declared war and they were dispatched to the Bahamas.

The task of restoring the image of the royal family fell to George VI and his queen, Elizabeth. Ironically, much of this occurred as a result of World War II, when the royal family refused to leave London and instead made a very visible presence of support and endurance to the people. Princess Elizabeth, later Queen Elizabeth II, served during the war. She continued to stabilize the public's view of the royal family, steering a steady course of tradition and accommodating change in the face of her own children's rocky marriages.

Wallis became duchess of Windsor when she married the duke of Windsor. The two never returned to England, a fact often attributed to direct intervention by George VI and Elizabeth. Windsor's desire that Wallis be given the title Her Royal Highness was never granted, and this upset Wind-

sor especially. He died from throat cancer in 1972, and Wallis lived another fourteen years alone in Paris.

The scandal attending Edward VIII's precedent-setting abdication left a legacy of royal romance, intrigue, and governmental intervention, and even an impression of what constitutes a noble action. Delving into any one of these areas opens up new debates about the only king ever to abdicate from the British throne.

—Jennie MacDonald

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March 17, 1937**ATHERTON REPORT EXPOSES SAN FRANCISCO POLICE CORRUPTION**

Edwin Atherton, a private investigator commissioned to investigate possible corruption and graft in the San Francisco Police Department, found that police officers were key figures in moblike shakedowns of prostitution houses and gambling halls. The soon-to-be-revealed scandal led to extorted earnings of about one million dollars each year for the corrupt officers and their superiors.

LOCALE: San Francisco, California**CATEGORIES:** Corruption; gambling; law and the courts; organized crime and racketeering; prostitution**KEY FIGURES**

Edwin Atherton (1896-1944), former U.S. foreign service officer and agent with the U.S. Bureau of Investigation

Matthew A. Brady (1876-1952), San Francisco district attorney, 1919-1943

Peter McDonough (1872-1947), San Francisco bail bondsman

Tom McDonough (fl. 1930's), San Francisco bail bondsman

SUMMARY OF EVENT

When John Lewis, a young tax collector, made an offhand remark about taxing the unreported income of officers with the San Francisco Police Department (SFPD), he had no idea his remark would end up as front-page news. In no time, the San Francisco County Board of Supervisors asked the San Francisco district attorney, Matthew A. Brady, to investigate Lewis's claim. In 1935, Brady hired Los Angeles-based Edwin Atherton, a retired U.S. foreign service officer and agent with the U.S. Bureau of Investigation (later the Federal Bureau of Investigation), to conduct the inquiry.

Following a sixteen-month investigation, Atherton's seventy-two-page report—described by some

as a cold, matter-of-fact document lacking moral fervor—explained how the officers of the SFPD charged prostitution houses and gambling establishments “fees” that added up to approximately one million dollars annually. As a result of the investigation, hundreds of officers were reassigned; three captains, three lieutenants, and one sergeant were fired; and several patrol officers were relieved of their duties. Five officers were indicted but were never convicted in a court of law.

Atherton began his investigation in November, 1935, and his report was released to the public on March 17, 1937. The district attorney instructed him to conduct a top-to-bottom inquiry of the SFPD to look for police graft and corruption, directing him to gather evidence that could lead to the firing and, if necessary, prosecution of any officers involved in such corruption. While it was expected that Atherton would find some corruption within the police department, the extent and seriousness of the illegal activities was much greater than originally believed.

Atherton began his investigation by examining the location of prostitution houses. He found that of the 135 known houses, the majority were located in three police districts. One area had so many houses of prostitution that residents were forced to place signs on their homes to indicate their house was a private residence rather than a business establishment. After interviewing persons connected to these establishments, many who agreed to speak “off the record” only, he found that each house of prostitution was required to pay officers a fee upon opening and a monthly fee thereafter. Atherton also found that officers were extorting money from hotels that were renting rooms to high-end call girls. The estimated income from these extorted fees was about \$325,000 per year. The money was distributed among captains, superior officers, and officers who were responsible for those police beats. The funds were divided according to the number of houses of prostitution within a police beat.

Atherton also learned that many of the San Francisco police officers were working with organized-crime brothers Peter and Tom McDonough, bail bondsman by trade who were involved in racketeering, prostitution, and gambling. Atherton discovered that the police were not only cooperating with the brothers in charging the prostitution houses but also accepting money for information about raids on establishments run by the brothers. The police would call the McDonoughs and tip them about a pending raid. With this knowledge, house employees would help to make the raid appear legitimate; however, all of the real assets and money would be taken away before the raid. The police tips also allowed for the prearrangement of bail, so arrested employees would not have to spend time in jail. The McDonoughs owned the deeply corrupt and highly profitable bail-bond company McDonough Bros., which was later implicated in the scandal. Atherton found that without the brothers, the corruption involving the houses of prostitution would not have been possible, at least not to the same extent.

Police officers also were involved in payoffs with the towing industry. An officer would work a car accident and call a certain garage for a tow truck. The garage would pay the officer \$2.50 and the garage would pass the charge on to the customer. Some garages, however, would try to outsmart the officers by using a police scanner to arrive at an accident before the police and stake claim. The officers, though, because they were “the law,” could easily persuade accident victims to use the police-recommended towing service, thus ensuring the receipt of payoff fees.

In addition to the organized criminal activities, police officers also were willing participants in petty graft. They willingly accepted free meals, drinks, and tickets to sporting events. Some would get free medical and dental services and clothes. Some officers interviewed by Atherton stated that failing to participate would lead to their ostracism by fellow officers. Alternatively, officers would protect each other in case of trouble.

The release of the Atherton Report was followed immediately by attempts to clean up the SFPD. First, the department had to weed out the corrupt officers

and their superiors. Although criminal charges were pursued wherever possible, officers most often were reassigned or were dismissed for conduct unbecoming. Interestingly, the Atherton Report included the claim that police departments can never be entirely free from corruption. It added, however, that corruption could be curtailed somewhat if certain crimes, such as gambling or prostitution, were legalized. Atherton defended this proposal for legalization by also suggesting that regulating these crimes could lead to increased state revenue through taxes, improved health conditions for prostitutes (and, thus, their johns), and a decrease in support for organized crime. As expected, these radical suggestions were met with fierce resistance. Several clergy, however, unexpectedly supported the recommendation.

IMPACT

The Atherton Report had two principal effects. First, it aired the dirty laundry of a corrupt SFPD. Police officers commanded little respect from the community after the report’s release, and the department as a whole took an emotional beating from the general public. It took years before San Franciscans could once again trust their police officers, especially those on the beat.

The Atherton Report also led to a new California law requiring the licensing of bail-bond companies. The corruption would not have worked without the McDonough brothers and their bail-bond company.

—Jennifer Hutchinson and Jeffery T. Walker

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September-October, 1937

PRESCRIPTION ELIXIR CAUSES MORE THAN ONE HUNDRED DEATHS

More than one hundred people, many of them children, died after taking a prescription drug known as elixir sulfanilamide, a new liquid form of the popular antibacterial drug sulfanilamide. Drug manufacturer S. E. Massengill sold the drug before performing pharmacological safety studies for toxicity. The scandal led to the passage of federal regulations aimed at curbing the unsafe manufacture and distribution of prescription and other drugs in the United States.

LOCALE: United States

CATEGORIES: Corruption; drugs; ethics; medicine and health care; science and technology

KEY FIGURES

Harold Cole Watkins (d. 1939), chief chemist for S. E. Massengill Company

Samuel Evans Massengill (1871-1946), director of S. E. Massengill Company

Frances Oldham Kelsey (b. 1914), University of Chicago pharmacologist

Walter Campbell (fl. 1930's), U.S. Food and Drug Administration commissioner

SUMMARY OF EVENT

In 1937, the pharmaceutical company S. E. Massengill developed and sold a new product known as elixir sulfanilamide in response to demand for a liquid form of sulfanilamide, a popular antibacterial drug sold in tablet and powder form as a treatment for streptococcal infections. Sulfanilamide was part of a class of drugs known as sulfonamides (sulfa drugs), which were the forerunners of modern antibiotics. At the time, reformers were pushing for new legislation to replace the obsolete 1906 Food and Drug Act, but that legislation was stalled in the U.S. Congress. Pharmaceutical companies faced little regulation in their attempts to develop new drugs, and they did not have to prove that their drugs were safe before putting them on the market.

Massengill's chief chemist, Harold Cole Watkins, developed elixir sulfanilamide when he dis-

ELIXIR OF DEATH

In a letter to U.S. president Franklin D. Roosevelt, a woman describes the painful death of her child, who had ingested the antibacterial liquid drug, elixir sulfanilamide, which had been prescribed to the child by a family doctor.

The first time I ever had occasion to call in a doctor for [daughter Joan] and she was given Elixir of Sulfanilamide. All that is left to us is the caring for her little grave. Even the memory of her is mixed with sorrow for we can see her little body tossing to and fro and hear that little voice screaming with pain and it seems as though it would drive me insane. . . . It is my plea that you will take steps to prevent such sales of drugs that will take little lives and leave such suffering behind and such a bleak outlook on the future as I have tonight.

Source: Quoted in Carol Ballentine, "Taste of Raspberries, Taste of Death: The 1937 Elixir Sulfanilamide Incident." *FDA Consumer*, June, 1981.

covered that sulfanilamide could be dissolved in diethylene glycol to create a liquid form of the drug. He then added raspberry flavoring and red coloring to improve the elixir's taste, smell, and appearance. Watson had not read the current medical literature on diethylene glycol and apparently did not know that the substance, commonly used as antifreeze, is a deadly poison that leads to kidney failure and a slow, painful death. No safety tests were required under existing drug laws, and Massengill did not conduct tests before shipping the elixir to fifteen U.S. states in September and October. The majority of the company's shipments went to Oklahoma and Mississippi. None of the bottle labels identified diethylene glycol as an ingredient.

In early October, the American Medical Association began receiving reports from Tulsa, Oklahoma, doctors about patient deaths from kidney failure following ingestion of elixir sulfanilamide. An anonymous tip alerted the U.S. Food and Drug Administration (FDA) to the developing problem. The University of Chicago began a study of the elixir, and pharmacologist Frances Oldham Kelsey

isolated diethylene glycol as the cause of the elixir's toxicity.

The FDA soon sent inspectors to Massengill's Bristol, Tennessee, headquarters and to its branch offices in other cities. Newspapers and radio announcements began to carry warnings against using the product. Massengill sent telegrams alerting salespeople, druggists and pharmacists, and doctors to return the product, but it did not warn that the elixir was toxic. The FDA insisted that the company send a second telegram stressing the deadly urgency of the situation.

The FDA then sought to track down and recall all shipments of the elixir, a difficult process for its field inspectors. State and local health officials aided in the search. The groups used shipping records and sales slips to track Massengill salespeople and the physicians and druggists to whom they had sold the product. They also sought to track down patients who had received prescriptions. Some druggists, however, had sold the elixir without a prescription, and some physicians lied to inspectors regarding patient deaths to avoid possible liability, which hindered the investigation. Most of the elixir, though, was recovered.

Scandal followed the deaths. Many of the victims were young children. The product's liquid form and raspberry flavoring made it a popular choice among parents treating children with sore throats. Symptoms of diethylene glycol poisoning include severe abdominal cramps and pain, nausea and vomiting, headaches, blindness, convulsions, coma, and kidney failure. Relatives recounted that victims often thrashed in severe, unrelenting pain for several days (sometimes up to twelve days) before dying. There had been no known antidote or treatment. Anguished parents wrote letters to U.S. president Franklin D. Roosevelt and First Lady Eleanor Roosevelt, describing their children's horrible deaths. Prescribing doctors agonized over the deaths of their patients.

The FDA could take no action against Massengill for selling an untested drug because the company had violated no laws. Company director Samuel Evans Massengill also claimed that the company had violated no laws in developing and

marketing elixir sulfanilamide and that it was not responsible for the resulting deaths. The only charge brought against the company was for misbranding: Products named an elixir had to contain alcohol, but elixir sulfanilamide had none. The company received the maximum fine allowed under the law: twenty-six thousand dollars. Without the charge of misbranding, the FDA would not have had the authority to track down and retrieve the distributed elixir. Massengill later fired Watkins, the chemist who had created the elixir. Watkins died after shooting himself while he was cleaning his own gun; many believe he committed suicide.

IMPACT

The widespread publicity and public outrage surrounding the elixir sulfanilamide scandal led to the passage of new, stricter standards for drug regulation in the United States. The public became much more cautious about the medicines it took and demanded that the federal government do more to protect consumers.

FDA commissioner Walter Campbell had been pressing for better federal regulation of drugs for years, and he used this scandal to highlight the importance of his cause. Shortly after the crisis, Congress enacted the Food, Drug, and Cosmetic Act of 1938. The FDA received greater authority to regulate drugs manufactured and sold in the United States and required that drugs pass certain tests before they could be marketed. Laws against misbranding and false labeling also became much more stringent after the scandal. Drug labels had to include the common names of all active ingredients, and penalties were increased for violations of the new standards. The act not only protected the public but also spurred new medical research.

—*Marcella Bush Trevino*

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October 11-22, 1937**DUKE AND DUCHESS OF WINDSOR VISIT NAZI GERMANY**

After the marriage of the former King Edward VIII of England and American socialite Wallis Simpson, the couple, now the duke and duchess of Windsor, took a much-criticized tour of Nazi Germany. They were personal guests of Adolf Hitler and met other high-ranking members of the Third Reich. The duchess was suspected of being a German agent at the time of the visit and after the beginning of World War II, and the duke was permanently in exile from England.

LOCALE: Germany**CATEGORIES:** Politics; international relations; royalty**KEY FIGURES**

Duke of Windsor (Edward Albert Christian George Andrew Patrick David Windsor; 1894-1972), king of Great Britain as Edward VIII, r. 1936

Wallis Simpson (Bessie Wallis; 1896-1986), duchess of Windsor

Adolf Hitler (1889-1945), chancellor of Germany and leader of the Nazi Party

Charles Bedaux (1887-1944), industrialist

Robert Ley (1890-1945), head of the German Labor Front and member of the Nazi Party

Hermann Göring (1893-1946), second in command of the Third Reich and leading member of the Nazi Party

SUMMARY OF EVENT

Following his abdication on December 10, 1936, Edward VIII, now the duke of Windsor, retired to Austria to await the decree absolute necessary to release American socialite Wallis Simpson, his lover, from her second marriage while she sat out the time in France. The divorce hearing was held May 3, 1937, and the decree absolute was granted. Plans whirled into place for the duke's wedding on June 3 at Château de Candé, home of Charles Bedaux and family. Gifts, including an inscribed gold box sent

by the chancellor of Germany, Adolf Hitler, poured in from across the globe.

The looming figures of Bedaux and Hitler would circumscribe the popular and diplomatic focus of attention on the Windsors for the rest of the year. The couple's association with Bedaux and Hitler—the former a French-born American millionaire and industry efficiency expert and the latter the leader of the Nazi Party of Germany, which was already threatening European peace—would shadow them for the rest of their lives. At Bedaux's urging, the Windsors initiated plans for a trip to Germany to be followed by a tour of the United States. Ostensibly, the two international visits were justified because of the duke's interest in the working conditions of the laboring classes. Nazi Germany's much-publicized public projects seemed the ideal place to start the trip.

The arrangements were made by German diplomat Fritz Weidemann in accordance with instructions from the Third Reich, possibly Hitler himself. The Windsors's schedule would ensure they saw only the best of Germany's systemized social welfare plan and keep the Third Reich's celebrated guests very much in the limelight. This schedule would serve the Third Reich by confirming public belief in the duke's support of the regime both in Germany and around the world. Back in England this notion caused great alarm, but although King George VI and his top advisers pressed for the Windsors to cancel their visit, the Windsors boldly defied them. On October 11, 1937, the duke and duchess boarded a train bound from Paris for Berlin.

Arriving at the Friedrichstrasse station in Berlin the same day, they were met by the third secretary of the British embassy. The exasperated powers in England decreed that only minimal attention would be given the visit to minimize the appearance that London sanctioned the trip. In the face of this snub, however, the Windsors were fêted throughout Germany. Their tour fell into three principal compo-

nents: meeting high-ranking Nazi officials, examining the labor practices under the new regime, and making public appearances ornamented by enthusiastic national sentiment fit for a royal visit in the form of cheering crowds and the prominent display of swastikas and the unmistakable Nazi salute.

Robert Ley, head of the German Labor Front, had been detailed to lead the Windsors's visit. The Windsors spent the first few days separately, occupied by activities their hosts deemed appropriate to their interests. At the Nazi Welfare Society, the duchess observed women sewing clothes for the poor. The duke was escorted to the Stock Machine Works at Grünewald, where he approved the many recreational facilities available for the workers, and to the training school of the Death's Head Division of the Elite School of the SS (the Nazi police), where the stars of the Hitler Youth prepared for their future roles as leaders of the movement. Together, the Windsors visited museums and socialized with leading figures of the Nazi Party.

The first dinner party the day after their arrival was hosted by Ley. Guests included Minister of Propaganda Josef Goebbels, Joachim von Ribbentrop, Artur Goerlitzer, SS leader Heinrich Himmler, and Rudolph Hess. On October 14, the Windsors were welcomed by Field Marshal Hermann Göring and his wife at their country estate, Karinhalle. While the duchess and Mrs. Göring toured the estate, the duke and Göring played with an elaborate toy train. In the library, the duke was shocked to see a large map of Europe upon which Austria had been collapsed into German territory.

On October 20, the duke at last had a taste of a family reunion at a dinner party hosted by his cousin, Carl Eduard, duke of Saxe-Coburg and Gotha. During the festivities, the duchess was curtsied by every lady and addressed as Royal Highness, just as the Windsors had envisioned happening during their lives together. These gestures, along with the reminder to the duke of his family's German heritage, surely made the evening a poignant one.

On the last day of their visit, October 22, Hitler invited the Windsors to Berchtesgaden. Accompanied by Hess and Paul Schmidt, Hitler's transla-

tor, and escorted by a multitude of detectives and SS officers, they were driven up the mountain to Hitler's hunting lodge. The führer, outfitted in a brown SS jacket and black trousers, his face a pasty white behind his mustache, greeted them, led them to the immense hall, and took in the view of the Alps from a window.

The duke and Hitler spoke privately, with Schmidt translating, although the duke had long been fluent in German. Both the duke and Schmidt later recalled the noncommittal tone of the conversation that focused on social welfare and the duke's ideas about English and German soldiers of the Great War creating a fraternal relationship. The visit ended pleasantly with Hitler remarking that the duchess "would have made a good Queen."

Upon their return to France, the Windsors continued planning their American trip. It was scuttled ultimately by the round rejection in the United States of Bedaux, who was seen as an enemy of workers, and by the complexities of receiving the couple whose German visit appeared to confirm their support for the Nazi regime.

IMPACT

The Windsors's visit to Germany generated a storm of controversy that contributed not only to the cancellation of the couple's U.S. visit but also permanent exile of the duke and perhaps to a minor degree the hardening of the Third Reich's attitude toward England. The duke's reasons for the trip were deeply personal but also tinged with political aspiration.

While the duke's interest in labor conditions formed a principal component of his travel plans, it is also likely he wished to give the duchess the opportunity to make the sort of state visit to which she might have become accustomed had he retained the throne of England and been able to escort her as queen. Additionally, the duke was aware of the tenuous relationship that existed between Germany and England and appears to have been eager to mediate peace as well as to secure a welcome return to his home country at a later time, when the scandal over his abdication and marriage had cooled.

A further consideration simmered in England—the duke’s desire to return to the English stage to influence politics and public sentiment. As-yet-unproven suspicions of the duchess’s role as a Nazi agent, the Windsors’s association with Hitler and other Nazi Party members, and their potential for stirring up the working classes and fomenting rebellion were largely responsible for their never being able to return to England.

—Jennie MacDonald

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SEE ALSO: Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; Apr. 22, 1942: French Prime Minister Pierre Laval Wants Germany to Win World War II; Dec. 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration; May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Dec. 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized; July 16, 1951: Belgium’s Disgraced King Leopold III Abdicates; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim’s Nazi Past Is Revealed; Dec. 18, 1989: Prince Charles’s Intimate Phone Conversation with Camilla Parker Bowles Is Taped.

May 22, 1939

KANSAS CITY'S BOSS PENDERGAST PLEADS GUILTY TO INCOME TAX EVASION

Thomas Joseph Pendergast, head of a Democratic political machine that dominated politics in Kansas City, Missouri, for more than thirty years, pleaded guilty to charges of income tax evasion and spent fifteen months in federal prison. After his conviction, his political machine never regained its former power and influence. Harry S. Truman, later a U.S. senator, vice president, and president, was associated with Pendergast in his early political career.

LOCALE: Kansas City, Missouri

CATEGORIES: Corruption; gambling; organized crime and racketeering; politics

KEY FIGURES

Thomas Joseph Pendergast (1872-1945), Kansas City political boss

Harry S. Truman (1884-1972), Jackson County, Missouri, judge, and later president of the United States, 1945-1953

James Pendergast (1856-1911), Kansas City businessman, political boss, and Thomas Pendergast's brother

SUMMARY OF EVENT

The Pendergast political machine dominated politics and municipal government in Kansas City, Missouri, and surrounding Jackson County from the 1890's through the 1930's. The Democratic machine was founded by James Pendergast, who owned a saloon-restaurant that doubled as a boarding house in a working-class area in the West Bottoms area of the city. Pendergast was elected to the city's board of aldermen in 1892. Eventually, his influence was great enough that other politicians sought his backing. By 1900 the Pendergast machine was powerful enough to get its own candidate, James A. Reed, elected mayor of Kansas City.

After Pendergast retired from politics in 1910,

his brother, Thomas Joseph Pendergast, was elected to the board of aldermen and became the head of the machine. The Pendergast machine reached its greatest height under "Boss Tom's" leadership. The machine controlled hiring for city jobs, the awarding of city contracts, and elections to many city and Jackson County government positions. Kickbacks from city and county employees and contractors doing business with the city funded the machine's social welfare activities, which sought to influence voters by providing for the needs of the poor or those facing health concerns, job loss, or other problems. During the mid- and late 1930's, federal investigations into extensive voter fraud and Thomas Pendergast's evasion of income taxes led to the decline and ultimate demise of the Pendergast machine.

During the early 1930's, Thomas Pendergast's political machine was at the height of its powers. Pendergast not only controlled politics and government in Kansas City and Jackson County but also ensured his candidate, Harry S. Truman, was elected as U.S. senator in 1934. The incumbent governor of Missouri, Lloyd C. Stark, also owed his 1936 election to a great extent to Pendergast's support. Additionally, President Franklin D. Roosevelt's administration funneled much of the funds for New Deal relief and public works programs through Pendergast's machine, giving him even more jobs and funds to hand out to patrons.

During the mid- and late 1930's, the Pendergast dynasty began to deteriorate. For decades, the machine had controlled Kansas City and Jackson County elections with remarkable efficiency. During the late 1920's, as the number of Republican votes in the metropolitan area began to grow, the Democratic machine added sixty thousand nonexistent or long-dead voters to the voting rolls. On election days, operatives paid by the machine voted under these names, often voting several times in

various precincts and receiving twenty-five cents per vote. City elections in 1936 were accompanied by so much open violence, voter intimidation, and voter fraud that there were calls for a federal investigation. Maurice M. Milligan, the federal district attorney in Kansas City, began an investigation into the voter fraud allegations in 1937.

As a result of investigations over the next two years, more than two hundred fifty operatives of the Pendergast machine were convicted of voter fraud and more than two hundred of those convicted spent time in jail. Initially, the machine showed little concern for these investigations. Demonstrating open contempt for the legal proceedings, the machine paid the fines of those who had been convicted and even paid salaries to those who were imprisoned, with the funds for this coming from a special assessment made on the gambling interests the machine controlled. The investigations and litigation associated with the voter fraud cases began to turn public opinion against the machine.

Truman, in the Senate by this point, tried to use his senatorial privileges to block the reappointment of Milligan as federal prosecutor in Kansas City. Truman attacked Milligan in a speech on the Senate floor in February, 1938. In this speech, he also attacked federal district judges Merrill E. Otis and Albert L. Reeves. Truman alleged that these judges, who had been appointed by Republican presidents Warren G. Harding and Calvin Coolidge, were the most "violently partisan" judges since the days of the Federalist appointees that troubled Thomas Jefferson. Truman claimed that Milligan and these judges were out to get Democrats. "A Jackson County Democrat has as much chance of a fair trial in the Federal District Court [in Kansas City] as a Jew would in a Hitler Court or a Trotsky follower before Stalin," Truman suggested. Ultimately, however, President Roosevelt insisted that Milligan be retained, and Truman backed down, allowing a voice vote in the Senate to approve the reappointment.

In addition to the voter fraud issue, the Bureau of Internal Revenue (now the Internal Revenue Service, or IRS) began an investigation of Pendergast's personal finances in 1938. There had long been rumors that Pendergast received payoffs, handled by

members of organized crime families, from businesses involved in illegal gambling, liquor, and prostitution. Investigators also heard rumors that Pendergast had received a large payoff for helping to broker a compromise on insurance-rate rebates that saved several large insurance companies millions of dollars. Investigators found that Pendergast had received about \$750,000 for this influence peddling, although much of that money was passed on to others as payoffs for their role in the compromise. Federal investigators also knew that Pendergast gambled heavily on horse races and apparently had ready access to large amounts of cash to pay his sizable gambling debts. Eventually, the investigation led to charges that Pendergast had failed to report approximately \$1.24 million in income over the previous decade. He was arraigned, and pleaded not guilty, on May 1 to two counts of income tax evasion.

Ever a realist, Pendergast knew the case against him was very strong and changed his plea to guilty on May 22. Judge Otis presided over this case and sentenced Pendergast to fifteen months in prison on the first count. On the second count, Pendergast received a three-year prison sentence and a \$10,000 fine. Otis, however, suspended the prison sentence on this count and substituted five years probation. Additionally, Pendergast was ordered to pay \$430,000 in back taxes and penalties and was forbidden to participate in any political activity unless his "full civil rights" were restored by a presidential pardon. Other people associated with Pendergast's machine also were convicted of income tax evasion. In the two years preceding his conviction, Pendergast had suffered a heart attack and undergone three abdominal surgeries; Otis said that he had taken Pendergast's poor health into consideration in determining the sentence. The sentences were met with public condemnation.

Pendergast died on January 26, 1945. Truman, who just days earlier had been inaugurated as vice president under Roosevelt, attended Pendergast's funeral against the advice of many who counseled him not to remind the public of his earlier ties to a corrupt political machine. Truman stated that Pendergast had "always been my friend and I was his."

Truman, however, always contended that Pendergast had never exercised undue influence on his own actions in the Senate.

IMPACT

Although the Pendergast machine continued to have some influence for a few years, it never recovered its power after the voter fraud convictions and Pendergast's conviction for income tax evasion. Many Pendergast appointees resigned or were forced from office in the following months. An investigation disclosed approximately three thousand people on the city payroll who had been hired by the machine but apparently did no work for their pay. In 1940, a political-machine-fighting coalition, the Citizen's Reform ticket, won most of the seats in the city election. Candidates backed by Pendergast's machine, however, still won in five of the city's sixteen wards.

Pendergast's friends and associates largely abandoned him after his release from prison, and his last years were spent in lonely isolation. Politics had been Pendergast's life, and being barred from participation in the political process was an especially bitter part of his punishment. Pendergast hoped that he would receive a pardon from President Roosevelt, but the pardon never came.

—Mark S. Joy

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Boss Pendergast Admits Income Tax Evasion

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SEE ALSO: 1904: Theodore Roosevelt Is Accused of Accepting Corporate Funds; Jan. 23, 1904: Senator Joseph R. Burton Is Convicted of Bribery; Dec., 1904: Boston Alderman Is Reelected While in Jail for Fraud; June 13, 1907: San Francisco Mayor Schmitz Is Found Guilty of Extortion; Jan. 13, 1913: Federal Judge Is Impeached for Profiting from His Office; May 30, 1923: U.S. Attorney General Harry M. Daugherty's Aide Commits Suicide; Oct. 22, 1923: U.S. Senate Begins Hearings on Teapot Dome Oil Leases; May 12, 1924: Kentucky Congressman John W. Langley Is Convicted of Violating the Volstead Act; May 3, 1950: U.S. Senate Committee Begins Investigating Organized Crime; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; Oct. 7, 1963: Vice President Lyndon B. Johnson Aide Resigns over Crime Connections; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; Oct. 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace; Nov. 13, 1986-May 4, 1989: Iran-Contra Weapons Scandal Taints Reagan's Administration; Nov. 2, 2006: Evangelist Kent Hovind Is Convicted of Federal Tax Violations.

February 6, 1942

FILM STAR ERROL FLYNN IS ACQUITTED OF RAPE

Despite being tried and acquitted for raping two teenage girls, actor Errol Flynn fortified a lasting reputation as a womanizer and modern-day Romeo. Many argue that the expression “in like Flynn,” a phrase suggestive of assured sexual success, stems from the sensationalism of Flynn’s rape trial in 1942.

LOCALE: Los Angeles, California

CATEGORIES: Law and the courts; sex crimes; public morals; Hollywood

KEY FIGURES

Errol Flynn (1909-1959), Tasmanian-born American actor

Jerry Giesler (1886-1962), defense lawyer

Betty Hansen (b. c. 1926), aspiring teenage actor

Peggy Satterlee (b. 1926), teenage dancer-actor

John F. Dockweiler (1895-1943), U.S. representative from California, 1933-1939, Los Angeles County district attorney, 1940-1943

SUMMARY OF EVENT

Film actor Errol Flynn had attended a party on September 27, 1942, at a Bel Air residence owned by silent-screen actor Colleen Moore and jointly leased by three others: Freddy McEvoy, a former Olympic bobsled champion, and actors Bruce Cabot and Stephen Raphael. Also attending the party was seventeen-year-old Betty Hansen. On the morning of October 11, two police officers—Lieutenant R. W. Bowling and Sergeant Edward Walker—arrived at Flynn’s home to question him on reports that he had had sexual intercourse with a minor child (which was a felony).

Police officers then went to juvenile hall to interview three young Warner Bros. employees: eighteen-year-old Armand Knapp, twenty-two-year-old Morrie Black, and twenty-year-old Joseph Gerald. All had been arrested for attacking Hansen after Flynn’s alleged assault.

Hansen told police that Flynn had forced himself

on her for intercourse, adding that she had protested his actions but ultimately did not resist. The case against Flynn, for statutory rape, first went before the Los Angeles grand jury on October 15 but was thrown out following a ruling that there was no criminal case.

Continuing private investigations by members of the district attorney’s office, however, eventually revealed an earlier complaint against Flynn for sexual intercourse with a minor. The name of Flynn’s accuser in this earlier complaint was Peggy Satterlee. Satterlee’s mother had lodged a complaint with the Los Angeles County Sheriff’s Department almost fourteen months earlier after an episode that occurred between her daughter and Flynn on Flynn’s yacht, *Sirocco*, on the weekend of August 2-3, 1941. Satterlee’s mother claimed that the actor had seduced her then-fifteen-year-old daughter. Police had investigated the accusations at the time but decided there was no case against Flynn; police also convinced the Satterlees not to pursue the case.

Even with the grand jury’s ruling in Hansen’s case in October, 1942, however, the newly elected district attorney, John F. Dockweiler, determined to pursue the actor. Dockweiler combined the two complaints (from Satterlee and Hansen) and filed his case on November 20.

Both Hansen and Satterlee testified for the prosecution. They were represented by Assistant District Attorney Thomas W. Cochran at a preliminary hearing before a grand jury. Cochran established the grounds of Hansen’s complaint: Flynn had escorted her into one of the upstairs bedrooms of the Bel Air mansion on St. Pierre Road, removed her clothing, disrobed (except for his shoes), and had sexual intercourse with her on one of the beds. The grounds of Satterlee’s complaint was that Flynn had twice forced himself upon her while she was a guest aboard his yacht in early August, 1941.

Flynn’s arraignment before Judge Edward R. Brand took place on November 23. Flynn pleaded not guilty to three counts of rape. His trial date was

set for January 11, 1943, and he secured his release after posting bail, which had been set at one thousand dollars. The trial, heard by Superior Court judge Leslie E. Still, would last twenty-one days. Flynn's defense lawyer, Jerry Giesler, who was retained by Warner Bros., shrewdly ensured that the jury comprised three men and nine women.

During trial, Giesler easily discredited the testimony of both Hansen and Satterlee. He was able to admit as evidence Hansen's previous sexual history, which essentially undermined the public role she was adopting as a chaste and innocent young woman. Black and Geraldini both testified to having had sexual intercourse with Hansen. Giesler also relentlessly challenged specific points of Hansen's testimony, including her claim that Flynn had locked the door of the bedroom in which the alleged rape had taken place. During his pretrial investiga-

tions, Giesler had had the door removed from the Bel Air mansion, introduced it into evidence, and substantiated that the lock had in fact been broken at the time of the incident, thus showing that it was not possible for Flynn to have locked the door, as Hansen had alleged.

Satterlee's allegations against Flynn were more serious: She claimed that Flynn raped her twice and that she had fought back each time. As in the case with Hansen, however, Giesler relentlessly challenged specific points of Satterlee's testimony. Giesler exploited Satterlee's job as a nightclub dancer and established that she often exaggerated her age to secure work. Her driver license had indicated that she was twenty-one years old.

Damaging the prosecution's case was Satterlee's testimony that she had seen the moon through a porthole of a cabin aboard *Sirocco* when Flynn



1940's

Errol Flynn, left, with his attorney, Robert Ford, at Flynn's 1942-1943 trial in Los Angeles for rape. (AP/Wide World Photos)

raped her. Giesler demonstrated that the moon could be seen that night only on the other side of the *Sirocco*; thus, he established that it was not possible for Satterlee to have seen the moon as she had testified. This point cast considerable doubt on her credibility.

More damning to the prosecution, and more sensational and scandalous, had been Satterlee's sexual history, admissible in this case under California law. Giesler had received an anonymous tip to investigate a figure from Satterlee's past: a former friend named Owen Cathcart-Jones. Cathcart-Jones, a Canadian pilot, was then forty-two years old. Giesler later admitted to manipulating Cochran into calling Cathcart-Jones as a character witness for Satterlee. This gave Giesler the opportunity to cross-examine Cathcart-Jones about an incident involving Satterlee at a Los Angeles funeral parlor. Cathcart-Jones testified that Satterlee had "frollicked" among a number of cadavers, removed sheets from bodies, peered at them, and on one occasion pushed her head down against the face of a deceased elderly man's body.

Perhaps the final blow to the prosecution's case, however, was when Satterlee confessed during cross-examination to having had an abortion before she had met Flynn. Abortion in the state of California was a felony at the time. Satterlee's declaration of guilt in this matter raised suspicion that she was testifying against Flynn to avoid her own possible prosecution for the abortion.

The jury returned its verdict after a twenty-four-hour deliberation. On February 6, 1943, jurors found Flynn not guilty on all three counts of rape.

IMPACT

Flynn's autobiography, *My Wicked, Wicked Ways*, was published the year he died. Many claim that Flynn originally wanted to call the book *In Like Me*, a play on the expression "in like Flynn," but that his publisher, G. P. Putnam's Sons, refused to do so.

Earl Conrad, in his biography *Errol Flynn: A Memoir*, claims that the phrase "in like Flynn" materialized because of Flynn's trial. Similarly, Thomas McNulty, in *Errol Flynn: The Life and Career*, implies that the phrase came to exemplify a

man's sexual skill in seducing a woman during the time that Flynn stood trial for rape—beginning around early January, 1943.

Incidentally, some sources claim Dockweiler, the Los Angeles district attorney, had had an ax to grind against Warner Bros. studio. Peter Stackpole, who had been on Flynn's yacht on the weekend of August 2-3 (the same weekend Satterlee was on the yacht), claimed that while two candidates were running for district attorney at the time, Warner Bros. backed one man for the job, and it was not Dockweiler. Others, such as Lionel Godfrey in *The Life and Crimes of Errol Flynn*, claim that Flynn believed Dockweiler to be morally vengeful toward Hollywood and that this resentment motivated Dockweiler to make an example of him.

—Nicole Anae

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SEE ALSO: Summer, 1936: Film Star Mary Astor's Diary Becomes a Public Sensation; Jan. 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; Dec. 12, 1957: Rock

Star Jerry Lee Lewis Marries Thirteen-Year-Old Cousin; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Jan. 13, 1992: Woody Allen Has Affair with Lover Mia Farrow's Adopted Daughter; June 27,

1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

February 19, 1942

PRESIDENT ROOSEVELT ORDERS INTERNMENT OF JAPANESE AMERICANS

The U.S. government relocated more than 100,000 persons of Japanese ancestry, including U.S. citizens, to internment camps during World War II. U.S. president Franklin D. Roosevelt, in the face of constitutional guarantees to equal treatment before the law for all citizens but pressured by national security concerns, signed the order of internment. Following the internments, the courts, the public, and the government came to recognize the relocations as racism.

LOCALE: United States

CATEGORIES: Racism; civil rights and liberties; government; espionage; law and the courts; social issues and reform; military

KEY FIGURES

Franklin D. Roosevelt (1882-1945), president of the United States, 1933-1945

Henry L. Stimson (1867-1950), U.S. secretary of war, 1940-1945

John L. DeWitt (1880-1962), military commander of the Western Defense Command

Gordon Kiyoshi Hirabayashi (b. 1918), University of Washington student

Fred Korematsu (1919-2005), resident of Oakland, California

Minoru Yasui (1916-1986), resident of Oregon

Mitsuye Endo (1920-2006), resident of Sacramento, California

SUMMARY OF EVENT

On December 7, 1941, Japanese warplanes bombed the U.S. naval base at Pearl Harbor, Hawaii. On the following day, the United States declared war with Japan. The declaration soon was followed by a fear that persons of Japanese ancestry living on the West Coast could assist Japan in attacking the U.S. mainland or could commit acts of sabotage. The U.S. government prepared a study of the issue for President Franklin D. Roosevelt.

The study, submitted to Roosevelt at the end of January, 1942, claimed that persons who might be loyal to Japan, including second-generation Japanese Americans, constituted an unacceptable risk in the western United States. Despite opposition from First Lady Eleanor Roosevelt, the president decided that "successful prosecution of the war requires every possible protection against espionage and against sabotage to national-defense material, national-defense premises, and national-defense utilities." On February 19, he issued Executive Order 9066, which authorized the U.S. secretary of war, Henry L. Stimson, to appoint a military commander to identify areas of the United States that should be placed under special restrictions. These restrictions included the relocation and internment of those deemed a threat to national security.

On February 20, Stimson appointed Lieutenant General John L. DeWitt as the commander of the Western Defense Command, comprising the three Pacific Coast states and Arizona. On March 2,

ROOSEVELT'S ORDER OF INTERNMENT

On February 19, 1942, U.S. president Franklin D. Roosevelt ordered the internment of all Japanese Americans living near the Pacific Coast. The majority of the internees were U.S. citizens.

Whereas the successful prosecution of the war requires every possible protection against espionage and against sabotage to national-defense material, national-defense premises, and national-defense utilities. . . . I hereby authorize and direct the Secretary of War . . . to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said Military Commander, and until other arrangements are made, to accomplish the purpose of this order.

DeWitt designated two military areas within the four states as subject to later restrictions. On March 18, Roosevelt issued Executive Order 9102, creating the War Relocation Authority, which was tasked with organizing the relocation of persons whose loyalty to the United States was questioned. On March 21, Congress criminalized violations of the orders of the president, the war secretary, or the military commander of the Western Defense Command.

Effective March 27, DeWitt ordered an 8 P.M. to 6 A.M. curfew for "alien enemies" of German, Italian, and Japanese ancestry and for all Japanese Americans in southern Arizona and the coastal areas of California, Oregon, and Washington. Orders were issued the same day requiring these newly classified "enemies" to report to designated sites, pending reassignment to detention camps.

The Japanese internees, two-thirds of whom were U.S. citizens, had no alternative but to comply and to sell all their possessions, including businesses and properties, before reporting to Civil Control Stations such as that at Tanforan Racetrack

in San Bruno, California, south of San Francisco. At Tanforan, the internees were housed in stables before being transported to various internment camps. Some thirty thousand internees were allowed, on a case-by-case basis, to leave the camps to live in states outside the military-controlled area during the war.

Some Japanese Americans, however, refused to comply with the orders, which they believed were unconstitutional. Gordon Kiyoshi Hirabayashi, a student at the University of Washington, disobeyed the curfew and refused to report to the designated Civil Control Station in Seattle. Minoru Yasui, a graduate of the University of Oregon, disobeyed the curfew order in Portland. After the two were arrested and convicted, they appealed to the U.S. Supreme Court, which ruled unanimously on June 21, 1943, that a rational basis existed for the curfew and the relocation orders. In its *Hirabayashi v. United*

States and *Yasui v. United States* rulings, the Court reasoned that the orders reflected the government's urgent need to act to prevent domestic acts of sabotage as well as a possible Japanese invasion of the U.S. mainland.

The Court would rule in other cases, but with a different legal outlook. Fred Korematsu, a resident of Oakland, California, had challenged the relocation order by refusing to report to Tanforan and be separated from his Italian American girlfriend. Mitsuye Endo of Sacramento, California, also had challenged her relocation order after being detained at the Tule Lake War Relocation Center in Central California. The Court issued rulings in both cases on December 18, 1944. Two days earlier, Japanese American soldiers, many of whom had been allowed to enlist in the Army after their relocation, fought bravely as members of the 442d Regiment, which notably relieved an American unit that had been trapped behind enemy lines during the Battle of the Bulge.

Although the Court upheld the validity of Korematsu's relocation order, the vote in the case of

Korematsu v. United States was 6-3, and the majority changed the basis of its decision from a rational-basis test to a rigid-scrutiny test, arguing that “all legal restrictions which curtail the civil rights of a single racial group are immediately suspect.” Although the majority ruled that national security considerations met the rigid-scrutiny test, dissenting justices decried the orders. It concluded that “racial discrimination of this nature bears no reasonable relation to military necessity and is utterly foreign to the ideals and traditions of the American people.”

Endo insisted on pressing her case, even though she had been offered resettlement east of the military area. The Court, in *Ex parte Mitsuyo Endo*, unanimously ruled that Endo should be discharged from the relocation center to return home to Sacramento. In accordance with War Relocation Author-

ity procedures, officials at the relocation centers had to segregate internees who were loyal from those who were disloyal. Endo had been one of the many considered loyal, so her petition for release from confinement was granted. However, by this time, all internees were free to leave. The camps were shut down beginning January 2, 1945, when the order was rescinded.

IMPACT

In 1948, Congress had authorized some monetary compensation for those who had been interned. Third-generation Japanese Americans, however, considered the 1948 compensations insufficient and pressured Congress for more action. In 1980, Congress set up the Commission on Wartime Relocation and Internment of Civilians to study the mat-



1940's

Entrance gate to the Manzanar War Relocation Center near Independence, California, along the eastern Sierra Nevada. (Library of Congress)

AN OFFICIAL APOLOGY

In 1988, the U.S. Congress passed the Civil Liberties Act, which granted reparations and a formal apology to those persons who were interned by the U.S. government during World War II.

The Congress recognizes that, as described in the Commission on Wartime Relocation and Internment of Civilians, a grave injustice was done to both citizens and permanent residents of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II.

As the Commission documents, these actions were carried out without adequate security reasons and without any acts of espionage or sabotage documented by the Commission, and were motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership.

The excluded individuals of Japanese ancestry suffered enormous damages, both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering for which appropriate compensation has not been made.

For these fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry, the Congress apologizes on behalf of the Nation.

ter. On February 24, 1983, the commission's report, *Personal Justice Denied*, recommended further redress, characterizing the internment as "unjust and motivated by racism rather than real military necessity."

On November 10, 1983, Korematsu's conviction was overturned in a federal court, which found that the federal government had knowingly altered, suppressed, and withheld important and relevant information from the Supreme Court in its earlier case on Korematsu. Hirabayashi's convictions were reversed as well in later rulings.

In 1988, Congress officially apologized for its actions, which, it agreed, were based on "race prejudice, war hysteria, and a failure of political leadership." It authorized \$1.2 billion in reparations to survivors of the internment camps, amounting to \$20,000 (at minimum) for each former detainee. In

1992, when Congress provided an additional \$400 million in benefits because the \$1.2 billion fund had run out, President George H. W. Bush issued another official apology.

The most important legal impact was to establish the principle of "strict scrutiny," that is, that no government action or law can ever treat individuals in a different matter on the basis of ancestry or race. Although national security considerations met that test during World War II, separate drinking fountains for blacks and whites in the South, for example, did not. Korematsu's case, therefore, provided a foundation for dismantling racial segregation throughout the United States after the war. Ten years later was the landmark Court decision in *Brown v. Board of Education*, which began the desegregation of public schools.

—Michael Haas

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SEE ALSO: July 28, 1932: U.S. Troops Drive World War I Veterans from Washington; Feb. 9, 1950: U.S. Senator Joseph McCarthy Launches Communist Witch Hunt.

April 22, 1942

FRENCH PRIME MINISTER PIERRE LAVAL WANTS GERMANY TO WIN WORLD WAR II

French prime minister Pierre Laval was infamous for his collaborationist policies toward Nazi Germany during the opening months of World War II. After regaining his ministerial position—in part because of German pressure—Laval publicly declared his hope for a German victory. His name thereafter became synonymous with pro-German policies of the Vichy France government.

LOCALE: Vichy, France

CATEGORIES: International relations; government; politics; military

KEY FIGURES

Pierre Laval (1883-1945), prime minister of France, 1931-1932, 1935-1936, 1940, and 1942-1944

Philippe Pétain (1856-1951), military general, prime minister of France, 1940, and chief of state of Vichy France, 1940-1944

Charles de Gaulle (1890-1970), military general and president of the French Republic, 1959-1969

SUMMARY OF EVENT

A four-time prime minister of France, Pierre Laval gained notoriety during World War II for his enthu-

siastic cooperation with the Germans. He had served as prime minister twice during the 1930's and then returned to office in July, 1940, after the German occupation. He was dismissed by the head of state of Vichy France, Philippe Pétain, in December but returned because of German pressure in 1942.

On April 22, Laval delivered an infamous speech declaring his hope for a German victory over the Allies. Although this sentiment endeared him to German officials, it also sealed his fate as a traitor. As a result, Laval was tried and convicted of high treason for his collaboration with the Nazi occupiers and was executed by firing squad on October 15, 1945.

Born on June 28, 1883, Laval was involved in socialist politics from an early age. He then earned a law degree and began practicing law in Paris in 1907. After military service in World War I, Laval became mayor of Aubervilliers, a suburb of Paris, in 1924, and his political power and connections steadily increased at the national level. By 1927 he was elected to the French senate followed by a short period where he held no office, and he was elected prime minister in 1931. In addition, he was named *Time* magazine's Man of the Year in 1931.

Ironically, Laval formulated a number of anti-

German policies and strategies as prime minister during the mid-1930's. He rightly feared German aggression, which he considered a hereditary enemy of France, and pursued alliances with Italy and the Soviet Union to counter a possible German threat. However, some of those treaties, particularly the Hoare-Laval pact with Italy, which was designed to enhance Italian colonial aims in Africa, were perceived in France as appeasements rather than bilateral diplomacy. As a result, Laval was forced to resign in January, 1936, and was run out of ministerial politics. Laval instead went into private business, creating a commercial enterprise based on newspapers, printing, and radio.

After the fall of France in June, 1940, Laval used his media empire to become an energetic Nazi collaborator and active supporter of the pro-German Vichy regime. He also developed a close working relationship with Otto Abetz, the German ambassador to France. In July, Laval became vice premier and named Fernand de Brinon, a known Nazi sympathizer, to head the surrender negotiations between France and Germany. Laval exhibited additional conciliatory policies in the summer of 1940 by working as an auxiliary between Marshal Pétain and Adolf Hitler, who thereby solidified the collaborationist policy of the new Vichy France government. Laval augmented his personal cooperation with the Nazis that fall in his proposition to move the Vichy France capital back to Paris so it could be under closer German surveillance and by suggesting a joint German-French military alliance.

Laval's radicalism and growing unpopularity, however, led to his removal by Pétain in December, after which he left France for Germany and lived under the protection of that government. On August 27, 1941, French nationalist student and former Croix-de-Feu (far-right league) member Paul Collette seriously injured Laval in an assassination attempt that took place while Laval was seeing off French troops in the German army who were preparing for Operation Barbarossa against the Soviet Union. On April 18, 1942, after his recovery, Laval was recalled to France to serve as prime minister of the Vichy government.

As he had in 1940, Laval continued to privately and publicly believe in the probability of an Axis victory (or a German victory over the Soviet Union at minimum) when he reentered public office in the spring of 1942. Still, his faith in German success also involved a personal agenda. Thus, the prime minister wasted little time in expressing his loyalties and clearly articulated his opinion on the war in a letter to American admiral William D. Leahy on April 22, in which he claimed to prefer a German victory over a Soviet and English one. In the event of a Soviet victory, Laval maintained that Bolshevism would inevitably disperse throughout Europe, and he would much favor the status quo of German domination. In other words, as Laval saw it, post-war France would be under either a Soviet or German sphere of influence, and he much preferred the latter. Laval also explained to Leahy on April 22 that he felt the war had become an ideological struggle between democracy and totalitarianism. Laval then asserted that it was not necessary for France to take sides and that his foremost concern was the safety of his country.

As a German collaborator, however, Laval also understood the personal consequences for him in the event of an allied victory, and he kept his own security in mind. Laval knew his safety was assured only with a German victory. He confessed his fear of being hanged by the Allies in a September letter to Jacques Barnaud. Still another part of Laval's thought process might have been his anti-Anglo attitudes, as he blamed Britain for the war and the predicament of France. Moreover, Laval had no desire for an allied occupation of France, as he feared both British control and the prospect of France becoming a battlefield.

It is clear, however, that even though the United States had entered the war on the side of the Allies, Laval wished to maintain good relations with the Americans, whose friendship he considered vital to France. In fact, part of the basis for Laval's sometime opposition to a German presence within the French empire was that it would have a damaging effect on U.S.-French diplomatic relations.

After the Anglo-American recapturing of France in the summer of 1944, Laval followed the relo-

cated Vichy government to Sigmaringen, Germany. In May, 1945, he fled Germany and was captured by allied forces in Austria. French general Charles de Gaulle then handed Laval, now a political prisoner, to the new French government in July. Acting as his own defense, Laval nevertheless was found guilty of high treason and violating state security. After an unsuccessful suicide attempt involving the ingestion of cyanide, he was executed by firing squad at Fresnes prison, outside Paris, on October 15.

IMPACT

Laval's infamous legacy as prime minister is also associated with a rise in French anti-Semitism and the deportation of thousands of French Jews to Germany, his collaboration with the Gestapo against the French Resistance, and the decision to send French workers to Germany to labor in the latter's war industries in exchange for French prisoners of war. Contemporaries also accused Laval of exploiting his political office to advance his personal fortune.

By the time of his death, Laval's reputation was already solidified in French posterity. His wartime actions, as well as five years of allied propaganda against him, had painted the popular image of a self-serving traitor. Historians, however, have reconsidered Laval's place in history since 1945, and a minority alleges that his sometime thwarting of German demands entitle him to be considered a member of the Resistance. Academics also admit that Laval had a unique vision of European unity and a vocalized fear of Soviet communist expansion, both of which might have been well ahead of their time. Clearly, part of his desire for German victory was directly linked to his desire for Soviet and British defeat.

Most historians, however, agree that, from the point of view of French wartime interests, Laval was a loyal collaborator from the very outset. Above all, the wartime culpability of Laval, along with Pétain and others, is representative of collaborationist politicians and administrators whose ac-

tions were detrimental to both the allied war effort and French unity.

—Matthew E. Stanley

FURTHER READING

Burrin, Philippe. *France Under the Germans: Collaboration and Compromise*. New York: New Press, 1995. A judicious and comprehensive overview of French politics and society during World War II. Burrin's study pays particular attention to the divisive nature of German occupation.

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Paxton, Robert O. *Vichy France*. New York: Columbia University Press, 2001. Effectively expresses how support for the government of Vichy France was predicated on German military success.

Warner, Geoffrey. *Pierre Laval and the Eclipse of France*. New York: Macmillan, 1968. A well-crafted, straightforward, and resourceful biography of Laval.

SEE ALSO: July 12, 1906: French Court Declares Alfred Dreyfus Innocent of Treason; Oct. 11-22, 1937: Duke and Duchess of Windsor Visit Nazi Germany; Dec. 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration; May 9, 1945: Norwegian Politician Quisling Is Arrested for Nazi Collaboration; May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Dec. 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim's Nazi Past Is Revealed; Dec. 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed.

December 5, 1942

INDUSTRIALIST CHARLES BEDAUX IS ARRESTED FOR NAZI COLLABORATION

Charles Bedaux and his wife, Fern Bedaux, were arrested in Algiers by occupying U.S. troops and charged with treason for collaborating with the Nazis before and during World War II. His arrest brought an end to his remarkable rise from the red light district of Paris to the halls of industry and government on two continents. He was found dead from an apparent suicide before the start of his trial.

LOCALES: Algiers, Algeria; Miami, Florida

CATEGORIES: Atrocities and war crimes; business; government; murder and suicide; law and the courts

KEY FIGURES

Charles Bedaux (1886-1944), French-born

American millionaire and business consultant

Fern Bedaux (1888-1974), Bedaux's wife

SUMMARY OF EVENT

A year after his arrest in Algiers, Algeria, on December 5, 1942, Charles Bedaux was sent for trial to a border-patrol station in Miami, Florida. The morning after he was told that he would be tried for treason, he was found dead from an overdose of sleeping medication in an apparent suicide. The note found with his body included the unexpected explanation of how he had come into possession of so much medication. Skeptics question the suicide and claimed his death was a murder, pointing out that many of Bedaux's important and powerful friends in government and industry would have welcomed his death out of fear they would be implicated had he testified in his own defense.

Bedaux was born in 1886 to a middle-class family in Charenton, a Paris suburb. As a young dropout, he drifted into the employ of a pimp in the Pigalle district of Paris and quickly discovered his remarkable talents for persuasion. He began to re-

cruit young ladies for his mentor, Henri Ledoux, after Ledoux was murdered in 1906. Feeling unsafe in Paris, Bedaux quickly emigrated to the United States. He was nineteen years old.

Penniless and speaking no English, Bedaux worked as a laborer and salesperson in New York City. He became a U.S. citizen, got married, and had a son, but he left his new family for the mid-western United States. He taught French and worked at various jobs while he learned English and sharpened his salesmanship. He then worked as a lab assistant for a St. Louis, Missouri, chemical manufacturer, who implemented his suggestions for improving efficiency at the company. The experience showed him a way to capitalize on the inefficiencies of the manufacturing process, and he set out to become a management consultant.

By 1917, Bedaux had been working as a management consultant in Grand Rapids, Michigan, where he met Fern Lombard, the daughter of an attorney. They were married on July 13, and Fern remained at his side until 1942, when they were both arrested in France as enemy aliens by the occupying Germans.

After their marriage, Bedaux and Lombard moved to Cleveland, Ohio, where Bedaux became one of the founders of the management consultancy industry in the United States by establishing the Charles E. Bedaux Company. By 1925, he was a millionaire, and at his peak in 1934, he had one of the top five incomes in the United States, his company had offices in eighteen countries, and he counted companies such as Campbell's Soup, Du Pont, General Electric, B. F. Goodrich, and Kodak among his six hundred clients. Bedaux's name shares company with seminal management and industrial-engineering figures such as Frederick Winslow Taylor and Frank Gilbreth.

After the Nazis shut down his company in Germany in 1934, Bedaux immediately traveled there to restore its operation. His efforts were unsuccessful.

ful, but he did manage to establish ties with some highly placed Nazi officials. When the Nazis asked his opinion on Adolf Hitler and Italian dictator Benito Mussolini, he called them both great leaders. He also did Hitler a personal service when he learned that Hitler was embarrassed by the presence in Germany of his Jewish World War I superior. Bedaux removed the man from Germany by opening a Bedaux company office in Turkey and hiring him as its director.

Resistance to the Bedaux system in the United States came from American labor. Strikes were called against his clients, and his system was often attacked as an inhuman speed-up system. While he was faced with these problems in Germany and the United States, he thought of a way to elevate his reputation and the worldwide prestige of his company: He would host the wedding of the century.

Bedaux owned the luxurious Château de Candé in the Loire Valley of France. He had modernized the château and made it a playground for the rich and famous, placing himself and Fern in the very center of European society, where they met industrial and political leaders, film stars, and the royalty of Europe. When King Edward VIII of Great Britain abdicated his throne in 1936 to marry an American, Wallis Simpson, Bedaux persuaded Edward to have the wedding at Candé.

Shortly after the 1937 marriage of the former monarch, Bedaux organized a twelve-day tour for him of working conditions in Germany. Now known as Prince Edward, duke of Windsor, he was warmly received by the German people and by the government of the Third Reich. Apparently as a direct result of the tour, Bedaux's company in Germany was restored, and the Nazis were so pleased with Edward's performance that they paid the expenses for the entire tour.

Flushed with the success of the tour in Germany, Bedaux organized a similar tour of the United States for Edward. Because of resistance from labor and a cool reception by President Franklin D. Roosevelt's administration, however, the American tour was canceled. In addition, because of his publicized Nazi connections, Bedaux was forced to sever his connection with the company he had founded. In

1937, pursued by the U.S. Internal Revenue Service for back taxes and facing a lawsuit by a former mistress, Bedaux and his wife returned to Europe under assumed names.

German troops entered Paris in 1940, and Bedaux agreed to staff the Paris office of Nazi interior ministry officer General Franz Medicus. A short time later, the Germans asked Bedaux to oversee the installation of the Bedaux management system in the French coal mines. Bedaux was credited with convincing German and French Vichy government officials in early 1941 to build a trans-Sahara railroad. He proposed that they build a pipeline alongside the railroad, which would supply water during construction and could be used to move inexpensive peanut oil across the desert to Europe after the railroad's completion, thereby aiding the war effort of the Axis powers.

Bedaux's fortunes fell when the United States entered World War II. He and his wife refused a chance to return to the United States, choosing instead to remain in occupied France. In September, 1942, they were arrested by the Germans as enemy aliens. Bedaux's friend in the interior ministry, General Medicus, arranged their release, and Bedaux left immediately for North Africa. He was forced to leave his wife, who was placed under house arrest, in France.

Following the allied invasion of North Africa and the subsequent occupation of Algiers, U.S. military intelligence traced the railroad and pipeline projects directly to Bedaux. He was arrested on December 5 and held in a suburb of Algiers for one year before being sent to Miami to stand trial. On February 17, 1944, Bedaux was informed that he would be tried for treason. The next morning, he was found dead from an apparent suicide.

IMPACT

Debate remains as to whether Bedaux was a dedicated altruist or an unscrupulous egoist dedicated to his own self-interest. He certainly was one of the most colorful characters in the first half of the twentieth century. His arrest ended a critical relationship between Bedaux the industrial genius and Hitler the dictator. Hitler's plans for world domination relied

on the expertise of major industrialists, such as Bedaux, and wealthy financiers, all willing to help him succeed. Bedaux's management system would have been a significant element in Hitler's rise to power.

—Wayne Shirey

FURTHER READING

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Pool, James. *Hitler and His Secret Partners: Contributions, Loot, and Rewards, 1933-1945*. New York: Pocket Books, 1997. Pool focuses on the sociopsychological and cultural aspects of Hitler's rise to power. Discusses Hitler's connections with major industrialists and financiers in Germany, including a brief mention of Bedaux.

SEE ALSO: Oct. 11-22, 1937: Duke and Duchess of Windsor Visit Nazi Germany; Apr. 22, 1942: French Prime Minister Pierre Laval Wants Germany to Win World War II; May 9, 1945: Norwegian Politician Quisling Is Arrested for Nazi Collaboration; May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Dec. 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim's Nazi Past Is Revealed; Dec. 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed.

January 14, 1943

FILM STAR FRANCES FARMER IS JAILED AND INSTITUTIONALIZED

American film star Frances Farmer was stopped by police for a traffic violation and found to be drunk and driving without a license. She argued with police and was arrested, convicted, and put on probation. When she failed to show up for her probation officer, she was taken to the Hollywood police station; she listed her occupation as "cocksucker." After a violent episode in court, Farmer was taken away in a straitjacket and later put in a mental institution. It is the scandal of Farmer's life after Hollywood that remains her most lasting legacy.

LOCALE: Santa Monica, California

CATEGORIES: Law and the courts; public morals; psychology and psychiatry; Hollywood

KEY FIGURES

Frances Farmer (1913-1970), American actor
Lillian Van Ornum Farmer (1874-1955), mother of Frances Farmer

SUMMARY OF EVENT

By 1942, the fortunes of Frances Farmer, a talented Hollywood actor who had risen to fame in the previous decade, had begun to decline. She no longer had first-rate roles in successful films. She had achieved a reputation of being difficult to work with and of throwing temper tantrums on the set. As a result, she had an erratic work history. A volatile person, she also was behaving eccentrically, showing signs of stress, alcoholism, and instability. In October, she was arrested while on her way home from a party.



Frances Farmer after her arrest for driving while drunk.
(AP/Wide World Photos)

Farmer was driving with her lights on in a “dim-out” wartime area in Santa Monica, California. She was tried for driving without a license and driving while drunk and was sentenced to 180 days in jail (a sentence that was suspended) and fined five hundred dollars. After paying only half of the fine and promising to pay the remainder later, she left for Mexico to work on a new film.

In two weeks, Farmer was back in Southern California, having quit the film in Mexico and leaving yet another contract unfulfilled. She soon discovered that in her absence, her belongings had been moved out of her house and into a hotel because of her dwindling resources. In January, 1943, Farmer began a new role in *No Escape*. On January 13, while on the set, she slapped a hair stylist. The stylist, who was knocked to the ground and was injured, notified police. Police officers already had been alerted to her failure to complete her previous legal

Frances Farmer Is Jailed and Institutionalized

obligations. She fought with police officers when they arrived at her residence the following day. They arrested her for assault and for violating her probation. In court, she was a shocking figure—defiant, disheveled, and belligerent. When denied a call to an attorney, she harassed the judge, assaulted a court matron and two police officers, and was carried out of the courtroom, screaming.

Farmer was transferred to the psychiatric ward of Los Angeles County General Hospital and was placed under the care of a psychiatrist, with whom Farmer refused to cooperate. He diagnosed her with manic psychoses and had her moved the next day to Kimball Sanitarium in La Crescenta, in the foothills north of downtown Los Angeles.

Farmer’s life had been considered scandalous long before the episodes of the early 1940’s. In high school, she had written the essay “God Dies!” for a *Scholastic* magazine contest and won one hundred dollars. Public outcry was swift, and it revived four years later when she sold subscriptions to a leftist magazine and won a trip to the Soviet Union. Farmer considered this trip an opportunity to visit the New York theater scene, the object of her greatest ambition. Her mother, Lillian, opposed the trip to New York, but Farmer did go to Moscow. Her mother maintained later that Farmer’s insanity arose from her close contact with communism.

Soon after her return from Moscow to New York, Farmer had found an agent, passed a screen test, and landed a part in a Paramount studios feature film. In Hollywood, she made four films rather quickly, moving into a significant part in *Come and Get It* (1936), a film directed by Howard Hawks, who was impressed with her performance. She flew back to Seattle for the film’s world premiere and was the “Cinderella girl” of her hometown. However, at the height of this achievement, her personal life began to ebb.

Farmer had married actor Leif Erickson earlier that year and soon separated in what began a life-long pattern of moving from one relationship to another. She went to New York and was given the part of the female lead in the Group Theater’s production of Clifford Odet’s *Golden Boy*, whose phenomenal success owed no small debt to Farmer’s bril-

liant performance. The play ran for two hundred fifty performances and then toured the United States. Farmer had fallen in love with Odets, but her tumultuous relationship with him ended with the return of his wife from Europe. Farmer's position with the play was terminated when it began its European tour.

Farmer's life began to unravel. Drinking heavily and dependent upon amphetamines to control her weight, she returned to Hollywood—a place she criticized heartily—and accepted several smaller roles in less important films. She continued to display eccentric and temperamental behavior, which led to her being shunned by a growing number of directors, or replaced by other actors. She eventually was neglected by major studios altogether. After the devastating plunge in her career, she spent a great deal of time by herself in 1942, drinking and attempting to write her memoirs in an effort to cleanse herself. She reportedly became involved in several altercations prior to her infamous arrests of October, 1942, and January 13, 1943.

IMPACT

The scandal of Farmer's life after Hollywood remains the most lasting legacy of her career. She remained at Kimball Sanitarium in La Crescenta for more than seven months while being treated with insulin shock, a treatment so horrible that her mother finally secured her release. Mother and daughter then returned to Seattle, where after six months of fighting each other, Farmer's mother had her declared insane and sent to the Harborview Hospital for observation. In March of 1944, at a King County Commission sanity hearing, two psychiatrists said she was legally insane, and she was committed to Western State Hospital at Steilacoom, Washington.

Farmer's stay at Steilacoom provided the basis for even more scandals. For the mentally insane housed there, electroshock therapy was the most widely used technique, and Farmer reportedly received two or three applications per week for a period of three months. Farmer also was forced into so-called hydrotherapy, wherein she was placed in an ice bath for between six to eight hours. Said by

authorities to be cured, she was dismissed, only to be recommitted by her mother, into whose custody she had been placed, in the spring of 1945. She was to remain in this hospital for over five years.

In the dilapidated, decaying state hospital that was understaffed, whose requests for funding were mostly ignored, and in which patients were kept in bed twelve hours a day for want of supervision, Farmer reportedly endured even more electroshock treatments. In 1947, Walter G. Freeman, a prominent Washington, D.C., neurosurgeon and psychiatrist, arrived in Steilacoom to demonstrate the newly developed process called transorbital lobotomy, which was demonstrated on several patients at Steilacoom. During this procedure, "simplified" by Freeman, he inserted an icepick under a patient's eyelid and then into brain tissue. Freeman performed this procedure on thirteen patients, one of whom he identified as Farmer; a picture, allegedly taken during the process, was circulated to the media.

The scandal of Farmer's treatment at Steilacoom continued after her death in 1970 in a controversial biography of Farmer called *Shadowland* (1982), written by William Arnold. Arnold contends in the book that in addition to the lobotomy, Farmer was kept for hours in a straitjacket and was chained to her cell. She was chewed by rats, raped and gang-raped, and used as a guinea pig for experimental drugs. Arnold later retracted his claims. Three feature films and a documentary were made using Arnold's biography as a basis for their representations of Farmer's life. Her scandals were perpetuated through popular song lyrics and by artists assuming her persona or her name.

—Mary Hurd

FURTHER READING

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Farmer, Frances. *Will There Really Be a Morning?*

An Autobiography. New ed. New York: Dell, 1982. Farmer's posthumously published autobiography, often criticized for its sensationalism. Ghostwritten by Farmer's friend, Jean Ratcliffe.

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SEE ALSO: Jan. 20, 1933: Hedy Lamarr Appears Nude in the Czech Film *Exstase*; Summer, 1936: Film Star Mary Astor's Diary Becomes a Public

Sensation; Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; May 27, 1949: Actor Rita Hayworth Marries Aly Khan After Adulterous Affair; Feb. 7, 1950: Swedish Film Star Ingrid Bergman Has a Child Out of Wedlock; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; 1978: Actor Joan Crawford's Daughter Publishes Damning Memoir, *Mommie Dearest*; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; July 26, 1991: Comedian Pee-wee Herman Is Arrested for Public Indecency; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Apr. 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

February 23, 1943

IRISH ORPHAN SCHOOL FIRE KILLS THIRTY-FIVE GIRLS

St. Joseph's Orphanage and Industrial School in Cavan, Ireland, was a home for orphaned girls and was run by Roman Catholic nuns. One night, a fire ignited in the basement laundry room. The blaze engulfed the school and the dormitories, where the girls slept. While the fire spread, the nuns reportedly encouraged the local people to help put out the fire rather than evacuate the children. As a result, thirty-five girls and one elderly woman were killed. An inquiry followed and the nuns were officially absolved of any wrongdoing; however, concerns and speculations about their actions remained.

LOCALE: Cavan, Ireland

CATEGORIES: Education; families and children

KEY FIGURES

Bridget O'Reilly (fl. 1940's), nun at St. Joseph's Orphanage who was in charge of most of the girls who perished in the fire

Margaret Harrington (fl. 1940's), nun at St.

Joseph's Orphanage who rescued most of the girls under her care

Sean McEntee (fl. 1940's), local government minister who called for a formal inquiry into the fire

SUMMARY OF EVENT

Located in Cavan, Ireland, sixty-three miles northwest of Dublin, St Joseph's Orphanage and Industrial School was considered to be one of the best industrial schools in the country. Children could be committed to industrial schools if they were orphaned, destitute, or in need of care and protection. Originally, industrial schools admitted children between the ages of six and sixteen, and St. Joseph's began accepting babies during the late 1930's. Under the terms of the Education Acts at the time, girls were supposed to stay in school until they were fourteen years of age. Many of the older girls were retained by the nuns at St. Joseph's to clean, wash,

cook, and embroider at the convent. The orphanage, school, and convent were run by an enclosed order of Poor Clare nuns. Most industrial schools at the time were run by religious orders, but it was unusual that one would be run by a closed order.

On the night of February 23, 1943, a fire started in the basement laundry room of the orphanage. The blaze spread quickly from the laundry room to the refectory and classrooms. Alerted by the smoke, the nearby townspeople rushed to St. Joseph's to render aid. The first responders were asked to concentrate their efforts on containing what they thought was the source of the fire, and they were provided with fire extinguishers brought from the refectory by the nuns. Most of the children were still in the dormitories and the flames moved rapidly through the building. The children in Our Lady's dormitory, on the first floor and under the care of nun Margaret Harrington, were able to flee the building, but the girls in St. Clare's dormitory, on the second floor and under the care of nun Bridget O'Reilly, were trapped. Many rescuers attempted to reach the children, but the wooden staircase inside the building was engulfed in flames. Moreover, a thick blanket of smoke made rescue efforts from inside the building impossible.

Outside, the residents of Cavan battled the fire. Newspaper articles reported that women knelt in the streets and prayed while men attempted to rescue the children. Shortly after the fire began, members of the town's fire brigade arrived with a handcart and hose. The apparatus, however, was leaking so badly that there was little water pressure and the hose was useless. Meanwhile, others ventured into the town to find ladders that were long enough to reach the second floor dormitory. The ladders that were returned were in disrepair and either fell apart or did not extend far enough to reach the windows. The girls in St. Clare's were encouraged to jump from the dormitory window. A few jumped but suffered terrible injuries. An additional three girls were able to jump into the outstretched arms of a rescuer. These were the last girls to escape the fire. At 2:40 A.M., approximately forty minutes after the fire began, the flames completely consumed St. Clare's dormitory and the remaining children.

In the morning, the remains of the thirty-five girls and the elderly cook, Margaret Smith, were recovered and placed into eight coffins. The horrific event was covered widely by local Irish newspapers and even reached *The New York Times*. The aftermath provoked many questions about how such a tragedy could have happened. Many criticized the inadequacy of the firefighting equipment as well as the response of the nuns on the night of the fire. A tribunal of inquiry, called for by local government minister Sean McEntee, was established a week after the disaster. The tribunal investigated the cause of the fire and the circumstances that resulted in such an immense loss of life. The hearings lasted eleven days. Testimony came from sixty-four witnesses, including the first responders, members of the fire brigade, the nuns and employees of St. Joseph's, and the surviving children.

After the hearing, the tribunal published a report that asserted that the fire was possibly caused by a defective flue in the laundry. The consequent loss of life was the result of panic and fright, which impaired decision making and appropriate directions from the nuns. The report also found fault with the lack of leadership at the time of the crisis, the rescuer's lack of knowledge of the layout of the building, and poorly trained firefighters.

Because St. Joseph's was a certified industrial school, many of the girls had been admitted through the courts by the Department of Education. The department's duty was to ensure that regulations were implemented and enforced. One regulation concerned fire drills. Fire drills were required to take place once every three months and alternate between daytime drills and nighttime drills. Although the inspector of industrial and reformatory schools testified that she had been satisfied that all of the compulsory requirements, including fire drills, were being carried out at St. Joseph's, there were questions concerning why the fire drill operations were not carried out on the night of the fire. Additionally—although not required by state institutions at the time—St. Joseph's had a fire escape; however, it saved the lives of only two girls. Speculation centered on why the children were not able to

use the escape. One theory was that the fire doors leading to the fire escape were locked.

IMPACT

In the end, the inquiry absolved the nuns, including O'Reilly, of any fault or misconduct on the night of the fire. It is believed that the pious and respectful attitude of the time influenced the investigation. Decades later, however, this finding was met with contention, and many local people believe that the inquiry was a cover-up for incompetence and even prudishness.

A number of facts remain to challenge the inquiry's conclusions. First, many people believe that, were proper steps taken by the nuns as the fire broke out, all of the children could have been saved that night because of the swift rescue response by the local townspeople. Rescue attempts were hindered by a lack of equipment. Second, some claim that many of the doors in the building had been locked at the time of the fire and that finding the keys to open each door consumed too much valuable time. The time that was lost opening locked doors could have been used to rescue more children. Third, some also believe that the nuns were so concerned and preoccupied with the children being seen in their nightclothes by the public that they failed to assess the seriousness of the emergency at hand. It can be argued that thirty-five girls perished in a fire because they were in their nightgowns.

The Cavan disaster is reminiscent of a similar catastrophe that happened thirty-two years earlier in New York City. On March 25, 1911, a fire broke out at the Triangle Shirtwaist Company factory in Greenwich Village. Because of locked doors and inefficient firefighting equipment (neither the ladders nor the water from the fire hoses was able to reach the top floors), 146 people—123 of whom were young women and girls—perished in the

flames or jumped to their deaths from the ninth and tenth floors to the street below. The aftermath of the disaster led to major changes in labor laws protecting factory workers. The new laws covered health care, disability, and fire prevention.

The fire at St. Joseph's orphanage also led to reform and new regulations. The inquiry report recommended that industrial schools include proper fire escapes and more effective fire drills. It further proposed the establishment of a national fire brigade. St. Joseph's Orphanage closed its doors in 1967.

—Alison S. Burke

FURTHER READING

Arnold, Mavis, and Heather Laskey. *Children of the Poor Clares: The Story of an Irish Orphanage*. Belfast, Ireland: Appletree Press, 1985. A history of the orphanage that includes a concise account of the disastrous 1943 fire. Also features interviews with a number of survivors of the fire, the townspeople who were first to respond and rescue the children, and others involved in the rescue efforts.

Von Drehle, David. *Triangle: The Fire That Changed America*. New York: Atlantic Monthly Press, 2003. Relevant to any study of fire disasters that take the lives of many, including the fire at St. Joseph's Orphanage. Provides a thorough account of the Triangle Shirtwaist Company factory fire and the political and social climate of the era.

SEE ALSO: Mar. 25, 1911: Nearly 150 Workers Die in Triangle Shirtwaist Factory Fire; Aug. 12, 1983-July 27, 1990: McMartin Preschool Is Embroiled in Child-Abuse Case; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Jan. 30, 2001: Liverpool Children's Hospital Collects Body Parts Without Authorization.

June 4, 1943**ACTOR CHARLES CHAPLIN IS SUED FOR PATERNITY**

Charles Chaplin was one of the world's best-known actors when the mother of actor Joan Barry, on behalf of Barry's unborn child, filed a paternity suit against him. The FBI followed by charging Chaplin with violation of the Mann Act. He was acquitted of the latter but had to pay child support after two highly publicized trials, and he was forced to leave the United States. It took decades to rehabilitate his reputation.

LOCALES: Los Angeles, California; New York, New York

CATEGORIES: Law and the courts; families and children; government; popular culture; Hollywood

KEY FIGURES

Charles Chaplin (1889-1977), English comedy actor, film director, and producer

Joan Barry (1903-1989), film actor

J. Edgar Hoover (1895-1972), director of the Federal Bureau of Investigation, 1924-1972

Oona O'Neill Chaplin (1926-1991), fourth wife of Charles Chaplin

SUMMARY OF EVENT

Charles Chaplin's success in silent films began in 1914 with his first appearance in a Keystone Studios comedy, and he had attained legendary stature by 1940, the year he made his first dialogue film, *The Great Dictator*. The rumors of his affairs with teenage girls had not lessened his popularity, nor had the lurid details made public in 1927 when he was divorced by Lita Grey Chaplin, the mother of his first two children. However, from the 1920's on, J. Edgar Hoover, director of the Federal Bureau of Investigation (FBI), had been collecting information about Chaplin, whom he suspected of being a communist.

Hoover found it suspicious that Chaplin often voiced his admiration for the Soviet Union and his sympathy for the working classes and that despite

his long residence in the United States, Chaplin had never become a citizen. Chaplin's speech at the end of *The Great Dictator*, voicing his abhorrence of nationalism, seemed to prove that the actor was, in Hoover's terms, "un-American." What Hoover needed now was evidence that the actor was immoral as well. The Joan Barry case was his answer.

In 1940, the twenty-one-year-old Joan Barry (or Berry, as her name was occasionally spelled), left Brooklyn, New York, for Hollywood, where she planned to become a famous film actor, even though she had no acting experience. Like so many other hopefuls, she took a job as a waitress, expecting to be discovered by a talent scout. As it turned out, millionaire J. Paul Getty noticed Barry and took her with him to Mexico. A film executive she met there arranged for her to meet Chaplin's friend, Tim Durant, after she returned to Hollywood, and Durant introduced her to the famous actor. Chaplin found the tall, big-breasted girl attractive, and since Barry clearly welcomed Chaplin's advances, the two were soon involved in an affair. However, Chaplin also believed that Barry had promise as an actor. He had her read the part of Brigid in the play *Shadow and Substance*, which he planned to adapt for the screen. Chaplin was so impressed that he arranged a screen test for Barry, and at the end of June, 1941, he signed her to a one-year contract and sent her to drama school.

By the spring of 1942, however, it was evident that Chaplin's protégée was mentally unstable. She began driving up to Chaplin's house late at night, drunk and verbally abusive. When he would not let her in the house, she broke his windows. After he discovered that she had long since abandoned her lessons, Chaplin wanted only to get Barry out of his life. In return for her agreeing to cancel her contract two months early, Chaplin paid off her debts and bought two one-way train tickets to New York, one for Barry and one for her mother, Gertrude Barry. They left Los Angeles on October 5.

On October 15, Chaplin arrived in New York to

speak at a rally in Carnegie Hall that was sponsored by a leftist organization, the Artists' Front to Win the War. Later that night Barry came to see Chaplin, asking for money. Wisely, Chaplin had Durant stay with them throughout the visit. A month later, Barry was back in Hollywood. Chaplin ignored her telephone calls, but she was not discouraged. On December 23, she broke into Chaplin's house, waving a gun. After she was somewhat calmer, he put her into a bedroom. That night, Barry said later, they were intimate, but Chaplin insisted that he had locked his door to keep her away from him. The following morning, he again gave her money, and she left.

Barry returned to Chaplin's house a few days later, and this time he called the police. She was arrested, charged, given a suspended sentence, and told to leave Los Angeles. In May, 1943, she was back. Again, she was arrested; this time she had to serve a thirty-day sentence for vagrancy. She also was six months pregnant. From this time forward her every move would be orchestrated by some powerful people, notably the gossip columnist Hedda Hopper and Hoover's FBI.

On June 4, Barry informed the press that Chaplin was the father of her unborn child. That same day her mother, who had been named guardian of the child, filed a paternity suit against Chaplin. Though he denied that he was the father, Chaplin was ordered by the court to support both mother and child until four months after its birth, when blood tests could be used to determine paternity. On October 2, Barry gave birth to a girl, and she was named Carol Ann.

Meanwhile, Chaplin had married Oona O'Neill, who proved to be his chief support in the months to come. On February 10, 1944, Chaplin was indicted by a federal grand jury, which charged that by buying Barry her ticket to New York, he had violated the Mann Act of 1910, which

forbade transporting women across state lines for sexual purposes. Chaplin also was charged, with six others, with depriving Barry of her civil rights by having her arrested as a vagrant, but it was the Mann Act trial that was the real threat. After a month of testimony by scores of witnesses, Chaplin was acquitted.

Meanwhile, blood tests had proven that Chaplin was not Carol Ann Barry's father. However, the court in Los Angeles took over guardianship of the child and sued on her behalf. The attorney for the prosecution ignored the facts, resorting instead to emotional appeals, and the result was a hung jury. A retrial was held in April, and this time the verdict was guilty. Chaplin was ordered to pay child support until Carol Ann was twenty-one years old. In June, 1945, his request for a new trial was denied.

IMPACT

Barry disappeared from Chaplin's life. She married, had other children, and later lived in a mental institution. Her scandalous accusations had seri-



Charles Chaplin, left, being fingerprinted at the U.S. Marshal's office in Los Angeles after surrendering on charges of violating the Mann Act. (AP/Wide World Photos)

ously damaged Chaplin's reputation as an actor and entertainer. Moreover, he continued to be a subject of suspicion because of his political outspokenness and his loyalty to friends who were under attack by the notorious House Committee on Un-American Activities. He would never again experience the popularity he had once known.

In 1952, Chaplin decided to take his family to London on the passenger ship *Queen Elizabeth* for the world premiere of his new film *Limelight*. Two days out, he learned that the U.S. attorney general had rescinded his reentry visa. Chaplin spent the rest of his life in Switzerland. He returned to the United States only once, in April, 1972, when he received special awards in both New York and Hollywood. Ironically, time has tarnished the reputation of Chaplin's bitterest enemy, Hoover, while Chaplin himself is now generally considered one of the greatest film actors and producers of all time.

The Barry case did have one significant impact beyond celebrity and career status: It encouraged the use of blood tests to prove or disprove paternity. Undoubtedly, the unjust verdict in Chaplin's case prompted California in 1953 to pass legislation that made blood tests the final authority in paternity cases.

—Rosemary M. Canfield Reisman

FURTHER READING

- Chaplin, Charles. *My Autobiography*. New York: Simon & Schuster, 1964. Despite some inaccuracies, this is a valuable volume, especially for its portrayal of the actor's early life.
- Hayes, Kevin J., ed. *Charlie Chaplin: Interviews*. Jackson: University Press of Mississippi, 2005. Twenty-four interviews, dated from 1915 to 1967. Includes an introduction by the editor, a chronology, a bibliography, and an index.
- Maland, Charles J. *Chaplin and American Culture: The Evolution of a Star Image*. Princeton, N.J.:

Princeton University Press, 1989. Particularly relevant chapters focus on Joan Barry, Chaplin's politics, and his banishment from the United States.

Robinson, David. *Chaplin: His Life and Art*. 2d ed. New York: McGraw-Hill, 2001. An encyclopedic work, with ten appendixes, including a chronology, a "Chaplin Who's Who," and the section "The FBI v. Chaplin." Includes illustrations, notes, a bibliography, and an index.

———. *The Mirror of Opinion*. London: Secker & Warburg, 1983. Traces the rise and fall of Chaplin's career and reputation, outlined decade by decade. Includes illustrations, a filmography and bibliography, and an index.

Vance, Jeffrey. *Chaplin: Genius of the Cinema*. New York: Abrams, 2003. As David Robinson points out in his introduction, the primary purpose of this impressive volume was to make available some five hundred photographs of Chaplin at work. Includes chapters on the Barry scandal and Oona O'Neill Chaplin. Notes, bibliography, filmography, index.

SEE ALSO: Jan. 1, 1924: Film Star Mabel Normand's Chauffeur Shoots Millionaire Courtland S. Dines; Nov. 19, 1924: Film Producer Thomas H. Ince Dies After Weekend on Hearst's Yacht; Summer, 1936: Film Star Mary Astor's Diary Becomes a Public Sensation; Nov. 23, 1946: Tennis Star Bill Tilden Is Arrested for Lewd Behavior with a Minor; July 5, 1948: Actor Carole Landis Commits Suicide During Affair with Rex Harrison; Sept. 19, 1952: Actor Charles Chaplin Not Allowed in the United States; July 2, 1963: Muslim Leader Elijah Muhammad Is Sued for Paternity; July 28, 1980: Magazine Reveals Baseball Star Steve Garvey's Marital Problems; May, 1999: Civil Rights Leader Jesse Jackson Fathers a Child Out of Wedlock.

June 5, 1944

AUSTRALIAN POETS CLAIM RESPONSIBILITY FOR A LITERARY HOAX

Regarded by some as the greatest literary fraud of the twentieth century, the Ern Malley hoax, perpetrated by two Australian soldiers who also were poets, not only raised serious questions about literary authenticity but also led to an obscenity trial that represented the first bureaucratic effort in Australian history to censor poetry. Malley's enduring fame as a "poet" has outlived the hoax.

ALSO KNOWN AS: Ern Malley hoax

LOCALE: Adelaide, Australia

CATEGORIES: Hoaxes, frauds, and charlatanism; literature; law and the courts; publishing and journalism

KEY FIGURES

James McAuley (1917-1976), poet, and lieutenant in the Australian army

Harold Stewart (1916-1995), poet, and corporal in the Australian army

Maxwell Henley Harris (1921-1995), poet, writer, and coeditor of *Angry Penguins* literary magazine

John Reed (1901-1981), coeditor of *Angry Penguins*

SUMMARY OF EVENT

Ern Malley was a fictional poet fabricated by Australian soldier-poets James McAuley and Harold Stewart. For a concocted collection of sixteen poems, McAuley and Stewart also created biographical details for this fictional author, including that he had a sister named Ethel Malley. The duo, fierce critics of modern poetry, then sent two poems from this collection, accompanied by a cover letter from Ethel, to Maxwell Henley Harris, coeditor of the Australian literary journal *Angry Penguins*, based at the University of Adelaide in South Australia.

In a statement issued to Sydney's *Fact* tabloid on

June 5, 1944, McAuley and Stewart claimed they wrote the poems according to three rules they developed. First, submitted poems must have no coherent theme, only disordered and incoherent allusions to meaning. Second, poems must not adhere to verse technique, aside from deliberately highlighting the technique's shoddiness. Third, poems must be stylistically imitative of literary trends as characterized by the works of T. S. Eliot, Dylan Thomas, and Henry Treece, among other nontraditionalist poets of the 1940's.

McAuley and Stewart also claimed that they devised Malley's poems in part to discredit the poetic productivity of Eliot, Thomas, Treece, and to determine whether Harris and his colleagues, whom the pair despised, could discriminate between "real" poetry and poetry that was simply an assemblage of "garish images without coherent meaning and structure." The answer came that first week of June, when Harris took delivery of two hundred issues of *Angry Penguins* and began distributing them to bookshops in Adelaide. This issue included sixteen poems representing Malley's life work. One thousand copies of the edition, with the theme "The Darkening Ecliptic," were sold—five hundred in Australia and the remainder in England and the United States. The edition sold out, and the publication has since become a collector's item.

Harris gave one copy of "The Darkening Ecliptic" to Brian Robinson Elliott, one of Harris's former university lecturers, on June 9, and had him read the work. While Elliott was right in deducing that the poems were fraudulent, he wrongly concluded that the true author was Harris. Elliott's suspicions were published in an edition of the University of Adelaide's newspaper, *On Dit*, on June 16. It was following this issue that Harris and fellow *Angry Penguins* editor John Reed hired the services of a private detective agency to discover the truth about Malley.

One person who claimed to know the identities of the real hoaxers was a friend of Stewart, Tess van Sommers, who worked as an aspiring reporter for Sydney's *Sunday Sun*. Stewart, without McAuley's knowledge, had confessed off the record to Sommers in February, 1944, that both he and McAuley had orchestrated the Ern Malley affair. Sommers falsely assumed she was free to publicize the truth about Malley once she saw the "Darkening Ecliptic" issue of *Angry Penguins* on a magazine stand in Sydney. Sommers's scoop was taken over by her senior, Colin Simpson. Simpson was the editor of *Fact*, the magazine supplement to the *Sunday Sun*. The identities of the hoaxers became front-page news in the June 18 edition of *Fact*.

Simpson's exposé emerged the same day the *Mail* in Adelaide reported a rumor that the real author of the Malley poems was John Innes Mackintosh Stewart. Stewart was a professor of language and literature at Adelaide University who often wrote mystery stories under the pseudonym Michael Innes.

On the afternoon of August 1, editor Harris was questioned in Adelaide by Detective Jacobus Andries Vogelesang about the "Darkening Ecliptic" issue. Harris, then only twenty-three years old, was subsequently charged with publishing "indecent advertisements" (the Malley poems) in the magazine. At the obscenity trial on September 5, a representative of the Crown Solicitor's Department claimed the offense was a breach of the Police Act. The representative quoted extensively from seven of Malley's poems. The remaining nine were labeled as "indecent, immoral, or obscene." Defense lawyer Eric Millhouse cross-examined Detective Vogelesang during the trial, and Vogelesang's evidence caused a sensation. Vogelesang testified that the reference to genitals in the poem "Egyptian Register" was indecent and immoral, as were the allusions to sexual intercourse he detected in "Sweet William," "Boult to Marina," and "Perspective Lovesong," among other poems. Vogelesang testified that even though he did not know the meaning of the word "incestuous," he did believe there was a suggestion of indecency about the word.

The laughter emanating from the gallery during

and following Vogelesang's testimony prompted Stipendary Magistrate (judge) L. C. Clarke to threaten to evict from the courtroom those responsible for outbursts. Vogelesang confessed under cross-examination by Millhouse that he had read Malley's poems only to prepare for questioning Harris. On October 20, Clarke found Harris guilty of publishing obscene material and fined him five pounds in lieu of six weeks imprisonment.

IMPACT

Although the Ern Malley hoax inspired much debate about the politics of authorship and modernist notions of poetry in Australia, the affair also brought the question of copyright to the fore. Clearly, the poems were written by someone, but who retained the right of ownership? Did it rest with coauthors McAuley and Stewart? Did it remain with the fictional author Malley? Or did the right of ownership rest with the editor of *Angry Penguins*, Harris, the person to whom the fictional Ethel Malley had relinquished the poems? Ethel had, in a letter, "given" Harris total rights and full permission over the publication and use of the poems, without the expectation of financial reward.

McAuley was perhaps the most successful of the key figures to survive the backlash of the Ern Malley hoax. He would become founding editor of *Quadrant* magazine in Australia, an anticommunist journal publishing literature, poetry, and cultural criticism (established in 1956) and was later elected a fellow of the Australian Academy of the Humanities in 1969. In 1972, he won the Britannica Award for achievement in the humanities. Stewart would publish several books of poetry, including one on haiku, and lived in Kyoto, Japan, for the last thirty years of his life.

Aside from the question of ownership, and the damaging influence the Ern Malley hoax exerted on Harris's credibility, Harris, too, remained a key figure in Australia's literary world. Ironically, he would ensure the future of the Ern Malley collection, sponsoring the publication of Australia's first edition of the Malley poems in seventeen years (Lansdowne Press, 1961). His introduction also appears in the special edition of the Malley poems re-

leased by the Adelaide Festival of the Arts in 1974. Later, in March, 1988, Harris launched another edition of the poems, this time in book form and published by Allen & Unwin Australia.

Finally, despite McAuley's and Stewart's insistence that the Malley collection was utterly devoid of literary merit as poetry, the poems remain the compelling subjects of critical and stylistic study by students and scholars alike. Many consider the hoax to have been a significant form of literary criticism in itself, and according to critic David Lehman, the poems are so lastingly brilliant because "Malley escaped the control of his creators and enjoyed an autonomous existence beyond, and at odds with, the critical and satirical intentions of McAuley and Stewart. They succeeded better than they had known, or wished."

—Nicole Anae

FURTHER READING

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Hornadge, Bill. *Ern Malley and the "Angry Penguins": Being a Review of the Greatest Hoax in*

Poets Claim Responsibility for Literary Hoax

Australia's Literary History, and the Subsequent "Indecency Trial." Adelaide: Thornquest Press, 1944. This contemporary account of the Ern Malley affair includes details about the hoax as printed by *Fact*, as well as commentary and an interpretation of a number of the poems by Brian Robinson Elliott.

Nolan, Maggie, and Carrie Dawson, eds. *Who's Who? Hoaxes, Imposture, and Identity Crises in Australian Literature*. St. Lucia: University of Queensland Press, 2004. A wide-ranging examination of literary hoaxes and scandals specific to Australian literature. Includes discussion of the Ern Malley hoax.

SEE ALSO: 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian; Dec. 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Apr. 15, 1981: Janet Cooke Admits Fabricating Her Pulitzer Prize-Winning Feature; Apr. 25, 1983: German Magazine Publishes Faked Hitler Diaries; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Mar. 12, 1997: Prize-Winning Aborigine Novelist Revealed as a Fraud; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

May 9, 1945

NORWEGIAN POLITICIAN QUISLING IS ARRESTED FOR NAZI COLLABORATION

Vidkun Quisling, a one-time Norwegian army officer and minister of defense, was also the leader of a fascist party. Shortly after Germany's invasion, he unilaterally proclaimed himself the new leader of Norway. Although he was politically and diplomatically inefficient, Quisling's public allegiance to Adolf Hitler made him perhaps the earliest pro-Nazi collaborationist leader in occupied Europe and resulted in his name becoming synonymous with treason and collaboration.

LOCALE: Oslo, Norway

CATEGORIES: Atrocities and war crimes; government; military

KEY FIGURES

Vidkun Quisling (1887-1945), minister president of Norway

Josef Terboven (1898-1945), Reich commissioner of Norway

Adolf Hitler (1889-1945), chancellor of Germany, 1934-1945

SUMMARY OF EVENT

Vidkun Quisling, the son of a Lutheran pastor, was an able student but also shy and unassuming. Pressure from a success-driven mother led him to achieve outstanding grades, especially in mathematics. Academic success continued during his military career, and as a student at the Norwegian Military Academy he set record high marks before he was posted to the military's general staff. In World War I, he served as a military attaché to the Norwegian consulate in Russia. During this time he became fluent in Russian and was acquainted with a number of Bolshevik leaders, including Leon Trotsky.

During the Russian Civil War (1918-1922) that followed the revolution, Quisling became involved

with administering humanitarian aid in Russia. During the early 1920's, he served the League of Nations as an assistant to the high commissioner for repatriation of prisoners of war and disbursement of aid to starving Russians. The extensive famine found throughout Russia was the result of war's destruction, a broken down transportation system, inept officials, and aggressive expropriations of farmers' food, which left the farmers and their families destitute. Quisling's firsthand exposure to these conditions left him strongly opposed to Bolshevik government.

After his return home, Quisling's military career stalled, so he turned to politics. From 1931 until 1933, he served as minister of defense in a government run by the Agrarian Party. When this government fell, Quisling began to work with the founders of a new fascist, conservative party, the Nasjonal Samling (national union), or NS. The NS was a conservative party based on the models of fascist Italy and Germany's rising Nazi Party. The NS was anti-communist and conservative Christian, and it propounded a call for a moral rejuvenation of Norway based on a mythical racial glory that was to be focused and led by an authoritarian leader in the Adolf Hitler mold.

Although Norway suffered during the Great Depression, the fascist calls for change generated little enthusiasm. Quisling's introverted persona did not lend itself to recruitment, as he lacked the fiery passion of street orators such as Hitler. Consequently, the NS remained an insignificant and peripheral party. In his efforts to drum up support, Quisling eventually traveled to Germany and gained the sponsorship of Alfred Rosenberg, one of the political philosophers of Hitler's Nazi Party. Ultimately, Rosenberg arranged for a stipend to be paid to the NS to defray the daily costs of running the party. After World War II began, Quisling traveled again to Germany, this time to convince the Germans to

support an NS coup in Norway. During this trip he met with both Hitler and the head of the German navy and discussed secret British plans for joint actions with Norway in the case of war. Quisling's knowledge of these plans was based on his years as minister of defense.

Although Hitler had already been planning an invasion, these talks helped convince Hitler that action was needed. However, he refused to commit to an official relationship with Quisling. When the German invasion began on April 9, 1940, Norway's king and cabinet left Oslo for exile in Great Britain. That afternoon, Quisling acted on his own by announcing over the radio that he was forming a new Norwegian government that would accommodate the Germans. Quisling expected Hitler to sanction his action, and he also expected widespread Norwegian support; he was quickly disappointed. The NS leaders had not been contacted before Quisling's announcement, so they were unprepared and disorganized. The common person in the street saw Quisling's coup as self-serving and his willingness to collaborate with the invaders as treasonous. Almost immediately, Quisling's name became synonymous with treachery and collaboration.

Quisling's relationship with Hitler and the Germans was compromised from the start. Quisling anticipated that an NS-run Norway would be treated by Germany as a partner in the war against both Britain and, eventually, Bolshevik Russia. In exchange for a friendly but independent Norwegian government, Quisling expected preferential treatment in Germany's new European order. Hitler did not consider Quisling a strong leader, nor did he want a divisive Norwegian leader with delusions of independence, for such a person could obstruct German plans for the vigorous exploitation of conquered territories. Thus, within six days, Hitler ordered Germany's ambas-

sador to depose Quisling and coordinate directly with the NS. Norway was to be treated as a conquered land administered by a Reichskommissar (Reich commissioner). The person chosen for this post was a veteran and loyal Nazi Party member named Josef Terboven. Terboven was tasked with milking Norway for the raw materials, foreign laborers, and financial resources necessary to help sustain Germany's war effort.

Throughout the war, Terboven was Norway's real leader. He quickly concluded that, like Rosenberg, Quisling was a doctrinaire with neither the capacity nor ruthlessness necessary for leadership, and during the occupation Terboven either ignored or bypassed Quisling's requests and concerns. Terboven's appointment was a real blow for Quisling, for Terboven was an experienced player in the byzantine arena of turf battles and internal squabbles for prominence that marked the true nature of Nazi Germany. Quisling's German sponsors, such as Rosenberg, were ineffective players in this arena and, thus, Quisling was rendered ineffective through his lack of personal charisma, na-



Vidkun Quisling shakes hands with Adolf Hitler in January, 1945. Quisling was executed less than one year later. (AP/Wide World Photos)

ivété in internal politics, and the weakness of his supporters.

Eventually, Hitler decided that Norway did need a figurehead leader. On February 1, 1942, he appointed Quisling as minister president of Norway. In this capacity the Germans expected him to turn Norway into a willing satellite nation. Quisling was expected to reinvigorate the NS, Nazify Norwegian society, enlist volunteers to fight in the German armed forces, and recruit laborers to work in German factories. Quisling's efforts were consistently unsuccessful. The NS failed in its efforts to create a vibrant Hitler Youth type of organization to inculcate fascist values and to force public school teachers to adopt fascist curricula. Both efforts floundered in the face of anemic support and widespread passive resistance. Quisling's attempts to "tame" the Lutheran Church likewise failed.

In spite of an extensive propaganda effort, only about fifteen thousand Norwegians volunteered to serve in the German armed services, and less than one-half of those persons reached the front line. Likewise, the NS failed to grow into a functional equivalent of the Nazi Party. At its heyday, the NS had just forty-three thousand members—approximately 1.5 percent of Norway's population.

While Quisling's efforts fell far short of German expectations, they were more than enough to make him look like Hitler's stooge. As Norwegian resistance coalesced during the war, increasingly repressive occupation policies made Quisling's collaboration ever more demeaning for Norwegians. When the German regime collapsed on May 9, 1945, Terboven committed suicide and Quisling was arrested. Because Norwegian law did not allow the death penalty, an exemption for traitors was made during Quisling's trial for treason. Quisling's defense claimed that his collaboration was the only way to preserve an independent Norway, a claim made hollow by Germany's occupation policies. The final nail in Quisling's coffin was the British discovery of German naval documents detailing the plan for a coup that Quisling had discussed with Hitler before the invasion. In the end, Quisling was condemned to death for treason and shot by a firing squad on October 24.

While Quisling did not appear to be venal or corrupt, his diffident personality was at odds with the decisive kind of leadership he espoused. Without a ruthless drive or a strong party as a base of support, Quisling was doomed to failure. The width and depth of these failures angered the Germans, caused suffering and humiliation for the Norwegians, and doomed Quisling when Hitler fell. When these personal failures were added to Norwegian hostility engendered by the exploitive nature of German occupation, it is little surprise that Quisling's name was linked to the two concepts of ineptitude and spineless collaboration with a pitiless and exploitative regime.

IMPACT

Quisling was far too irresolute and unassertive to live up to the expectations inherent in fascist leadership; that is, he would never become a strong leader, whose will and determination would unite a people and drive them to a new era of prosperity. Instead, Quisling's actions as a leader were marked by ineptitude and an inability to navigate through the byzantine politics of the Third Reich. This isolated him from the Norwegian populace and reinforced its anger at the exploitive nature of German occupation. In the end, Quisling's execution was as much about Norwegian anger at Nazi policies as it was about Quisling's acts of treason. As a result, "quisling" came to be associated with crass opportunism, treachery, and spineless ineptitude.

—Kevin B. Reid

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May 26, 1945

NORWEGIAN WRITER KNUT HAMSUN IS ARRESTED FOR TREASON

Knut Hamsun, Norway's greatest modern writer, openly supported the nominal government of Norwegian Nazi collaborator Vidkun Quisling. During World War II, Norway was occupied by Germany. Hamsun's articles supporting Quisling embarrassed the Norwegians and led to his arrest for treason soon after Adolf Hitler's death. He was tried for collaboration—not for treason—found guilty, and heavily fined.

LOCALE: Oslo, Norway

CATEGORIES: Law and the courts; atrocities and war crimes; publishing and journalism; literature; government; politics

KEY FIGURES

Knut Hamsun (Knud Pedersen; 1859-1952), Norwegian writer and Nazi supporter

Marie Hamsun (1881-1969), Nazi supporter, Knut Hamsun's second wife

Vidkun Quisling (1887-1945), founder of the Norwegian Nazi Party

Gabriel Langfeldt (1895-1983), psychiatrist who examined Knut Hamsun

SUMMARY OF EVENT

Knut Hamsun's already intense admiration for German culture grew even stronger when his novel *Mysterier* (*Mysteries*, 2001) was published in Berlin by Albert Langen Buch and Kunst Verlag in 1892. By 1910, Hamsun was describing himself as "a Germanish soul," and World War I prompted numerous outbursts of praise for Germany and a corresponding dislike for England. He argued that Germany needed land for its expanding population, whereas England required no more colonies.



Knut Hamsun. (Library of Congress)

Hamsun scholars still debate whether his Nazi sympathies were the genuine convictions of a rational person or the product of senility. The two psychiatrists who examined him at length after World War II, Gabriel Langfeldt and Ørnulf Ødegård, pointed to his “permanently impaired mental faculties,” a judgment that conveniently cleared him of guilt. Others, such as his English biographer, Robert Ferguson, consider Hamsun’s fascism “a genuinely held political conviction,” and that Hamsun may have believed that it was Germany’s turn for world dominance. Beyond this geopolitical thesis was a contempt for the English people as rude and unfeeling. This attitude emerged in the two novels he published in 1908, *Benoni* and *Rosa*, in which an Englishman, Sir Hugh Trevelyan, is caricatured in both works as an arrogant drunk. Ferguson further dismisses suggestions that Hamsun’s anti-English

stance marked him as an eccentric artist drawn naively into the spell cast by Adolf Hitler, arguing instead that like many others during the 1930’s he saw in fascism a cure for the decade’s ills.

Animosity between the Left and the Right in Norway was at its peak when Hitler came to power in 1933, and almost half the nation’s trade unionists were out of work. The defense minister, Vidkun Quisling, urged a dictatorship and started his own Nazi Party, the *Nasjonal Samling* (national union), or NS, a movement that never had any significant success.

In November, 1935, Hamsun attacked the German pacifist Carl von Ossietzky in an article that aroused a loud protest in Norway, even though, Ferguson notes, much of the Norwegian middle class was sympathetic to Hamsun’s point of view. The German leaders recognized Hamsun’s propaganda value and promoted a vision of a Nordic community emphasizing a Germanic race free from sexual and intellectual contacts with other races. Many people were repulsed by Hamsun’s attitude toward the old, the weak, and the disabled, the care of whom he felt used up resources better devoted to the young.

During the war Hamsun wrote about twenty-five articles that constituted the main evidence against him of treason in his 1945 trial. Perhaps the most devastating piece came on May 4, 1940, when he penned the plea “NORWEGIANS! Throw down your rifles and go home again. The Germans are fighting for us all, and will crush the English tyranny over us and over all neutrals.” Another damaging missive at this time was an open letter to a Norwegian journalist, rebuking him for describing the German invasion as an act of aggression. This letter was written to muster support for Quisling, whom he praised as a natural leader but who disappointed him when they met. In January, 1941, he wrote an embarrassing newspaper piece, “We Have Changed Tracks and Are on Our Way in a New Time and a New World.” Ferguson considers “surreal” Hamsun’s vision of life under the Nazis as an idyllic world of cooperation among all peoples.

On his eightieth birthday in 1939, Hamsun received congratulatory telegrams from both the Nazi ideologue Alfred Rosenberg and Hitler’s propa-

ganda minister, Josef Goebbels. Goebbels was a failed writer himself and he admired Hamsun tremendously, calling him a poet who had transcended good and evil. On May 19, 1943, while in Berlin, Hamsun and his second wife, Marie, also a Nazi sympathizer, called on Goebbels, who wrote an excited account of their meeting and immediately ordered that 100,000 copies of a new German edition of Hamsun's works be published. Hamsun was so moved by the visit that he sent Goebbels his Nobel Prize medal, won in 1920, as a gift.

If Hamsun's meeting with Goebbels was a success, his meeting with Hitler turned into a disaster. On June 23, Hamsun flew to Vienna, Austria, to address the Press Internationale. His speech was his most fierce denunciation of England, and ironically he delivered it in English because he never mastered German. Goebbels had organized the conference to solicit sympathy for Germany, as it endured crushing air raids by the British and Americans. Hamsun's tirade against "Anglo-Saxon barbarians" was exactly what was wanted. The meeting with Hitler was arranged at the last minute, but on June 26, Hamsun and his translator landed at Obersalzberg and were driven to Hitler's retreat at Berghof.

Fortified by a large glass of cognac, Hamsun was ushered into a reception room, where he soon began questioning Hitler. Why, Hamsun persisted, would Josef Terboven, the Reich commissioner in Norway, not release to Quisling certain documents that would prove that the king of Norway, and his government, were pro-English? Moreover, the Nazi policy of confining Norwegian shipping to rivers and home waters was damaging the industry. Hamsun's loud protests (he had a hearing impairment) continued, especially his criticism of Terboven, until Hitler abruptly left the room and soon said a cool goodbye. At Hitler's death in May, 1945, Hamsun published a brief obituary in *Aftenposten*, judging Hitler as "a warrior for mankind, and a prophet of the gospel of justice for all nations."

The day after the obituary appeared, Terboven committed suicide. The next day, Quisling was arrested, followed by forty thousand other NS members. Marie and Knut Hamsun waited until May 26

before they were placed under house arrest. Marie went to jail on June 12; on June 28 she was followed by her husband, who was placed in the hospital in Grimstad.

Hamsun denied membership in the NS and asserted that he supported Germany to help Norway attain a high place in a German-oriented Europe. In September, he was moved to a comfortable old person's home in Landvik. The authorities planned to charge him on two counts—treason and inciting others to commit offences—but the psychiatrist, Langfeldt, thought Hamsun showed evidence of mental decline, an opinion shared by many Norwegians. Accordingly, he was sent to Langfeldt's psychiatric clinic at Vindern to be examined by Langfeldt and Ødegård. After 119 days of struggle with Hamsun, Langfeldt produced an eighty-three page document (May, 1946) concluding that Hamsun was not insane but suffered from "permanently impaired mental faculties," a judgment that sent him into a rage. In December, he was tried not for treason but for financial collaboration, then found guilty and fined. On February 19, 1952, he died in his sleep at the age of ninety-three.

IMPACT

Hamsun's treason and his trial resulted from his ingrained hatred of the English and his admiration for Germany's cultural achievements. Many Europeans felt that Germany had been punished too harshly at Versailles, and with most of Europe suffering from economic chaos Hamsun must have been only one of many who saw in Hitler and Italian dictator Benito Mussolini strong individuals who would restore order. After all, the NS enrolled forty thousand members, most of whom surely had no idea of the horrors for which Hitler would be responsible.

The kroners that Hamsun paid his government were nothing compared to the cost that Hitler's cheering throngs during the 1930's were to pay, and Hamsun's lesson—and he must have seen his humiliation as a lesson—was emblematic of Germany's infatuation with power. Langfeldt and Ødegård were right to quote from Hamsun's 1895 play *Ved Rigets Port* (at the gate of the kingdom), in

which Ivar Kareno declares his faith in the “born leader, the natural despot, the great commander, the one who is not chosen but who elects himself to mastery over the hordes on the earth. I believe and hope for one thing, and that is the coming again of the Great Terrorist, the Life Force, the Caesar.” The impact of Hamsun’s trial, and of the larger phenomenon of which it was a part, was to muffle the voice of the Great Terrorist.

—Frank Day

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August 14, 1945

FRENCH WAR HERO PÉTAİN IS CONVICTED OF NAZI COLLABORATION

Philippe Pétain was convicted of treason for overseeing the surrender of France to the Germans in 1940 and subsequently acting as head of the collaborationist puppet government of Vichy France. He failed to assuage the national conscience and left the French public nearly equally divided concerning whether the true scandal lay in a military hero’s having cooperated with an evil enemy to further personal ambitions and a conservative agenda or in a victor’s making a scapegoat of a person whose actions represented the best option available at the time.

LOCALE: Paris, France

CATEGORIES: Government; politics; military; public morals

KEY FIGURES

Philippe Pétain (1856-1951), French general, premier of Vichy France, 1940-1943

Charles de Gaulle (1890-1970), leader of Free French forces, 1940-1945, and president of France, 1958-1969

Jacques Isorni (1911-1995), French attorney and historian

Paul Reynaud (1878-1966), prime minister of France, March-June, 1940

SUMMARY OF EVENT

On July 23, 1945, Philippe Pétain, the eighty-nine-year-old hero of Verdun and former premier of the puppet regime that governed southern France during the Nazi occupation, stood accused of treason in a Paris courtroom. The charges stemmed from his coming out of retirement and assuming control of the French government following the German invasion in 1940, and his signing a surrender that left northern France under German occupation and southern France as an authoritarian puppet regime with Pétain as its head.

That truncated client state takes its name, Vichy France, from the resort town that served as its capital. Repressive measures taken against the French Resistance, trials of political figures, laws gutting the constitution of the Third Republic, and failure to flee to North Africa when allied armies liberated French colonial possessions there also figured prominently in the trial.

Since Pétain's trial was predominantly a trial for treason and not for war crimes or crimes against humanity, treatment of Jews in Vichy France did not form a large part of the indictment. Subsequent assessments accord this aspect more prominence, figuring in the controversies surrounding the extent of Pétain's guilt. In 1945, the central issue was whether Pétain had betrayed France and the French people, rather than his complicity in the most odious aspects of Nazism.

When Free French forces under Charles de Gaulle succeeded in expelling the Germans from southern France in 1944, the Germans forcibly evacuated the Vichy government to Germany. De Gaulle had mixed feelings about prosecuting Pétain and tried to prevent him from returning to France to face trial. The old soldier would have nothing to do with disappearing into exile.

The trial itself was not so much about determining guilt or innocence of an individual as about expiating national guilt about what seemed, in retrospect, to be collective dishonorable behavior in 1940. De Gaulle and the soldiers who went into ex-



Philippe Pétain. (Library of Congress)

ile with him, and the Resistance fighters who kept up a campaign of guerrilla warfare within France, were the heroes; the bulk of the French army and population were not. Preserving national pride required assigning blame for surrendering and for instituting repressive domestic policies to a small number of collaborationists, preferably ones with base motives and corrupt lifestyles. Although Pétain had an able defense counsel in Jacques Isorni and was able to call numerous witnesses in his favor, the whole setup of the trial, notably the choice of jurors entirely from the ranks of Resistance fighters and hostile members of France's 1940 Parliament, made a guilty verdict inevitable.

In fact, the French government had no good options in June, 1940. The premier, Paul Reynaud, headed a weak, divided government. Adding Pétain strengthened it by including a popular military leader, but added an authoritarian fascist element. In May, Germany broke the months-long phony

war, or *sitzkrieg*, with a massive invasion of Belgium and the Netherlands. Heavily committed to that campaign, France lost one tenth of its army and a disproportionate amount of armament in the evacuation at Dunkirk. On June 5, the German fighting machine turned on an overextended, ill-equipped French army. By June 20, Paris was in German hands, most of the French air force had been de-

stroyed, and the main fighting force had capitulated. The British were not prepared to commit troops to defend French soil. By agreeing to take the reins of power when Reynaud resigned, Pétain became heir to a catastrophe for which he was not responsible. He believed the terms of the armistice represented the best interests of the French people under the circumstances.

On July 10, the French Chamber of Deputies met, ratified the armistice, and voted 569-80 to grant Pétain authority to draw up a new constitution. His government thus had a tolerable claim to legitimacy. Most neutral nations, including the United States, recognized Vichy France as a sovereign state.

In November of 1942, British, American, and Free French forces moved to liberate Axis-controlled French possessions in North Africa, and Churchill urged Pétain to defect. That he chose to remain in occupied France, serving as an increasingly impotent figurehead, was viewed as betrayal.

On August 14, 1945, the court found Pétain guilty of treason and collaboration and sentenced him to death by firing squad. Citing his advanced age and previous service, and mindful that French public opinion was nearly equally divided concerning his guilt, de Gaulle commuted the sentence to life imprisonment on the Île de Yeu in Normandy. There he remained, despite efforts by Isorni and others to have him freed, until released to a nursing facility on the island shortly before his death in 1951.

Spearheaded by Isorni and supported by surviving military colleagues from World War I, ef-

PÉTAIN'S PLAN FOLLOWING GERMAN OCCUPATION

On August 12, 1941, Philippe Pétain delivered a policy speech with twelve proclamations concerning his National Revolution. Among the proclamations published in The New York Times the next day were the following:

Authority no longer emanates from below. The only authority is that which I entrust or delegate. . . . This is what I have decided:

1. Activity of political parties and groups of political origin is suspended until further notice in the unoccupied zone. These parties may no longer hold either public or private meetings. They must cease any distribution of tracts or notices. Those that fail to conform to these decisions will be dissolved. . . .
3. The first disciplinary sanctions against State officials guilty of false declarations regarding membership in secret societies has been ordered. The names of officials have been published this morning in the *Journal Officiel*. Holders of high Masonic degrees—of which the first list has just been published—may no longer exercise any public function. . . .
5. I will double the means of police action, whose discipline and loyalty should guarantee public order.
6. A group of Commissars of Public Power is created. These high officials will be charged with studying the spirit in which the laws, decrees, orders and instructions of the central power will be carried out. They will have the mission of ferreting out and destroying obstacles which abuse the rules of administrative routine or activity of secret societies opposed to the work of National Revolution. . . .
11. I have decided to use the powers given me by Constitutional Act No. 7 to judge those responsible for our disaster. A Council of Justice is created to that effect.
12. In the application of this same Constitutional Act, all Ministers and high officials must swear an oath of fealty to me and engage themselves to carry out duties in their charge for the well-being of the State according to the rules of honor and propriety. . . .

In 1917 I put an end to mutiny. In 1940 I put an end to rout. Today I wish to save you from yourselves. . . .

Remember this: If a beaten country is divided against itself it dies. If a beaten country can unite it is reborn. Vive la France!

forts to rehabilitate Pétain continued long after his death. Isorni filed appeals with the French Department of Justice in 1972 and 1981 but failed to obtain a hearing. A 1984 advertisement published by defenders of Pétain in *Le Monde*, titled “French, You Have a Short Memory,” prompted a lawsuit by surviving members of the Resistance. In 1990, a French court ruled against the Pétainists, awarding damages of one franc and requiring them to publish an apology. Isorni then took the case to the European Court of Human Rights, which in 1998 ruled that Isorni’s free speech rights had been violated and awarded damages to his heirs. Periodic informal polls of French public opinion continue to reveal divided sentiments. An extensive survey in *Le Figaro* in 1980 showed that 59 percent of respondents considered Pétain to have been sincerely concerned by national interests but overtaken by events, 7 percent considered him a hero who was unjustly condemned, and only 8 percent considered him a traitor.

IMPACT

In a sense, Pétain’s trial never ended, as reassessment continues into the guilt and innocence of individuals, peoples, and entire nations for their role in the human catastrophe of World War II. In 1945, the Western world had been focused on that conflict as a military struggle, and people painted the glossiest possible portrait of the victors, labeling their early reversals as treason. In the end, the drama of the heroic Resistance and its brutal repression by the collaborationist Milice (secret police) under Pétain’s malevolent aegis imparted a sense of dignity and purpose to an exhausted and demoralized civilian population.

In 1945, anti-Semitism and specific repressive measures against Jews in Vichy France did not loom as large in the catalog of Pétain’s crimes as they now appear. Over the years, the war against Nazi Germany has come to be viewed more as a crusade against the Holocaust and less as a military response to territorial aggression. Consequently, while most military historians would now agree that the 1940 armistice could not have been improved upon, Holocaust scholars now pore over the sordid

record of Jewish persecution in Vichy France and conclude that Pétain’s active role, fueled by fascist sympathies and Roman Catholicism, exacerbated that persecution.

There are arguments on both sides. Pétain’s supporters would point out that survivorship among French Jews was among the highest in occupied Europe and contend that his willingness to oversee repressive measures that stopped far short of genocide saved many thousands of lives. Opponents contend that the willingness of a respected war hero to endorse anti-Jewish sanctions encouraged compliance in the general population, especially among conservative Catholics.

Scandals are gripping because they hold up a mirror exposing inner weaknesses. That of Pétain’s trial serves as a reminder that the willingness to take charge when no good solution is apparent can lead to calumny and condemnation at the hands of the victor.

—Martha A. Sherwood

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SEE ALSO: July 12, 1906: French Court Declares Alfred Dreyfus Innocent of Treason; Apr. 22, 1942: French Prime Minister Pierre Laval Wants Germany to Win World War II; Dec. 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration; May 9, 1945: Norwegian Politi-

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December 14, 1945

POET EZRA POUND IS CHARGED WITH TREASON AND INSTITUTIONALIZED

While living as a U.S. citizen in Italy during World War II, the influential modernist poet Ezra Pound recorded profascist radio speeches. Arrested for treason in 1945 and imprisoned in Italy and in Washington, D.C., he was found mentally unfit for trial and was sent to a psychiatric hospital. Pound provoked further scandal when he won the Bollingen Prize for The Pisan Cantos (1948), completed while he was institutionalized.

LOCALES: Rapallo, Rome, Genoa, and Pisa, Italy; Washington, D.C.

CATEGORIES: Law and the courts; politics; radio and television; psychology and psychiatry; literature

KEY FIGURES

Ezra Pound (1885-1972), American expatriate poet

Dorothy Shakespear Pound (1886-1973), English artist, who was married to Pound

Olga Rudge (1895-1996), Pound's mistress

Julien Cornell (1910-1994), Pound's attorney

Winfred Overholser (1892-1964), superintendent of St. Elizabeths Hospital

Bolitha J. Laws (1891-1958), federal district judge in Washington, D.C., 1938-1958

Archibald MacLeish (1892-1982), librarian of Congress and American poet

SUMMARY OF EVENT

Born in Idaho, Ezra Pound grew up in the northeast and received his formal education there. In 1908, he left the United States and eventually arrived in London, England, where he married Dorothy Shakespear in 1914 and made a name for himself as a modernist poet and critic who influenced other writers. After having moved in 1921 to France, the Pounds settled on the Mediterranean coast at Rapallo, Italy, in 1925.

Under the influence of populism and socialism, Pound developed a hatred of usury, which he considered the source of economic injustice and defined as a "charge for the use of purchasing power, levied without regard to production." He came to view U.S. president Franklin D. Roosevelt as a collaborator with rich Jewish financiers who wanted to

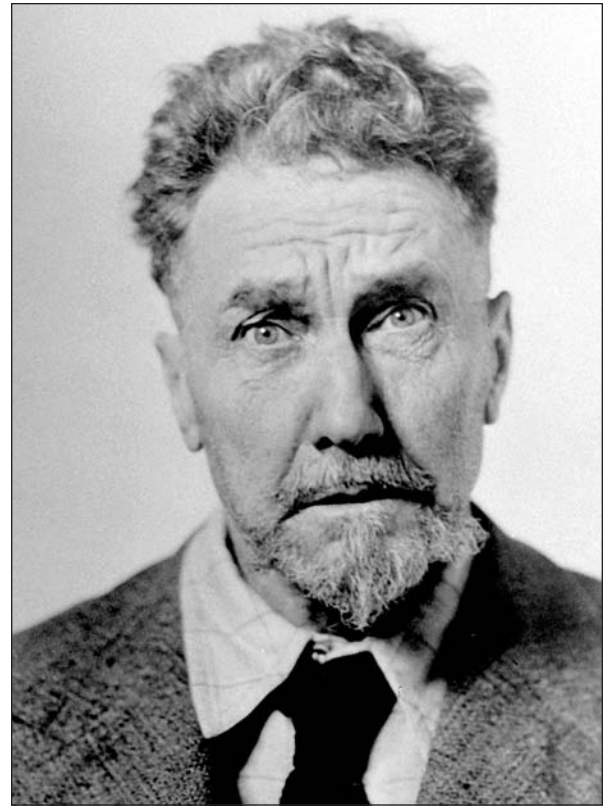
control the world by controlling its money. In contrast, Pound admired the Italian dictator Benito Mussolini. During 1939, when war loomed in Europe, Pound traveled to the United States to persuade Roosevelt to keep the nation at peace and to reform American economics, but the president never met with him.

After World War II began in Europe but before Pearl Harbor, Pound, still a U.S. citizen, was eager to broadcast his ideas from Italy to his country of birth. Despite Italian skepticism about his qualifications, on January 21, 1941, he began personally recording talks for the Italian Broadcasting System. In total, up to the summer of 1943, he recorded more than one hundred twenty talks for shortwave broadcast to the United States and other English-speaking countries.

Pound's practice was to write a script in Rapallo, read it to his mistress, Olga Rudge, in nearby Sant' Ambrogio, and then, when he had written a set of scripts, travel by train to Rome to record them. Often using a bizarre American drawl, he would urge the United States not to take part in the war, contend that the war had resulted from usury inflicted by Jews and their colleagues, and include commentary on culture. One of his many individual targets was Archibald MacLeish, the pro-Roosevelt poet serving as the librarian of Congress in the United States. Unknown to Pound was that U.S. officials were monitoring his broadcasts.

On July 25, 1943, as the Allies advanced, Mussolini fell from power, and the new Italian government sued for peace. The next day, in Washington, D.C., a federal grand jury indicted Pound for treason. Learning of his indictment, Pound sent a letter to the U.S. attorney general to protest the claim that he violated his duty as an American and that the right to free speech included the right to speak freely through radio. Pound received no reply.

When, in northern Italy later in 1943, Mussolini used Germany's help to establish a puppet state, Pound volunteered to write for that state. He continued to live with his wife in Rapallo until, under allied attack, German soldiers in May, 1944, ordered Ezra and Dorothy Pound to leave their apartment near the seashore. They moved to Rudge's home in



Ezra Pound the day he entered St. Elizabeths Hospital in Washington, D.C. (AP/Wide World Photos)

Sant' Ambrogio, which created a tense household. On May 3, 1945, claiming he had information for the U.S. Department of State, Pound tried unsuccessfully to turn himself in to the U.S. troops who had recently arrived in Rapallo. The next day, in Sant' Ambrogio, two antifascist Italians arrested him as he was translating a Confucian classic.

Pound wanted to go to the United States to explain his actions. With Rudge, Pound was eventually driven to Genoa, where, after a long delay, an agent of the Federal Bureau of Investigation arrived to interrogate him. Pound cooperated because he believed he was innocent. On May 24, however, he was handcuffed and driven away in a jeep; he thought he was headed to an airport and then to the United States. Instead, he was taken to the U.S. Army's Disciplinary Training Center (DTC) just outside Pisa and placed in a maximum-security cage, where he had inadequate protection from

sun and rain and was forced to sleep on a concrete floor.

Eventually, Pound received a pup tent to pitch in his cage. In June, the Army moved him to the DTC's medical compound to prevent his mental collapse. The stress Pound suffered, however, may have led to renewed poetic creativity. Returning to a long series of his poems called *The Cantos* (the songs), which had been published piecemeal since 1915, he composed eleven more, Cantos 74 to 84. Written in Pound's allusive, multilingual, multivoiced style, the new poems became *The Pisan Cantos*.

Because of bureaucratic delay, it was not until late in 1945 that Pound was taken to the United States, arriving in Washington, D.C., on November 18. The next day, Judge Bolitha J. Laws persuaded him not to serve as his own counsel but to accept a court-appointed attorney, Julien Cornell. On November 26, a federal grand jury formed a new indictment, longer and more detailed than the previous one. At his arraignment, Pound remained silent, leading Judge Laws to enter a plea of not guilty on his behalf. Denying a motion for bail, Laws sent Pound back to prison but, with Cornell's approval, ordered a medical evaluation. On December 14, the four physicians who examined him wrote that Pound was "insane and mentally unfit for trial" and should be sent to a psychiatric hospital for care. In an inquisition on February 13, 1946, all twelve grand jurors reached the same conclusion.

Since December 21, Pound had been confined to a gloomy cell at St. Elizabeths Hospital, a federal psychiatric hospital in Washington, D.C., and supervised by Winfred Overholser, one of the physicians who had examined him. After the jury's decision, Pound remained in a jail-like building until February 4, 1947, when he received better quarters. At Pisa he could receive no visits from family or friends, but at St. Elizabeths he received many visits, notably from his wife but also from numerous others, including famous poets. In general, people who had long known him found him not insane but merely as eccentric as always.

In theory, Pound was to stand trial when he recovered his sanity; but, according to Overholser, he remained insane. Meanwhile, *The Pisan Cantos*

was published in July, 1948. In February, 1949, the fellows in American Literature of the Library of Congress, by majority vote, chose Pound's new book as the winner of the first Bollingen Prize, a prize given for the best work of American poetry. Expecting the furor that arose after they (the fellows were, in effect, federal government representatives) awarded money to a person under indictment for treason, the fellows argued that to take into account matters other than aesthetics would make the prize meaningless. The award stood, but Congress forced the library to stop giving prizes, and control over the Bollingen Prize went to Yale University's Beinecke Library.

As years passed and Pound still was deemed unfit for trial, he seemed destined to die in confinement without having been convicted. On April 18, 1958, however, after a campaign led by MacLeish, Judge Laws—with Overholser's consent—dismissed the indictment against Pound, and he was released into his wife's custody. Pound soon left St. Elizabeths and returned to Italy, where he died in 1972 with Rudge at his bedside.

IMPACT

Pound's wartime broadcasts from an enemy nation tested the constitutional definition of "treason" and the limits of the First Amendment to the U.S. Constitution. The case of the broadcasts opened the door to the legal question, How far can a U.S. citizen go in opposing U.S. military action? Furthermore, Pound's long confinement in a mental hospital while he was merely under indictment presented a new issue for the justice system, just as his receipt of an award for his poetry presented the problem of how to distinguish the lives and beliefs of artists from their artistic accomplishments.

—Victor Lindsey

FURTHER READING

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Tilden Is Arrested for Lewd Behavior with a Minor

port, Conn.: Greenwood Press, 2005. Contains 265 entries by ninety-nine scholars on persons, writings, and ideas. Includes discussion of Pound's *Pisan Cantos* as well as economics, politics, and anti-Semitism.

SEE ALSO: July 12, 1906: French Court Declares Alfred Dreyfus Innocent of Treason; Apr. 22, 1942: French Prime Minister Pierre Laval Wants Germany to Win World War II; Dec. 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration; May 9, 1945: Norwegian Politician Quisling Is Arrested for Nazi Collaboration; May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Sept. 19, 1952: Actor Charles Chaplin Not Allowed in the United States; Aug. 19, 1985: West German Counterintelligence Chief Defects to East Germany; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim's Nazi Past Is Revealed.

November 23, 1946

TENNIS STAR BILL TILDEN IS ARRESTED FOR LEWD BEHAVIOR WITH A MINOR

One of the greatest tennis players of all time, Tilden was arrested and charged with lewd behavior with a teenage male prostitute. After Tilden was convicted and sentenced to one year in jail, his reputation was ruined. The tennis community and the public dismissed him as a sexual deviant, which overshadowed his many professional achievements during the 1920's. He also had other contacts with police for sex-related incidents.

LOCALE: Los Angeles, California

CATEGORIES: Prostitution; sex crimes; law and the courts; public morals; sports

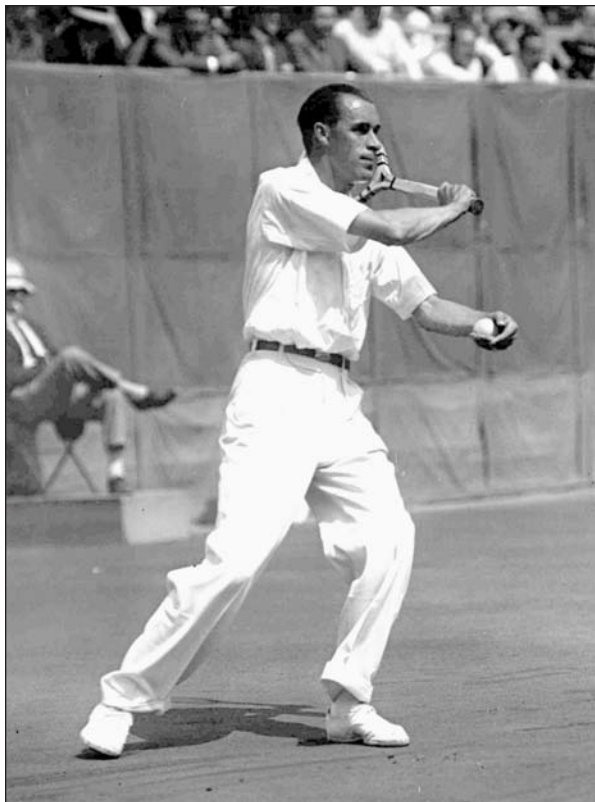
KEY FIGURE

Bill Tilden (1893-1953), American professional tennis player

SUMMARY OF EVENT

Bill Tilden was a star of the international tennis scene during the 1920's. One of the best known American tennis players of the era, he helped transform tennis from a competition usually reserved for the wealthy elite to a popular spectator sport.

Tilden's arrest on November 23, 1946, in Los Angeles occurred after police spotted him in a car being driven by a teenager. Police stopped the car and found Tilden in the front seat with a boy Tilden



Bill Tilden. (AP/Wide World Photos)

solicited for sex. Both were in various stages of undress. Tilden was arrested and charged with lewd and lascivious behavior with a minor, a felony charge usually associated with sexual abuse, but the charge was reduced to contributing to the delinquency of a minor, a misdemeanor. Tilden offered no defense during his arrest and booking and signed a statement about the incident without protest. It was only later that the tennis star would hire a lawyer to defend him as he sought to escape certain conviction.

Tilden showed no apparent concern about the charges. He had been detained by police in two earlier incidents, one in which he had propositioned a boy and another in which he had physical contact with a boy. Tilden managed to escape punishment or public exposure for these two incidents, but with his 1946 arrest came public scandal and the beginning of the end to his career as a tennis star.

At a court hearing on January 16, 1947, Tilden

pleaded guilty, expecting to receive a light punishment. Most of the hearing was consumed by psychologists who labeled him mentally ill and in need of counseling. With this testimony on his side, it appeared Tilden would escape jail, or prison, but the judge was not swayed by the psychologists or by Tilden's character witnesses. Tilden's odd behavior during the hearing, which included denying previous sexual misconduct, may have influenced the judge's decision to give him one year in the county jail and further restrictions after he served his sentence. Tilden spent much of his sentence at a California work farm, serving only eight months.

Some twenty years before his arrest and public disgrace, Tilden was one of the world's best tennis players. He was most proficient during the 1920's, winning seven U.S. singles titles in the tournament that would later be known as the U.S. Open and five doubles and four mixed-doubles championships in the same tournament. Tilden also was a Wimbledon champion, winning three singles titles and a doubles title, and he won a mixed-singles title in what would become the French Open. Furthermore, he played in eleven consecutive Davis Cup tournaments from 1920 to 1930 and helped the United States win seven straight of the international titles, a feat never repeated by any other country. With ten singles and eleven doubles titles, Tilden remains ranked among the greatest tennis stars of any era, matching the feats of some of the game's modern stars.

With his achievements, Tilden's fame grew, as did the swings in his mercurial personality. Prone to tantrums and disagreements, he was in constant conflict with tennis officials, including line judges and referees, and other players. His antics on the court, which included threats to leave during the middle of a match, resembled those of later tennis star John McEnroe. Tilden's favorite strategy was to scowl at any line judge or referee he believed missed a call. His staring became so intimidating that the U.S. tennis organization considered a rule against glaring, which, while it would be difficult to enforce, was implicitly directed at Tilden. The rule did not pass, and Tilden continued his tirades and glares at officials. He also earned the reputation for

throwing (losing) sets out of personal pique or as part of an elaborate plan to taunt his opponent, exhibiting how he could turn on and off his talent and win even though behind in a match.

Tilden's showmanship aided him in adding to his income, a necessity for tennis players prior to World War II. During that period the tennis profession was much different from what it became in the modern era. Tilden and his competitors were considered amateurs, forced to make money in professions outside tennis while competing in tournaments. Tilden made money by acting in plays, earning mainly scathing reviews of his efforts, and writing articles about tennis matches. He also composed an autobiography, dropping names of politicians, Hollywood actors, and other tennis players in an effort to heighten his own fame.

With his arrest and release, Tilden's tennis career was over. Well over fifty years old, he could no longer play competitively, and because of his arrest he could not draw a paying crowd to see his tennis exhibitions, which provided much of his income during the 1940's. Teaching tennis also was a foreclosed possibility, as one of the conditions of his release was having no contact with minors, even those whom he might instruct in tennis.

In January, 1949, Tilden again was arrested. He had picked up a fifteen-year-old hitchhiker and attempted to molest him. He received a less severe sentence, one more year at the work farm for a probation violation rather than a new sentence for the second crime. He served only four months of this sentence and was released at the end of 1949.

Tilden's final years were spent in shame, as friends, players, and fans rejected him. Attempting a career comeback at the age of sixty, Tilden's body apparently was unable to handle the stress of training. He died in 1953 after having a heart attack in a hotel room in Cleveland, where he was set to play in the U.S. Pro Championship.

IMPACT

Tilden's arrest and conviction in 1946 ended one of the greatest athletic careers of all time, in any sport. With his wins in the U.S. and French championships and at Wimbledon, Tilden was the first to ac-

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complish the rare career grand slam. However, his personal failings and uncontrolled attraction to teenage boys destroyed his career and reputation, but not before he was voted the greatest athlete of the first half of the twentieth century, beating even baseball icon Babe Ruth. He also was inducted into the International Tennis Hall of Fame in 1959. While Tilden's accomplishments are occasionally mentioned in the modern tennis world, he remains an outcast, whose stellar career was overshadowed by his criminal acts.

—Douglas Clouatre

FURTHER READING

Deford, Frank. *Big Bill Tilden: The Triumphs and the Tragedy*. Wilmington, Del.: Sport Classic Books, 2004. A full-length biography of Tilden. Examines his tennis career, including the tournaments he won, his opponents, his disputes with the tennis establishment, and his arrest and humiliation at the end of his life.

Fein, Paul. *Tennis Confidential*. Washington, D.C.: Potomac Books, 2003. A wide-ranging book that looks at current and past tennis greats. Includes several stories about Bill Tilden, his career, and his life.

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athletes over the centuries. Includes a chapter on Tilden.

SEE ALSO: June 4, 1943: Actor Charles Chaplin Is Sued for Paternity; Dec. 12, 1957: Rock Star Jerry Lee Lewis Marries Thirteen-Year-Old Cousin; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; July 28, 1980: Magazine Reveals Baseball Star Steve Garvey's

Marital Problems; July 18, 1988: Actor Rob Lowe Videotapes Sexual Tryst with a Minor; Feb. 26, 1997: Teacher Mary Kay Letourneau Is Arrested for Statutory Rape; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation; Dec. 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal; June 13, 2008: Singer R. Kelly Is Acquitted on Child Pornography Charges.

Spring, 1947

BASEBALL MANAGER LEO DUROCHER IS SUSPENDED FOR GAMBLING TIES

Brooklyn Dodgers manager Leo Durocher got into a battle of words with Larry MacPhail, co-owner of the New York Yankees. Durocher, who had been warned by the baseball commissioner about consorting with gamblers, complained when he saw two well-known gamblers in the Yankees owner's box during a game and argued that there was a double standard for managers. MacPhail then complained to the commissioner about Durocher's statements, leading to Durocher's suspension for the season.

LOCALE: New York, New York

CATEGORIES: Corruption; gambling; organized crime and racketeering; sports

KEY FIGURES

Leo Durocher (1905-1991), manager of the Brooklyn Dodgers

Larry MacPhail (1890-1975), co-owner and president of the New York Yankees

Happy Chandler (1898-1991), commissioner of Major League Baseball

SUMMARY OF EVENT

Leo Durocher was well known for his gambling habits. He also was known for his loudness and willingness to fight things out in the press. Larry MacPhail, too, was known for his unpredictable be-

havior and, like Durocher, for his ability to turn a losing team around. Durocher and MacPhail would get into a fight in 1947, leading, ultimately, to Durocher's suspension, on April 9, for the season.

While Durocher enjoyed gambling personally, colleagues argued that he worked to keep gambling away from his team. According to sportscaster Red Barber, new Dodgers owner Branch Rickey ordered Durocher in 1942 to stop all gambling in the Dodgers clubhouse and on trains during road trips. Durocher complied, but he still gambled in his private life.

In 1944, Durocher's friend, actor George Raft, was investigated for throwing a crooked dice game in Durocher's apartment. Raft, who was known for his underworld associates, was not popular with the heads of baseball. In 1941, Baseball Commissioner Kenesaw Mountain Landis refused Durocher's request for four seats in the manager's box for the actor. Durocher was not present at the infamous dice game of 1944, but the incident generated a fair amount of negative press. Raft and Durocher remained friends, leading to charges of guilt by association for Durocher. Commissioner Landis died in 1944 and was replaced by Happy Chandler, much to the liking of MacPhail, who strongly supported his selection.

In January, 1947, Durocher married actor Lorraine Day in El Paso, Texas, the same day she was

divorced in Mexico. However, her husband was contesting the divorce in California, so the couple could not live together as a married couple in that state for a year. The controversy surrounding their marriage upset the commissioner, as well as the Catholic Youth Organization of Brooklyn. As a result, the Catholic Youth Organization withdrew its participation in the Knothole Club, which provided free Dodgers tickets for children.

Around this time, Chandler met with Durocher and told him he could not associate with known gamblers. Durocher agreed, and during spring training “his deportment was downright monkish,” according to reporters. At a game against the Yankees in spring training, Durocher saw Memphis Engelberg and Connie Immerman, two well-known gamblers who Chandler warned Durocher to stay away from; Engelberg and Immerman were sitting with MacPhail in Yankees box seats. Durocher and Dodgers owner Rickey complained that if Durocher could not associate with gamblers, then neither should MacPhail.

In a column published in the *Brooklyn Eagle* (ghostwritten by Harold Parrott), Durocher wrote, “MacPhail was flaunting his company with known gamblers right in the players’ faces. . . . If I even said ‘Hello’ to one of those guys, I’d be called before Commissioner Chandler and probably barred.” Durocher then called MacPhail a liar and claimed that MacPhail had “stolen” some of his coaches.

These accusations angered MacPhail, who filed a complaint with Chandler, arguing that Durocher’s “airing of dirty linen” was “detrimental to baseball.” After holding a closed hearing, Chandler suspended Durocher for the 1947 season, citing the “accumulation of unpleasant incidents in which he has been involved which the commissioner construes as detrimental to baseball.” In the uproar that followed, some fans and reporters “conceived the notion that Chandler was paying off a debt” to MacPhail. Also, demands began to pile up for the release of records of the hearing on Durocher. Chandler refused to release a transcript of the hearing or to elaborate on his reasons for the suspension; the exact reasons were never revealed.

Gambling was on the minds of many in New

York in 1947; there were several gambling scandals in progress at the time, including those involving boxer Rocky Graziano, the New York Giants football team, and the Brooklyn College basketball team. It is possible that because of these contemporary gambling scandals, the public came to associate Durocher’s suspension with gambling. Durocher’s infamous mouth, his unorthodox and possibly illegal marriage, and his past association with gamblers all likely contributed to his suspension. As Durocher biographer Gerald Eskenazi notes in his 1993 book *The Lip*,

We will never know all the ingredients that went into making the decision to suspend Leo. Even after it happened, there was so much reckless speculation that it has become a truth: Leo Durocher was suspended for 1947 for gambling, or for his associates, or for marrying a divorced woman before she was free.

Durocher’s suspension was especially upsetting to Rickey, who had wanted Durocher to be the manager who helped Jackie Robinson break into major-league baseball. Prior to Durocher’s suspension, a number of Dodgers players were circulating a petition to keep Robinson off the team. Durocher heard of this petition and called the players into a meeting, telling them that Robinson was on the team and that anyone who did not like it would be traded. Following Durocher’s suspension, Burton Shotton took over as team manager for the rest of the 1947 season, which ended when the Dodgers lost to the Yankees in the World Series.

IMPACT

The suspension of Durocher led to much discussion from sports writers and fans across the United States. Some thought Durocher deserved the suspension, but many felt Chandler’s actions were too severe. The actions, too, did not endear the commissioner to the public. The argument that the suspension was inspired by Durocher’s alleged continued association with gamblers has, over time, been repeated so often that it is now commonplace. However, Chandler never revealed his reasons for suspending Durocher.

Chandler's term as commissioner, which expired in 1951, was not renewed. Some have argued that the Durocher incident was the reason for the rejection. Others noted that some owners were angry that Chandler allowed Robinson into the majors. Either way, 1947 had a major impact on his future as commissioner.

MacPhail left the Yankees after the 1947 season after being "bought out" by the other Yankees owners, partly because of an altercation with the press at the World Series championship party in the locker room. Durocher came back to the Dodgers in 1948 but left in July to manage the New York Giants. He later managed the Chicago Cubs and Houston Astros. Both Durocher and MacPhail are in the Baseball Hall of Fame.

When Pete Rose was suspended from baseball in 1989 for gambling, Durocher's 1947 suspension was brought up as a reminder of baseball's tough stance on the issue. Durocher's name, along with the name Rose, will forever be associated with the baseball scandal that is gambling, regardless of guilt or innocence.

—Julie Elliott

FURTHER READING

Barber, Red. *1947: When All Hell Broke Loose in Baseball*. New York: Doubleday, 1982. Book by Dodgers broadcaster covers the history of the relationships among Durocher, Rickey, and MacPhail, as well as some of the events leading up to Durocher's suspension.

Durocher, Leo. *Nice Guys Finish Last*. New York: Simon & Schuster, 1975. The chapter "A Ham-fat Politician Named Happy," presents a colorful discussion of the gambling and suspension scandal.

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Durocher. New York: William Morrow, 1993. Biography covers Durocher from his childhood in Massachusetts through his playing and managing days and beyond. Lengthy section on 1947 suspension examines how the rumors of suspension for gambling have remained unverified.

Ginsberg, Daniel E. *The Fix Is In: A History of Baseball Gambling and Game Fixing Scandals*. New York: McFarland, 2004. A valuable overview of a neglected component of baseball history.

Smith, Red. "Has Baseball Forgotten the Fan?" *The Saturday Evening Post*, October 4, 1947. Article published the final month of the 1947 season. Critical of Chandler's decision to suspend Durocher. Details concerns with baseball owners and the commissioner overall.

SEE ALSO: Sept. 21, 1919: White Sox Players Conspire to Lose World Series in "Black Sox" Scandal; Dec. 26, 1926: Ty Cobb and Tris Speaker Are Accused of Fixing Baseball Games; May 3, 1950: U.S. Senate Committee Begins Investigating Organized Crime; Jan. 17, 1951: College Basketball Players Begin Shaving Points for Money; Fall, 1969-Winter, 1971: Japanese Baseball Players Are Implicated in Game Fixing; Nov. 29, 1979, and Jan. 31, 1983: Baseball Commissioner Suspends Mickey Mantle and Willie Mays for Casino Ties; Feb. 28, 1986: Baseball Commissioner Peter Ueberroth Suspends Players for Cocaine Use; Aug. 24, 1989: Pete Rose Is Banned from Baseball for Betting on Games; Mar. 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use; July 29, 2008: NBA Referee Tim Donaghy Is Sentenced to Prison for Betting on Games.

July 5, 1948

ACTOR CAROLE LANDIS COMMITS SUICIDE DURING AFFAIR WITH REX HARRISON

Film actor Carole Landis killed herself after her lover, film and stage actor Rex Harrison, refused to leave his wife, actor Lilli Palmer, for her. Harrison afterward denied that either he or the affair itself had caused Landis's death and went on to a long distinguished film career.

LOCALE: Pacific Palisades, California

CATEGORIES: Murder and suicide; sex; Hollywood; popular culture

KEY FIGURES

Carole Landis (1919-1948), American film actor
Rex Harrison (1908-1990), Oscar-winning British film and stage actor

Lilli Palmer (1914-1986), German-born actor, married to Rex Harrison

SUMMARY OF EVENT

Carole Landis seemed to have it all—beauty, brains (she also was a writer), and the ability to sing her own songs in musicals without her voice having to be dubbed. However, she was unlucky in love, with four failed marriages and numerous affairs that led nowhere. One affair was with Rex Harrison, whose own sexual peccadilloes were legendary (he was known as Sexy Remy). Married at the time to his second wife, actor Lilli Palmer, Harrison nonetheless carried on a liaison with Landis but refused to divorce Palmer to marry Landis.

The youngest of five children, Landis came from a broken home and lost two of her brothers to tragic accidents during her childhood. After her family, led by her mother, moved to California, Landis became fascinated with the glamour of Hollywood. As a youngster, she gave an impromptu singing performance at an amateur-night contest, began placing high in beauty contests, and organized a short-lived football team for girls in high school. At the age of fifteen, she eloped with her first husband and

remarried him some time after the first marriage was annulled, but the second marriage did not last either. She also dropped out of school at the age of fifteen, wanting to devote herself to becoming a star.

After she saved money from jobs as a sales girl, waitress, and movie-theater usher, Landis took a bus north to San Francisco, changed her name, and dyed her hair blond. She began landing jobs as a dancer (her first job was as part of a hula-dance duo), singer, and small-role player in films, including *A Star Is Born* (1937). Musical choreographer Busby Berkeley was sufficiently impressed with her to help get her a contract with Warner Bros. Berkeley later proposed marriage but changed his mind because of vague rumors that she had been a call girl when she first came to Hollywood.

Landis next performed in a stage show starring Bob Hope. Moving to Republic Pictures, she had leading roles in two small Westerns (one starring a young John Wayne) and a twelve-chapter serial. However, her breakthrough role came as a cave girl, wearing a skimpy costume that showed off her fabulous figure, in the Hal Roach production *One Million B.C.* (1940). It was a low-budget film (the prehistoric beasts were magnified lizards) but was nominated for Oscars for special effects and musical score.

Landis married again in 1940, but the marriage ended within the year. Among her high-profile escorts around this time were Charles Chaplin, Victor Mature, George Montgomery, and Cesar Romero, whom she later described as her favorite leading man.

During World War II, Landis took part in war-bond rallies, flew with the Civilian Air Patrol, and visited soldiers at the Hollywood Canteen. In 1942 and 1943, she joined actor Kay Francis, comedian Martha Raye, and dancer Mitzi Mayfair on trips to Europe and North Africa to entertain U.S. soldiers.



Carole Landis. (Hulton Archive/Getty Images)

Landis found time for her third marriage, to a former air squadron commander in London. Back in the United States in 1943, she was honored as having traveled more miles and done more entertaining for the war effort than any female celebrity of the time.

Landis wrote a book about her wartime adventures, *Four Jills in a Jeep*, which was first serialized in the magazine *The Saturday Evening Post*. In 1944, the book was made into a film in which she, Francis, Raye, and Mayfair played themselves, but the picture did lackluster business. Later that year, Landis again went on tour with a USO troupe, led by Jack Benny, to the South Pacific. She became ill with amoebic dysentery and malaria and nearly died of pneumonia. She never fully regained her health and, later that year, separated from husband number three. They divorced the following year.

In 1945, Landis appeared in a musical comedy

on Broadway along with future novelist Jacqueline Susann. She and Susann developed an intimate relationship, and Landis showered Susann with gifts that included jewelry and a mink coat. Susann's best-selling novel *Valley of the Dolls* (1966) features an actor who commits suicide by overdosing on pills. Some readers believe the character is based on Marilyn Monroe but others suggest she was based on Landis. In the 1967 film version of the novel, the character was played by Sharon Tate, an actor who was murdered with four others by the notorious Manson family in 1969.

Susann introduced Landis to a millionaire Broadway actor and producer named W. Horace Schmidlapp, whom Landis married near the end of the year. He was her last husband (they were in the process of divorce when she died). In the summer of 1947, Landis met British actor Harrison, who was then married to the second of what would be six wives—German actor Palmer. Landis and Harrison, however, did not let their marriages stand in the way of their passionate affair. In 1948, columnist Walter Winchell predicted that Harrison would eventually become Landis's fifth husband, causing public interest in the affair to peak. With her career fading in Hollywood, Landis went to England to make some pictures, and Harrison followed with his family. Eventually catching on to the affair, Palmer took her and Harrison's three-year-old son and returned to New York.

Landis and Harrison reconnected upon their returns to the United States, although Harrison consistently denied the existence of an affair when queried by reporters. The two met for dinner on the Fourth of July in 1948, and Landis learned that Harrison would be returning to England to do a play. After Harrison left about nine o'clock, Landis filled a small suitcase with letters he had written to her and placed it outside the house of another actor they both knew. She returned home, drank several cocktails, wrote a note to her mother apologizing for what she was going to be putting her through, and wrote a note to her maid to check on her pet cat's sore paw. Landis took enough barbiturates to have been fatal five times over, according to the autopsy. She was just twenty-nine years old.

After returning to Los Angeles, Harrison tried to telephone Landis several times the next morning, then came to her house early in the afternoon and found Landis's body. He informed Landis's maid and then left the house. It was the maid who called authorities. Harrison did not call them until more than one hour after he discovered Landis's body. Someone gave Harrison the suitcase of letters that Landis had collected. Harrison promptly burned them.

Rejoined by his wife a few days later, Harrison told reporters there was no love affair between him and Landis and that they were merely friends. Palmer proclaimed her love for Harrison and said they had a happy marriage. The coroner's inquest was covered by reporters, photographers, and even radio announcers. Harrison testified that he had no idea why Landis would have killed herself. That Landis had attempted suicide in the past tended to support the view that her death was indeed a suicide. Thousands of people, including Harrison and Palmer, attended her funeral on July 10. Harrison and Palmer slipped out a side door as the ceremony was ending to avoid the press and public.

IMPACT

Although Landis, at the time of her death, had been suffering from depression and a fading career, either or both of which could have contributed to her suicide, the public blamed Harrison for her death. Harrison lost his film contract with Twentieth Century Fox, but his career did not slow down, despite public opinion. He went on to win many acting honors, including for his performance on Broadway

and also in the film version of the musical *My Fair Lady*. He and Palmer divorced in 1957 and he married four more times. Adding a further twist to the scandal of Landis's suicide by overdose was the suicide of Harrison's fifth wife, Rachel Roberts. She also killed herself with an overdose of sleeping pills.

—Paul Dellinger

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SEE ALSO: June 25, 1906: Millionaire Heir Murders Architect Stanford White; 1909-1916: Dancer Isadora Duncan Begins Affair with Millionaire Heir; Sept. 4, 1932: Film Star Jean Harlow's Husband Is an Apparent Suicide; Dec. 16, 1935: Film Star Thelma Todd's Death Cannot Be Explained; Apr. 4, 1958: Actor Lana Turner's Daughter Kills Turner's Gangster Lover.

August 4, 1948**COLUMNIST DREW PEARSON EXPOSES CONGRESSMAN'S CORRUPTION**

U.S. representative J. Parnell Thomas, former chairman of the House Committee on Un-American Activities during the McCarthy era, was convicted of running a kickback scheme, through which he received the salaries of nonworking members of his staff. Muckraking columnist Drew Pearson was tipped about the corruption by Thomas's secretary, with whom Thomas had a long-time affair. Pearson wrote a series of columns that broke in The Washington Post.

LOCALE: Washington, D.C.**CATEGORIES:** Publishing and journalism; corruption; government; politics**KEY FIGURES**

J. Parnell Thomas (1895-1970), U.S. representative from New Jersey, 1937-1950, and chairman of the House Committee on Un-American Activities

Drew Pearson (1897-1969), journalist and cowriter of the syndicated column *Washington Merry-Go-Round* with Robert S. Allen

Helen Campbell (fl. mid-twentieth century), Thomas's secretary, who had a long-time affair with the Congress member

SUMMARY OF EVENT

The August 4, 1948, muckraking column *Washington Merry-Go-Round*, written by Drew Pearson and published in *The Washington Post*, broke the story that U.S. congressman J. Parnell Thomas, the powerful but irascible chairman of the House Committee on Un-American Activities, had been running a kickback scheme involving supposed members of his staff. In one case, he placed on his payroll a clerk named Myra Mideff at an annual salary of \$1,300, with the understanding that she was to kick back her salary to the congressman in exchange for not working.

Thomas was born John Parnell Feeney, Jr., in Jersey City in an era when a clearly Irish name was considered a hindrance to political success. It was in 1920 that Thomas, believing he could achieve greater recognition and business under his mother's family name, changed his last name. After World War I, Thomas entered conservative New Jersey Republican politics. In 1925, he won a seat on the Allendale borough council. From 1926 to 1930, he served as mayor of Allendale, and in 1935 was elected a representative from Bergen County to the New Jersey state assembly.

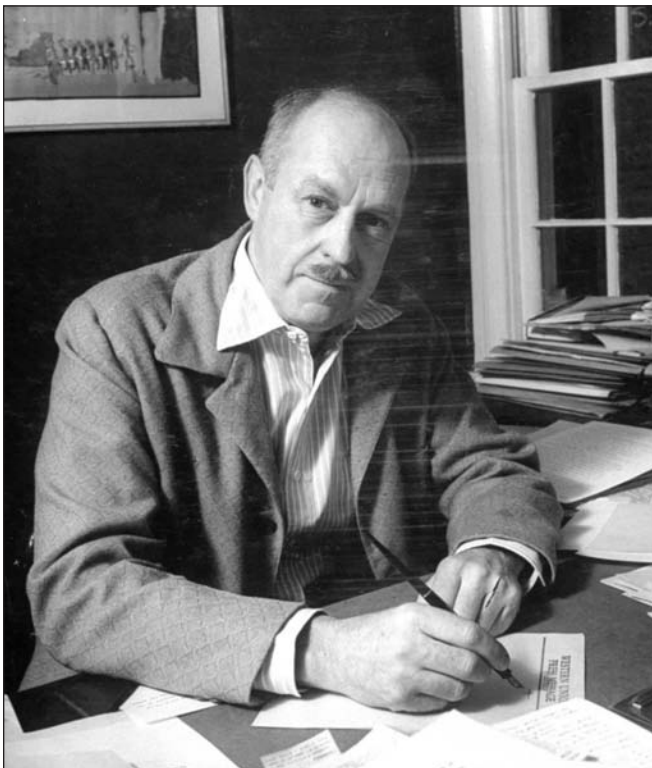
Controversy and publicity surrounded Thomas during his brief assembly tenure. In a foreshadowing of later events, opponents questioned his political ethics and accused him of undue profits from the sale of bonds to the state. In the spring of 1936, the Republican state committee picked Thomas to run for the Seventh Congressional District seat. That fall he won the first of six successive terms in the U.S. House of Representatives.

Thomas became a member of the Military Affairs Committee and supported the Lend-Lease Act of 1941, favoring aid to Great Britain during World War II, and then emerged as a leading opponent of civilian control of peacetime atomic energy. He maintained that military control would prevent domination by "subversive" scientists. Shortly after being appointed in 1938 to the Special Committee on Un-American Activities (called the Dies Committee for its chairman, Martin Dies) to investigate communism in U.S. politics, Thomas attacked as communist the Works Progress Administration's Federal Theater and Writers' projects. He saw his mission to uncover liberal "fellow travelers" as well.

After the 1946 congressional elections, in which the Republicans gained control of the House, Thomas became chairman of the newly renamed House Committee on Un-American Activities (HUAC) in 1947, where he began using a tactic that

ultimately led to a series of contempt-of-Congress citations against uncooperative witnesses. His tactic was to replace an uncooperative witness unwilling to testify with one of the committee's own investigators, who in turn disclosed what information it had on the witness. Thomas and his blatant partisanship and dictatorial tactics drew criticism from the Harry S. Truman administration and civil libertarians.

Thomas would claim that his career was ended by scandal because of his low salary (\$10,000 per year), which he believed was inadequate for advancing in Washington, D.C. By 1940, to increase his income, Thomas devised what he considered to be a foolproof scheme: to kick back to himself the net salaries of nonworking persons on his staff. In addition, he would pay the taxes on staff salaries at a lower tax bracket. The scheme, which included strangers, a housekeeper, an aunt, and a daughter-in-law, worked until 1948, when his long-time secretary, Helen Campbell, with whom he was in-



Drew Pearson. (Hulton Archive/Getty Images)

Drew Pearson Exposes Congressman's Corruption

volved romantically for decades, revealed Thomas's secret. Allegedly in love with the married Thomas and knowledgeable about his kickbacks, she turned on him when she discovered that he had been unfaithful to her. She reported his criminal activities to columnist Drew Pearson, who was a staunch critic of Thomas. Pearson's first column on Thomas's scheme, "Thomas Held Ignoring Old Adage," appeared on August 4 in *The Washington Post* and was the first column in a series. The others were published on August 7 ("Probe of Files Suggested"), August 10 ("Political Donors Expect Favors"), August 13 ("Thomas Makes Insurance Story"), and August 14 ("Truman Has Thomas Trouble").

Pearson explored all elements of Thomas's office payroll practices and investigated his kickback schemes. In October, a federal grand jury began investigating the accusations. Thomas denied all of the charges against him, claiming that they were the dirty tricks of his political enemies, who, he claimed, faked the bank accounts that detailed his kickbacks. To get the U.S. Department of Justice to drop the charges and to prove his innocence, he appealed to the American Legion and to other congressional leaders. However, their attempts failed. Thomas was able to secure five trial postponements by faking illnesses, including unnecessary surgery to finagle a hospital stay, but a sixth attempted postponement failed when Walter Reed Army Medical Center refused to admit him.

Thomas finally went to trial in late 1949, to great dramatic effect. He disrupted the proceedings by suddenly pleading no contest and throwing himself at the mercy of the court, amid a great display of crying. He was fined \$10,000 for the crime of embezzling \$8,000 and was sentenced to prison for a period not to exceed eighteen months. He resigned from the House on January 2, 1950, and served nearly nine months in federal prison at Danbury, Connecticut, before he was pardoned by President Truman. Ironically, one of his fellow inmates was Ring Lardner, Jr., one of the Hollywood Ten, who appeared before HUAC.

In 1954, Thomas tried to reclaim his old seat but he failed, and his political career was over. He moved to Florida in 1956 and lived there until his death in 1970.

IMPACT

The Thomas scandal undoubtedly delighted those who had appeared before HUAC during Thomas's tenure, but it also uncovered the Congress member as a coward who used tears and other dramatic effects during his trial to get the court to show mercy for him. The devious methods he employed and the blunders he committed eventually caught up with him, when his corruption and public immorality caused his total banishment from the political scene.

Thomas represented the all-too common American story of the small timer who went to Washington, D.C., and found he could not handle the temptation. Thomas's case was especially ironic because in his early political career, he straddled the fine line of sometimes questionable dealings against an attempt to stay away from any activity that might be considered illegal and would blemish his transit from the mayoralty of a New Jersey town to his election in 1937 to Congress. Along the way there even was a name change.

The Thomas scandal, along with the attention HUAC generated during his time as chairman, focused attention on the kind of person whom members of Congress and party leaders appointed to lead such a committee. Thomas's ultimate disgrace was not seen by those who allowed him membership on the Dies Committee in 1938, but it was seen in subsequent years. He gradually unveiled evidence of his questionable characteristics. The shameful manner in which he ended his career was, in a sense, another perverse irony as he faced the same scrutiny in court that he inflicted on HUAC witnesses during the scandalous McCarthy era.

—Martin J. Manning

FURTHER READING

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during the period when Parnell was chairman, with discussion of Thomas's difficult personality and blatant unfairness toward witnesses he considered un-American or communist or both.

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Pearson, Drew, and Jack Anderson. *The Case Against Congress: A Compelling Indictment of Corruption on Capitol Hill*. New York: Simon & Schuster, 1968. An account of Capitol Hill corruption by journalist Drew Pearson and his fellow columnist of *Washington Merry-Go-Round*.

Stripling, Robert E. *The Red Plot Against America*. New York: Arno Press, 1977. Stripling was a long-time member of HUAC, who was appointed the committee's chief investigator in 1947, the same year that Thomas became chairman. The book, which appeared serially early in 1949, describes Stripling's work with HUAC, including many of the hearings with which he was involved.

SEE ALSO: May 16, 1934: General Douglas MacArthur Sues Newspaper Columnist for Libel; June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; May 31, 1989: Speaker of the House Jim Wright Resigns in Ethics Scandal; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; June 4, 2007: Congressman William J. Jefferson Is Indicted for Corruption.

August 31, 1948**FILM STAR ROBERT MITCHUM IS ARRESTED FOR DRUG POSSESSION**

Film actor Robert Mitchum was arrested for drug possession at the Hollywood Hills home of another actor. After pleading no contest at his arraignment, he served fifty days in jail. Three years later, a not-guilty plea replaced his earlier plea, and the case was expunged from the records. Known for often playing “heavies” and hard-boiled antiheroes, Mitchum became an even bigger star after his release from jail.

LOCALE: Los Angeles, California**CATEGORIES:** Drugs; Hollywood; law and the courts; public morals**KEY FIGURES**

Robert Mitchum (1917-1997), American film actor

Lila Leeds (1928-1999), American film actor

Robin Ford (fl. 1940's), bartender

Howard Hughes (1905-1976), American businessman, film producer, and head of RKO Radio Pictures

SUMMARY OF EVENT

Even as a young actor, Robert Mitchum projected self-assurance and strength on-screen, in addition to a sense of existential detachment that deepened as he aged. He began his movie career during World War II, appearing mostly in Westerns. In 1944, he signed a seven-year contract with RKO Radio Pictures. After a short time in the U.S. Army, he was nominated for an Academy Award for his impressive supporting performance in *The Story of G.I. Joe* (1945).

In the years following the war, Mitchum would become one of the only Hollywood stars who consistently played villains. Nevertheless, his performances displayed considerable versatility. *Out of the Past* (1947) was one of a string of B-films produced by RKO that featured Mitchum. It would

later become celebrated as the quintessential example of American film noir; Mitchum's resonant portrayal of private eye Jeff Bailey led critic Roger Ebert to state that Mitchum “embodies the soul of film noir.”

As the Cold War developed, those who worked in the film industry came under scrutiny regarding their loyalty and their adherence to American values. The commissioner of the Federal Bureau of Narcotics, Harry J. Anslinger, convinced many that marijuana was what he called a “killer weed,” the use of which would inevitably lead to using hard drugs.

Mitchum was quite conservative politically, but he also was a hard drinker and marijuana user. He and others in the film industry were put under surveillance in one of the periodic cleansing operations in which the Los Angeles Police Department (LAPD) publicly shames and punishes film celebrities.

In the summer of 1948, Mitchum was earning three thousand dollars per week, a princely sum at the time; however, his marriage was strained and his wife and children were living in Delaware. Always generous, he was taking bartender Robin Ford to dinner on the night of August 31. Ford, later described by Mitchum as a hanger-on, insisted that they stop at a cottage in Laurel Canyon—in the Hollywood Hills—presumably so Ford could make a phone call. The house had been rented to Lila Leeds, a twenty-year-old who earlier had been under contract to Warner Bros. studio. Another young woman with film aspirations, Vicki Evans, also lived at the house that Mitchum and Ford reached around midnight.

Narcotics officers from the LAPD had arrived at the cottage two hours earlier and were watching the place from outside, listening through open windows as Leeds received telephone calls from Ford. Leeds offered marijuana cigarettes to Mitchum and



Robert Mitchum, left, and Robin Ford wait at Los Angeles County jail following their arrest for drug possession. (AP/Wide World Photos)

Ford, which they accepted. Within minutes, Detective Sergeant Alva M. Barr and Sergeant J. B. McKinnon entered the house, guns drawn, and arrested the party of four. The police report of the raid indicated that Mitchum had been under surveillance for eight months and that the house at 8443 Ridpath Drive had been bugged for five months.

Mitchum was convicted of one felony count of conspiring to possess; his case was submitted without defense. RKO head Howard Hughes wanted Mitchum to fight the charges, but the actor refused any preferential treatment. He spent one week in a county jail, then forty-three days (February 16–March 30, 1946) at a prison farm in Castaic, California, north of Los Angeles.

The arrest and trial generated headlines for weeks, and Mitchum's prison stay was documented by photographs that appeared in *Life* magazine. The brawny star was shown posing in his prison uniform and performing various tasks. Known for his sarcastic sense of humor, the actor described his incarceration as "like Palm Springs, but without the riff-raff."

Investigations by Hughes and by Mitchum's attorney found evidence of a direct link between the marijuana raid and Dorothy Mitchum's testimony against her husband's former business manager, Paul Behrmann, who was subsequently convicted of embezzlement. Furthermore, it was discovered that Ford had been the one who alerted police that Mitchum would be at Leeds's home in Laurel Canyon the night-early morning he was arrested. The case was reopened by the Los Angeles County district attorney's office, and Mitchum's sentence was overturned on January 31, 1951, a ruling that received little press notice.

Mitchum's September, 1948, arrest was not his first, nor was it his last. He had been arrested

eleven times for minor infractions. He spent one week on a chain gang in Georgia for vagrancy when he was a teenager and was jailed for two days after a family fight in 1945. Later altercations, often involving excessive drinking and fighting, most notoriously with a heavyweight boxer, confirmed Mitchum's reputation as a tough guy, off-screen as well as on. Biographer Lee Server claims that Mitchum continued smoking marijuana until late in life. Perhaps this smoking habit influenced the teenagers who were polled in 1968 and voted Mitchum "coolest celebrity."

The actor's conviction on drug charges affected his career in general as well, but only to a point. U.S. president Dwight D. Eisenhower banned the showing of Mitchum's films in the White House. Colonel Dean E. Hess did not want Mitchum to portray him in the historical drama *Battle Hymn* (1957). What affected the actor most, however, was deeply personal: the dismissal of his son from the private school where he was enrolled.

The RKO films starring Mitchum that were released soon after the actor's arrest—*Rachel and the*

Stranger (1948) and *Blood on the Moon* (1948)—and the Republic Pictures production *The Red Pony* (1949), were all successful. Hughes had rushed *The Big Steal* (1949) into production, hoping to keep Mitchum out of jail, but the request was denied by the court; consequently, the shoot went on hiatus until after Mitchum's release. His re-entry into film production was a drunken one, as he arrived intoxicated at the filming site in Mexico.

Despite his deserved reputation as a hell raiser, the enigmatic Mitchum also was widely respected as an intelligent, unpretentious, hard-working, technically skilled performer who managed an active career for more than a half a century, a rarity in the notoriously fickle movie industry. Although Mitchum was a consistently bankable actor across genres, two villainous portrayals—as the singing preacher in *Night of the Hunter* (1955) and the ex-con rapist in *Cape Fear* (1962)—stand among his best and among the most menacing in American film history. Also notable were subtle performances as a circumspect schoolmaster in *Ryan's Daughter* (1970), an aging hood in *The Friends of Eddie Coyle* (1973), and a world-weary detective in *Farewell, My Lovely* (1975).

Mitchum's last starring roles were on television, playing military officers in two blockbuster miniseries (*The Winds of War* in 1983 and *War and Remembrance* in 1988). He starred in Jim Jarmusch's *Dead Man* (1995) and appeared in small roles in the last years before his death in 1997 from lung cancer and emphysema. Certainly not all of the more than one hundred films in Mitchum's filmography are noteworthy, but this intuitive actor often made a weak picture better and a good picture memorable. Many contemporary critics consider Mitchum the most underrated actor of his generation.

IMPACT

Film scholar Richard Dyer claims in his book *Stars* (1979) that while the careers of some Hollywood stars are seriously damaged, even destroyed, by scandals, Mitchum benefited from the publicity surrounding his imbroglio with marijuana. Already known as one of the film industry's most swaggering bad boys, the actor solidified his reputation as

Robert Mitchum Is Arrested for Drug Possession

an adventuresome maverick tough enough to handle a jail sentence (albeit a short one) with ease.

Studio head Hughes, although initially worried about the financial repercussions of Mitchum's arrest, was impressed by the actor's ability to serve his time unfazed. Hughes also was surprised by the surge of support, curiosity, and sensation that accelerated the wayward star's box-office appeal.

—Carolyn Anderson

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Tomkies, Mike. *The Robert Mitchum Story*. New York: W. H. Allen, 1972. Draws on interviews with the actor and features extensive coverage of the marijuana arrest of 1948. Includes photographs and a filmography.

SEE ALSO: Jan. 18, 1923: Actor Wallace Reid's Death in Drug Rehab Shakes Film Industry; Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Jan. 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; Apr. 4, 1958: Actor Lana Turner's Daughter Kills Turner's Gangster Lover; 1978: Actor Joan Crawford's Daughter Publishes Damning Memoir, *Mommie Dearest*; July 18, 1988: Actor Rob Lowe Videotapes Sexual Tryst with a Minor; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

May 27, 1949

ACTOR RITA HAYWORTH MARRIES ALY KHAN AFTER ADULTEROUS AFFAIR

American film star Rita Hayworth married the Ismaili Muslim prince Aly Khan of Pakistan after a well-publicized intercontinental courtship that had begun while both of them were already married to others. Hayworth was also two months pregnant at the time of her wedding, a fact that added fuel to the already volatile scandal.

LOCALE: Vallauris, France

CATEGORIES: Families and children; public morals; religion; royalty; sex

KEY FIGURES

Rita Hayworth (1918-1987), American film star
Prince Aly Khan (1911-1960), Pakistani Muslim religious leader, son of Aga Khan III

Aga Khan III (1877-1957), imam of the Ismaili sect, father of Aly Khan

Orson Welles (1915-1985), American actor and filmmaker, married to Hayworth

SUMMARY OF EVENT

The May 27, 1949, marriage of Hollywood film star Rita Hayworth to Muslim prince Aly Khan of Pakistan was the culmination of a whirlwind courtship that had begun less than two years earlier. Between film assignments and on a trip to Europe, Hayworth had attended a charity ball in Paris; also present at this benefit was Khan, who was eager to meet the beautiful film star. Soon after the ball, they were introduced at a dinner party in Cannes, France, by noted society host Elsa Maxwell. Hayworth and Khan soon began to see each other, even though Hayworth's divorce from Orson Welles was not officially final. The prince himself was still married to Joan Yarde-Buller Guinness, with whom he had two young sons, Karim and Amyn.

Because Khan was an internationally known Muslim leader, and because the moral climate of the late 1940's was relatively strict, the couple had to

tread carefully in their attempts to spend time together, especially in public places. Avoiding aggressive reporters proved to be impossible for the pair, as they were rushed past news writers and photographers while on a trip through Spain. The couple experienced similar ambushes by story-hungry journalists, or paparazzi, on visits to Mexico and Cuba.

Hayworth had moved into the prince's château in the south of France but then returned to the United States to resume her film career. Khan followed her to Los Angeles, staying in a rented house in Brentwood, close to the studios. The couple's overt relationship was considered sensational by the standards of the time.

Hayworth refused to take the lead role in a film assigned to her at Columbia Studios, where she was under contract, as her relationship with Khan began to take a toll on her public and professional image. Facing negative reaction from varying quarters in the United States, including a suspension from the studio, Hayworth accepted Khan's invitation that she abandon her film career to be with him.

This decision only magnified the scandal. The press dogged the pair as they separately boarded the RMS *Britannic* for Great Britain. Hayworth's public travels with a married man drew criticism and condemnation from the British press, the Roman Catholic Church hierarchy, and perhaps most important for the couple, Khan's father, Aga Khan III. While in Gstaad, Switzerland, the prince received an ultimatum from his father: Either end the affair completely or marry Hayworth. Confronted with this choice, Hayworth agreed to accompany Khan to Cannes so they could meet his father and secure his permission to marry. The meeting went well; Hayworth and Aga Khan responded positively to each other. The couple announced their engagement to the press.

On November 10, 1948, Hayworth had been

granted a divorce from her second husband, actor and filmmaker Orson Welles, with whom she had one daughter, Rebecca (three years old at the time of the divorce). The divorce decree would not become final until December 1. The matter of Khan's marriage still needed to be resolved. On February 19, 1949, Khan and his wife appeared in a French court for the requisite and routine attempt at reconciliation, which failed as expected, paving the way for the final decree. That decree was granted on April 7, more than one month ahead of schedule. In the divorce agreement, Khan was granted uncontested custody of his two sons. Sandwiched between these events, in March, was the discovery that Hayworth was pregnant.

The wedding was set for May 27. Khan's request to Paul Derignon, the mayor of Vallauris, France, to bar reporters from the town-hall civil ceremony was initially granted. However, at the last moment, the journalists were permitted to enter the back of the room where the vows were exchanged. On the following day, the couple married in a Muslim ceremony. The legitimization of the relationship appeased Aga Khan and Aly Khan's religious followers, but the Vatican remained critical of Hayworth, a Roman Catholic, for marrying outside the Church. On December 28, 1949, Hayworth gave birth to a 5.5-pound girl, Princess Yasmin.

Hayworth and Khan's marriage was short-lived. Hayworth soon tired of her new husband's affinity for party-going, party-throwing, and extramarital relationships. In addition, she never was comfortable with the fishbowl existence that was an unavoidable part of the role of princess. Realizing that life with Khan would not provide the solitude and simplicity she desired, Hayworth took the initial steps to end the marriage. On April 28, 1951, her attorney announced to the press that she was seeking a divorce from Khan.

By May 10, Hayworth had rented a home in Glenbrook, Lake Tahoe, to begin a six-week residence requirement for those seeking a divorce in the state of Nevada. Although Hayworth could have had her final decree at the end of the six-week period because Khan failed to respond to a summons to appear in Nevada within thirty days of receipt of that summons, she allowed about eighteen months to lapse before making the divorce official. The primary reason for this delay was twofold.

First, there had been some consideration of reconciliation between Hayworth and Khan, although this attempt was mainly to avoid upsetting Aga Khan, who earlier had suffered a heart attack. Sec-



Rita Hayworth and Aly Khan at their wedding in France. (Hulton Archive/Getty Images)

ond, Hayworth was concerned about the custody and safety of daughter Yasmin, who had been the target of multiple death threats during the divorce proceedings. On November 20, 1953, after a satisfactory child visitation and financial agreement was reached, Hayworth signed the divorce papers, which granted her custody of her daughter.

IMPACT

The marriage of Hayworth and Khan, along with the events that immediately preceded and followed the ceremony, provides a valuable snapshot of public opinion, values, and interests during the mid-twentieth century. During the late 1940's, people were shocked and outraged that a married woman and a married man would openly have an intimate relationship outside those respective marriages. Hayworth's suspension from her home studio, partially attributable to her relationship with the prince, is another relic of the time. During the early twenty-first century, however, the public still relished a contentious celebrity custody battle, much as it did during the early 1950's. At the same time, however, the social taboo against adultery has relaxed since midcentury, at least in Western culture.

On a less universal level, it can be argued that the Hayworth-Khan relationship was detrimental to the careers of both figures. Hayworth would never regain the star status she relinquished when she left Hollywood and married the prince, and while Khan was named Pakistan's representative to the United Nations, he was bypassed for designation as imam, or Aga Khan IV, an honor that went, instead, to Khan's eldest son, Karim, when Aga Khan III died on July 11, 1957.

—Cecilia Donohue

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August 26, 1949

VIET MINH BROADCASTS FRENCH GENERAL'S DAMAGING REPORT

General Georges Revers developed a report on opinions of French officers about France's war against communists in Indochina. The French were having problems pacifying the area, and Revers's report outlined these problems and possible solutions. The Viet Minh resistance obtained a copy, which it broadcast on radio. Revers was dismissed, and in 1950, the French government created a commission of inquiry to investigate.

ALSO KNOWN AS: Generals' affair; Revers Report

LOCALES: Paris, France; French Indochina (now Vietnam)

CATEGORIES: Military; politics; government; corruption; publishing and journalism; colonialism and imperialism

KEY FIGURES

Georges Revers (1891-1974), chief of the French general staff, 1946-1949

Charles Emmanuel Mast (1889-1977), French resident-general of Tunisia, 1943-1947

SUMMARY OF EVENT

By the end of World War II, many areas of Southeast Asia that had been under years of colonial rule by European powers hoped to win their independence. French Indochina was no exception. Partially occupied by Japan during the war, the people of this area, the Vietnamese, formed an underground, communist guerrilla movement. This movement was not focused on defeating the Japanese but on gaining independence from the country's occupiers. These resistance fighters had hoped that with the problems France had faced during the war and with other problems worldwide, they would have their own nation back as soon as the Japanese were defeated. However, this hope would not come to pass.

At the war's end, France, which wanted to reestablish its colonial domination over the area to reaffirm its status as a major world power, returned to Indochina in force, beginning a guerrilla war with the communist underground led by communist leader Ho Chi Minh. This quagmire that the French created would lead directly to American involvement in the region in general and to the Vietnam War specifically.

In 1949, General Georges Revers, the chief of the French general staff, was sent to Vietnam to assess the situation there. Revers was considered perfect for the task. He was an important leader in the French Resistance during World War II, and because of this, was well liked by the French government and the French people. His words would carry a great deal of weight.

As could be expected at this time, France was facing problems in Indochina. It was still recovering from the effects of World War II and trying to project its power far from the European continent in the face of a determined and well-organized resistance. Ho Chi Minh had a great deal of experience in fighting this kind of war and would not be easy to defeat. He learned his trade in China from the example set by Mao Zedong's communist forces. The important difference was that Ho Chi Minh was trying to win independence, not a civil war. He was determined to remove French rule from his country, by any means necessary. However, France could not, and would not, settle for a loss. The nation had just emerged from a horrible war, and a loss in Indochina would add to the humiliation of World War II.

Revers traveled around the entire area of Indochina to talk to military and civilian leaders, seeking a clear picture of what was happening. Indochina was a quagmire. The entire area was well suited for the guerrilla warfare that the resistance was using. The mountainous terrain and poor communications, along with the support of the local people for

the resistance, made the situation bad for the French. The French were trying to use conventional tactics to beat an enemy that would not fight conventionally, leading to the French having a weak hold on the area. Their garrisons were spread out and vulnerable to attack, and the guerrillas were able to move around the nation with impunity.

Revers's report was a full sixty pages, and it was mostly negative. He found a great deal wrong with how France was handling the war, and he made a large number of suggestions on what needed to be done to try and remedy the situation. The report was supposed to be kept secret—for government eyes only—but this was not to be.

The French had been having a great deal of trouble getting information on the Viet Minh resistance, but the Viet Minh was able to secure secret French government documents. On August 26, 1949, parts of Revers's report were broadcast by a Viet Minh radio station. Soon, the French journal *L'Express* had printed parts of the report, which it had received from a confidential source. The Cold War by this point was in full swing, and many people in the West feared intelligence leaks would supply a great deal of secret information to the communist bloc, especially the Soviet Union. The broadcast of parts of the report by the communist resistance in Indochina confirmed the worst fears of the West.

It was later revealed that Revers had given a copy of the report to French general Charles Emmanuel Mast. Mast, in turn, apparently leaked the report to Do Dai Phuoc, a Vietnamese student leader in France who was found with a copy of the report following his arrest for fighting on a bus in Paris. Phuoc said he had received the report from a Vietnamese socialist who, in turn, told police he received the report from Mast. Questioned later, Revers admitted to having passed the report to Mast. While Revers did not technically leak the report, he was the initial messenger whose action allowed the wrong people—the communist resistance in Indochina—to see the report.

IMPACT

The leak of the Revers Report proved how difficult it was to conduct intelligence gathering and to keep

military and government secrets during the Cold War. The report itself was not especially damaging. What was damaging was the ease with which a secret document could fall into the hands of so many so quickly.

Revers lost his job in December, 1949, and was replaced by General Clement Blanc. Revers would never receive another command. In January, 1950, the National Assembly of France created a commission of inquiry about the affair, but now it was too late. The damage had been done and the information was out.

Revers and Mast would pay the price for their actions, but France would not be able to recover in Indochina. The end of French colonial rule of the region would come a few short years later at Dien Bien Phu, and the United States would step in to keep Indochina (divided in 1954 into North and South Vietnam) from becoming communist, embroiling Americans in the Vietnam War.

—Michael S. Frawley

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New York Times Publishes the Pentagon Papers; July 8-22, 1972: Jane Fonda's Visit to North Vietnam Outrages Many Americans.

January 21, 1950

ALGER HISS IS CONVICTED OF PERJURY

A former U.S. State Department official, Alger Hiss was accused of being a communist spy by Whittaker Chambers, a former Communist Party member. After Chambers repeated the accusation on national television, Hiss sued him for libel. Hiss, in turn, was tried for perjury for denying to a grand jury that he passed documents to the Soviets and that he knew Chambers. The case remains one of espionage in the public memory, even though Hiss was never formally charged with spying.

LOCALE: Washington, D.C.

CATEGORIES: Law and the courts; government; politics

KEY FIGURES

Alger Hiss (1904-1996), attorney and former State Department staff member

Whittaker Chambers (1901-1961), newspaper editor and former Communist Party member

SUMMARY OF EVENT

The perjury trial of Alger Hiss was held in the first few years of the fight against communism by Western powers following World War II. The scandal began with the investigations and hearings of the House Committee on Un-American Activities (HUAC), whose purpose was to ferret out communist infiltrators in the U.S. government. As the HUAC hearings took place in the summer and fall of 1948, they became themselves part of the larger picture of an emerging Cold War international politics that heightened public concerns about Soviet espionage in the 1930's and 1940's.

The HUAC hearings in which Whittaker Chambers was called to testify and which form the basis of the case against Hiss began within a larger political context of postwar U.S. domestic and international politics. Domestically, a federal loyalty program required that all federal employees take an oath against communism, and U.S. Congress members sponsored a bill outlawing the Communist Party in the United States. Internationally, the first major Cold War event to suggest a communist infiltration of the U.S. State Department was the 1945 Amerasia affair, in which federal agents raided the editorial office of the foreign affairs and communist-leaning journal *Amerasia* and found hundreds of classified federal documents.

The scandal involved two persons who could not have been more different. Hiss had an impeccable family background. He was a Harvard-trained lawyer and a former clerk of U.S. Supreme Court justice Oliver Wendell Holmes, Jr. In 1933, Hiss accepted an offer to work in President Franklin D. Roosevelt's administration, for which he served in various capacities. In 1936, he joined the U.S. State Department and was the key State official who presided over the meeting that founded the United Nations in 1945. After leaving the State Department in 1947, he joined the Carnegie Endowment for International Peace as its president. Chambers, on the other hand, was a Columbia University dropout, a confessed former member of the Communist Party, and a journalist who came from a poor and troubled Philadelphia family.

Although hardly insightful, the HUAC proceedings exposed Hiss and Chambers for repeatedly giving stories that for the most part flatly contra-

dicted each other. Chambers identified Hiss as a comrade of a Communist Party cell that operated in Washington, D.C., in 1930's. Hiss not only denied any membership in the party but also claimed an unwavering loyalty to the United States.

Initially, Chambers's testimony did not include charges of espionage against Hiss, but in a subsequent grand jury hearing, Chambers amended his previous statements to include espionage claims against Hiss for receiving and passing State Department documents to the Soviets. Chambers also testified that at a meeting hastily arranged to meet with the assistant secretary of state, Adolf Bearle, in 1939 he informed Bearle that Hiss was a communist. While a letter introduced at the hearings confirmed Chambers's meeting, the content revealed nothing criminal.

Also testifying before HUAC was Elizabeth Bentley, who supported Chambers's general assertion that a communist cell existed in the U.S. government. Bentley, an admitted Soviet agent, testified that she had been involved in passing documents obtained from a "nameless high-ranking government official" to the Soviets in the 1930's. Also, even though Federal Bureau of Investigation

(FBI) records show that the bureau began targeting Hiss as early as May, 1942, and met with Chambers twice in 1942 and 1945, that record does not confirm that Hiss was a spy. The records simply acknowledge that Chambers had testified that Hiss was one of the members of the Washington, D.C., communist cells operating in the State Department. While it is obvious what the FBI knew at the time, it is unclear what they did with that knowledge.

In his testimony, Chambers alleged that Hiss, among other government employees, had been a communist sympathizer during the Roosevelt and Truman administrations. Most of the alleged communists named by Chambers refused HUAC's request to testify or answer questions, but Hiss was the exception. In a telegram sent to HUAC chairman J. Parnell Thomas following Chambers's testimony accusing him of being a communist, Hiss wrote, "I do not know Mr. Chambers, and insofar as I am aware, have never laid eyes on him." Hiss also requested the right to appear before HUAC and make his denials formally and under oath. Before HUAC on August 5, Hiss's denial of the charges against him was unequivocal, and he pleaded for a face-to-face confrontation with Chambers. He also

challenged Chambers to repeat the charges outside the cover of congressional immunity, that is, outside the hearings.

Chambers repeated part of his testimony against Hiss on the television news program *Meet the Press* on August 27. Hiss sued him for libel, and Chambers countersued. In his filings, Chambers claimed for the first time publicly that Hiss had been a Communist Party informant during his tenure at the State Department. He also claimed that he passed information through Hiss to the Soviets—thereby making a claim of espionage against Hiss. These new claims turned out to be very significant.

Chambers insisted that Hiss



Alger Hiss listens to a question during hearings with the House Committee on Un-American Activities in New York City in 1948. (AP/Wide World Photos)

was one of the most zealous Communist spies operating in Washington during the 1930's, and he provided supporting evidence for his claim by producing fifty-eight microfilm frames of State Department documents that were dated 1938. He also submitted four penciled memoranda in Hiss's handwriting and sixty-five typewritten pages purported to be copies of State Department communication. Chambers added that the typed papers were reproductions from originals made by Hiss's wife, Priscilla Hiss, on a Hiss family typewriter. In Hiss's perjury trial, these documents were key pieces of evidence.

On December 15, Hiss appeared before a federal grand jury in New York City and was indicted on two counts of perjury. In effect, the grand jury believed Chambers but not Hiss. The first count was for denying that he passed classified State Department documents to Chambers in 1938 and the second count was for denying that he met Chambers after 1937. Hiss was tried twice because his first trial ended in a hung jury in July, 1949. His second trial began on November 17, and he was found guilty of both counts on January 21, 1950. He was sentenced to five years in prison. Although the grand jury could not indict Hiss for espionage because he was protected by the statute of limitations, his trial and sentence was widely perceived by the public as an espionage case. That perception rings true today. Chambers, however, was never charged with a crime even though he admitted that he had lied to government officials.

IMPACT

The Hiss perjury and spy case remains notable for several reasons. First, Hiss was a former government official who was alleged to have betrayed his country, but for reasons that remain unclear. Some have argued that he was motivated by a profound ideological belief in communism. Second, the case assumed major political significance because it occurred during the start of

DOMESTIC COMMUNISM

FBI director J. Edgar Hoover testified before the House Committee on Un-American Activities on March 26, 1947, about the threat to Americans from communists—including, many would argue, Alger Hiss—inside the United States.

The communist movement in the United States began to manifest itself in 1919. Since then it has changed its name and its party line whenever expedient and tactical. But always it comes back to fundamentals and bills itself as the party of Marxism-Leninism. As such, it stands for the destruction of our American form of government; it stands for the destruction of American democracy; it stands for the destruction of free enterprise; and it stands for the creation of a "Soviet of the United States" and ultimate world revolution. . . . One thing is certain. The American progress which all good citizens seek, such as old-age security, houses for veterans, child assistance, and a host of others, is being adopted as window dressing by the communists to conceal their true aims and entrap gullible followers. . . . The Communist Party of the United States is a fifth column if there ever was one. It is far better organized than were the Nazis in occupied countries prior to their capitulation. They are seeking to weaken America just as they did in their era of obstruction when they were aligned with the Nazis. Their goal is the overthrow of our government. There is no doubt as to where a real communist's loyalty rests. Their allegiance is to Russia, not the United States. . . .

I would have no fears if more Americans possessed the zeal, the fervor, the persistence and the industry to learn about this menace of Red fascism. I do fear for the liberal and progressive who has been hoodwinked and duped into joining hands with the communists. I confess to a real apprehension so long as communists are able to secure ministers of the gospel to promote their evil work and espouse a cause that is alien to the religion of Christ and Judaism. I do fear so long as school boards and parents tolerate conditions whereby communists and fellow travelers, under the guise of academic freedom, can teach our youth a way of life that eventually will destroy the sanctity of the home, that undermines faith in God, that causes them to scorn respect for constituted authority and sabotage our revered Constitution.

the Cold War. Third, the case was a major catalyst in launching the careers of Richard Nixon and Senator Joseph McCarthy to national prominence. Nixon admitted this in his book *Six Crises* (1962).

For McCarthy, the case provided ammunition for his infamous crusade against alleged communist infiltration of the federal government, which leads to another impact of the Hiss scandal. The case was a major validation of the claim of communist infiltration, and it inspired federal legislation intended to crack down on the American Communist Party.

In a landmark 1999 ruling, a federal judge ordered the release of thousands of pages of grand jury testimony from the Hiss case. Judge Peter K. Leisure stated that some federal cases are of such overriding historical importance that they need to be made public. In 2001, the U.S. House of Representatives ordered the release of all transcripts of HUAC executive-session testimony as well as investigators' notes dating from the very first days of the HUAC hearings in 1948.

—Marc G. Pufong

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February 7, 1950

SWEDISH FILM STAR INGRID BERGMAN HAS A CHILD OUT OF WEDLOCK

Swedish film star Ingrid Bergman had an impeccable moral and professional reputation when she left the United States for Italy to make a film with director Roberto Rossellini. Bergman and Rossellini shocked many when they started a love affair while both were still married to others. Before they married each other, Bergman gave birth to their first child, an even more shocking event at the time.

LOCALES: Stromboli and Rome, Italy

CATEGORIES: Public morals; families and children; sex

KEY FIGURES

Ingrid Bergman (1915-1982), Swedish film star
Roberto Rossellini (1906-1977), Italian film director

Roberto Ingmar Rossellini (b. 1950), the Italian son of Bergman and Rossellini

Petter Lindstrom (1907-2000), Swedish brain surgeon and Bergman's first husband

Pia Lindstrom (b. 1938), American daughter of Bergman and Lindstrom

SUMMARY OF EVENT

At the end of the 1940's, Ingrid Bergman was arguably the world's most famous film actor. Though her career had started in her native Sweden—and she had even worked in Nazi Germany—it was in Hollywood that her career had flourished. Gossip columnists practically canonized her as a person who could do no wrong, praising her naturalness, absence of cosmetic enhancement, and family life.

Family values were stressed in postwar America, and fan magazines featured smiling pictures of film stars at home with their children. Bergman was married to a distinguished physician and the mother of a ten-year-old daughter. She was also a serious performer who did not pose for cheesecake photos,

sought to make serious films, and was best known for her roles as an innocent wife in *Gaslight* (1944), a sacrificing wife in *Casablanca* (1942), and a long-suffering nun in *The Bells of St. Mary's* (1945). She had just finished a well-publicized film portrayal of her childhood idol, Joan of Arc, when the scandal broke.

Robert Capa, a war photographer, took Bergman to view the innovative Italian film *Roma, Città Opena* (1945; Rome, open city). This powerful story of Italian resistance, with its gritty scenes of devastation, came as a revelation to Bergman. Her Hollywood films, in all their glitter, seemed trivial in relation to such work. She was informed that Roberto Rossellini, the director of the film, worked only in Italy, cared only about truth, and made films in a documentary style. She wrote him a charming, slightly flirtatious letter expressing her admiration and her desire to work with him, though admitting that the only Italian words she knew were *ti amo* (I love you).

For all his artistic loftiness, Rossellini was flattered that a famous Hollywood celebrity would pursue him. He made a trip to the United States, stayed at the home of Bergman and her husband (Petter Lindstrom), and persuaded Bergman to make a film with him in Italy. Bergman later admitted in her memoir that her marriage to Lindstrom had become meaningless by the time of Rossellini's visit, and she had only been waiting for someone to liberate her. Meanwhile, Rossellini, though still married as well, was living separately from his wife with the tempestuous actor Anna Magnani, who performed magnificently in his films. When Bergman left the United States, she told Pia, her daughter, "good-bye," not realizing that it would be several years before she saw her child again. The guilt of this separation from her daughter, at such a critical age, would remain with Bergman for the rest of her life.

On the island of Stromboli, where Rossellini de-

cided to make his film, living conditions were primitive. Instead of professional actors, Rossellini used local fishermen. There was no set story line, and no real dialogue for Bergman to learn. She had no wardrobe mistress, and, without a double, was forced to climb the volcanic mountain, which erupted while they were filming. Unused to Rossellini's methods, she found the work hard, but she easily responded to the ardent demonstrative Italian, who now vowed to possess her as both performer and woman.

Rumors from Stromboli reached the newspapers, and pictures of Bergman and Rossellini, hand in hand, walking through the rugged terrain of Stromboli, appeared in major magazines in Europe and the United States. Rossellini was able to annul his marriage and moved to separate himself from Magnani, who allegedly threw a bowl of hot spaghetti in his face. Lindstrom was more hesitant to give Bergman a divorce, hoping she would still return, and the custody of Pia was a major concern. Subsequent events, together with Bergman's desertion of her family in the United States, settled the custody battle in Lindstrom's favor. However, there was soon an added urgency in Bergman's pleas for a

divorce because she was pregnant, and Rossellini was the father.

Turmoil followed news of the impending birth. A public that had been sold the sanctified image of Bergman now felt betrayed. Hollywood studios feared that her movies would be banned in theaters throughout the United States. During the late 1940's, a time in which attitudes about out-of-wedlock children could ruin a career, studio press agents covered up illicit affairs. Abortions were secret but common in Hollywood, and some actresses presented their illegitimate offspring as adopted.

Roberto Ingmar Rossellini was born February 7, 1950, in a Rome hospital. His birth was greeted with an international uproar. U.S. senator Edwin C. Johnson denounced Bergman on the floor of the U.S. Senate, calling her a disgrace to American womanhood (while acknowledging that she was not a U.S. citizen). Her native Sweden was even less sympathetic, as newspapers complained that she had disgraced her country of birth in front of the entire world. After many complications, Bergman and Rossellini were finally able to marry on May 24. Two years later, twin daughters, Isabella and Isotta, were born to them.



Roberto Rossellini and Ingrid Bergman in London in 1956. (AP/Wide World Photos)

Despite the attractiveness of their growing family and the sacrifices they had made for each other, Bergman and Rossellini were not happy. Rossellini insisted that Bergman work only in his films and the stage plays he directed, and their collaboration did not flourish. Even more than Lindstrom before him, he dominated her life, and his tempestuous personality became difficult for the more placid Bergman. In her autobiography, she claimed that it was with more relief than sorrow that she agreed to their divorce in 1957, after he had left her for a woman he met in India. She later married a third time, to a fellow Swede, but was divorced after twelve years.

IMPACT

For a time Bergman's career was suspended in the United States, while she performed in film and on stage in Europe, always under Rossellini's direction. An especially tasteless manifestation of America's rejection took place in July of 1956. Ed Sullivan, the humorless host of a popular television variety show, negotiated an interview with Bergman from London. Unsure, however, of audience acceptance, he asked viewers to vote by mail on whether or not she should appear. He reminded viewers that Bergman had had six years to do penance and that perhaps now she should be forgiven. When she heard of Sullivan's remarks, Bergman understandably was outraged, declaring that she had enjoyed a good life, had not been doing penance, and would not appear on his show.

Bergman weathered the scandal and came back stronger as a result. After a few years in Europe, she had returned to American films with *Anastasia* (1956), a role for which she was considered too old and inhibited. Still, she won an Oscar for the performance. Americans embraced her with an enthusiasm that suggested the guilt had been theirs rather than hers; fans were now more tolerant. There also was a growing respect for film acting, and it was her work that had helped establish it as a recognized art. She continued making films in both the United States and Europe, even working with the great Swedish director Ingmar Bergman (no relation), whose father had confirmed her in Lutheranism years before in Sweden. Her appearances on stage and television were successful. Her first devotion, as always, was to her acting, and she performed almost to the end of her life.

With the arrival of the 1960's came a sexual revolution of sorts, which swept the United States and Europe, and earlier condemnations of Bergman now seemed quaint. She was respected for proudly giving birth to her son and avoiding the hypocrisy and subterfuges of others who had been less open in their relationships. The attitude toward the private lives of celebrities now turned from censure to prurient curiosity, and movies themselves became more honest. In films, honeymooning couples no

longer had to sleep in separate twin beds, and the traditional Hollywood happy ending was far from imperative.

—Allene Phy-Olsen

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February 9, 1950

U.S. SENATOR JOSEPH MCCARTHY LAUNCHES COMMUNIST WITCH HUNT

In a speech to a Republican women's club, U.S. senator Joseph McCarthy claimed to possess a list of communist subversives working in the U.S. State Department. Over the next four years, he conducted a widely publicized Red-baiting campaign in which he repeatedly violated the civil liberties and impugned the reputations of the people whom he investigated. His campaign finally ended when he was formally censured by the U.S. Senate.

ALSO KNOWN AS: McCarthy hearings

LOCALE: Wheeling, West Virginia

CATEGORIES: Civil rights and liberties;
espionage; government; politics; corruption

KEY FIGURES

Joseph McCarthy (1908-1957), U.S. senator from Wisconsin

Harry S. Truman (1884-1972), president of the United States, 1945-1953

Dwight D. Eisenhower (1890-1969), president of the United States, 1953-1961

Ralph W. Zwicker (1903-1991), U.S. Army brigadier general

Joseph Nye Welch (1890-1960), U.S. Army attorney

SUMMARY OF EVENT

In the years immediately following World War II, anticommunist sentiments pervaded American politics and culture in reaction to the rise of the Soviet Union, the communist revolution in China, and the arrest and trial of Alger Hiss, a prominent former U.S. government employee, on charges of spying for the Soviet government. In this Cold War environment, politicians such as Richard Nixon reaped significant success from adopting staunch anticommunist stances, while others perceived as "soft" on communism saw their careers diminished as a result.

At the outset of the 1950's, U.S. senator Joseph McCarthy was little known outside his home state of Wisconsin, his lackluster career in the Senate colored by allegations of chronic alcohol abuse and questionable financial dealings. His political fortunes improved dramatically, however, during the 1950's, as he leveled dramatic allegations of communist activity at the highest level of the U.S. government and used these allegations as a springboard for launching a personal crusade against communism. McCarthy reportedly adopted his fervent anticommunist stance upon the advice of friends to increase his political profile and deflect growing scrutiny of his personal conduct. Whether or not McCarthy acted primarily from genuine concern over communist activity or to deflect criticism and advance his career remains a controversial question.

The movement that became known as McCarthyism began in early 1950, as Republican Party leaders began organizing speaking appearances for Lincoln Day dinners in February that marked the traditional start of campaigning for the November general elections. McCarthy volunteered to join the slate of speakers who would be dispatched across the United States to address attendees at these local dinners. As an obscure figure even within his own party, McCarthy drew a relatively low-profile assignment to address a local Republican Women's Club at the McLure Hotel in Wheeling, West Virginia, on the evening of February 9. It was here that McCarthy would first level allegations of communist infiltration at the highest levels of the federal government.

According to journalistic accounts of the speech, McCarthy began by characterizing the postwar global climate as a struggle between Christianity and the so-called communist atheism of the Soviet Union, in which the future of Christianity was threatened by an alleged complacency on the part of the American people and government following the

end of World War II. Criticizing the alleged reluctance of the administration of U.S. president Harry S. Truman to ferret out domestic communists, McCarthy then leveled his most famous allegation, holding aloft a document that he claimed contained a list of 205 known members of the Communist Party employed by the U.S. Department of State. The true contents of the document, which were never made available to the public, remain unknown.

Initially, there was little indication of the historic significance of the February 9 speech; a local radio station recorded the address but erased the tape soon afterward. News of the sensational allegations soon rippled through the national news media, adding validation and impetus to growing fears among Americans of international communism.

The publicity surrounding these allegations brought McCarthy to the forefront of American politics virtually overnight, leading to a series of subsequent high-profile appearances in which he repeated his claims, varying the number of alleged communist conspirators in the U.S. State Department to suit his audience. In one such speech delivered in Salt Lake City, Utah, McCarthy claimed that fifty-seven “known” communists worked in the department. In a February 20 address before the Senate that lasted approximately six hours, McCarthy revised the number to eighty-one “known” communists, repeatedly refusing the requests of his colleagues that he reveal the names of the alleged conspirators and other details concerning the origins and accuracy of his statements.

McCarthy’s claims never were definitively verified; yet many Americans accepted them without question. McCarthy’s notoriety and influence continued to increase as his crusade intensified, contributing to the passage of the Internal Security Act of 1950, which prohibited Americans with alleged communist ties from

Joseph McCarthy Launches Communist Witch Hunt

working in the defense industry, required the registration of purportedly communist organizations, and permitted the deportation or internment of accused communists during times of national emergency. President Truman vetoed the bill but was easily overridden, provoking further accusations from McCarthy that the Truman administration did not take the threat of communism seriously. Several Democratic senators who publicly criticized McCarthy were defeated in the 1950 election, and his allegations that Democratic presidential candidate Adlai E. Stevenson was soft on communism led to the election of Dwight D. Eisenhower to the presidency in 1952.

McCarthy also won reelection that year and was made chairman of the Senate Permanent Subcommittee on Government Operations, a position that he used to broaden his investigation into alleged communist activity in the U.S. government. Republican leaders in the Senate had made McCarthy chairman of this committee instead of appointing him to the Internal Affairs Committee (whose primary duty was investigating communist activity) in the hope that this position of relatively little influ-



Joseph McCarthy. (Library of Congress)

ence would circumscribe his power. Leadership of this committee also gave McCarthy control of the Senate Permanent Subcommittee on Investigations, a position he would use to launch further investigations against alleged communists in the executive branch. He proceeded to employ the power of the subcommittee to target a variety of persons and departments, calling numerous government employees to testify before his committee and subjecting them to hostile, intrusive questioning that was often based upon fabricated, erroneous, or non-existent evidence. Those who refused to cooperate saw their reputations, careers, and lives destroyed, as McCarthy leaked derogatory information about them to employers and the media. A significant number of his targets were members of the Republican leadership that he had helped elect.

As the depth and breadth of his undertakings intensified, support for McCarthy and his tactics began to decrease. His escalating attacks against his fellow Republicans, including insinuations that even Eisenhower was soft on communism, drove even many of his erstwhile supporters to fear and resent him. McCarthy questioned the patriotism of even his mildest critics, creating an atmosphere of personal destruction and intimidation that rendered him virtually untouchable. After he was accused of assaulting journalist Drew Pearson in a restroom, he defiantly admitted to the assault and was not punished. Reports of his inappropriate behavior, including shady financial dealings and rampant alcohol abuse, were largely ignored. Many Americans considered McCarthy a hero and McCarthyism a defense of the American way against an evil foe. To a growing minority, however, McCarthy and his tactics showed an anti-American disregard for due process, civil liberties, and personal dignity.

One of the first targets of the subcommittee under McCarthy was Voice of America (VOA), a radio network run by the State Department, whose mission was to broadcast pro-American and anti-communist content to foreign countries. McCarthy called several VOA employees before the subcommittee, leveling unfounded accusations of communist influence that significantly disrupted the operations of the agency and reportedly drove one

employee to suicide. Despite growing evidence of his excesses, the attack on the VOA only increased the stature of McCarthy in the news media, which gave heavy coverage to the investigations.

Emboldened, McCarthy then accused the U.S. Army of harboring communist sympathizers, launching formal investigations on January 15, 1953. In February, 1954, during the course of these investigations, McCarthy called Brigadier General Ralph W. Zwicker, a decorated World War II battlefield commander, before the subcommittee. McCarthy proceeded to insult Zwicker, questioning both his intelligence and his fitness for duty. Reports of the exchange angered supporters of the military and contributed to a decline in popular support for McCarthy, which had peaked at 50 percent according to a Gallup poll taken in early January. In March, 1954, CBS television aired a documentary on McCarthy as part of its *See It Now* series hosted by the popular journalist Edward R. Murrow. The documentary contained numerous film segments of McCarthy attacking a number of persons and organizations, and included footage of his attack upon Zwicker. It ended with a scathing criticism by Murrow of McCarthy and his tactics. McCarthy's popularity declined once more, and it dropped further, to below 40 percent by April, as he subsequently attacked Murrow's patriotism.

Undaunted, McCarthy scheduled a series of televised hearings, to begin in April, 1954, into alleged communist influences in the Army. As cameras captured the proceedings and broadcast them to a national audience, McCarthy angrily confronted a series of witnesses, many of whom were in uniform and conspicuously decorated with medals. Many of his supporters became disenchanted with his increasingly erratic and hostile performance, further undermining his public support. When military lawyers revealed that McCarthy and his chief counsel, Roy Cohn, sought favors for a former staff member, an American public already alarmed by the heavy-handed tactics of McCarthy recoiled at this firsthand glimpse of the inner workings of McCarthyism. Finally, when McCarthy accused an associate of Army counsel Joseph Nye Welch of being a member of a communist organization, Welch

SENATE'S CENSURE OF MCCARTHY

The U.S. Senate censured Senator Joseph McCarthy on December 2, 1954, effectively ending not only the hearings, which began in March, 1951, but also McCarthy's political career.

Resolved,

That the Senator from Wisconsin, Mr. McCarthy, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. McCarthy, is contrary to senatorial traditions and is hereby condemned.

reacted indignantly, responding, "Have you no sense of decency, sir, at long last? Have you left no sense of decency?" His dismissal of McCarthy prompted much of the room to erupt into applause. The hearings were adjourned shortly afterward.

The McCarthy-Army hearings marked the effective end of the anticommunist crusade. The senator's zealous public confrontation of an entire branch of the U.S. military less than a decade after the end of World War II proved a fatal miscalculation, and his exchange with Welch left him defeated and exposed as a fraud before a stunned national television audience. As the American public abandoned him, his colleagues in Congress, many of whom had secretly feared and resented his political power, followed. In December, 1954, the Senate voted to censure McCarthy for fraud and abuse of power, and he spent the remainder of his Senate career in obscurity. He died at Bethesda Naval Hospital in Maryland in 1957 of liver failure precipitated by years of heavy drinking.

IMPACT

Through his bold allegations, ruthless tactics, and successful use of news media, McCarthy became symbolic of the American anticommunist move-

ment of the 1950's. His fall from power proved as rapid and dramatic as his rise to prominence; just as his crusade against communism brought his party to power during the early 1950's, the political demise of McCarthy contributed to the Republicans' loss of Congress during the 1954 elections.

In addition, the legacy of McCarthyism continued to influence American politics and government long after his own death. His investigations and allegations ultimately resulted in the removal of numerous experts on communism and communist countries from the Department of State and other key agencies of the United States government, affecting U.S. foreign policy for decades and prompting some historians to establish connections between McCarthyism and crucial strategic

and foreign policy blunders contributing to the defeat of U.S. forces in Vietnam.

The synthesis of old-fashioned demagoguery and the fledgling medium of broadcast television at the heart of McCarthyism created a new style of politics that emphasized the skilled manipulation of information, assaults upon the patriotism and character of opponents, and appeals to the raw emotion of the public. As a result, some observers have attributed the political polarization and acrimonious discourse of late twentieth century and early twenty-first century American politics to the influence of McCarthyism. The rise of authoritarian conservatism in American society during the late twentieth century inspired scattered efforts to rehabilitate his image and validate his tactics.

Government documents declassified at the end of the twentieth century indicated that a small number of the government employees that McCarthy investigated were indeed communist operatives; yet the group was substantially smaller in number than the figures McCarthy quoted and reportedly were planted to spy upon fellow communists rather than to gather intelligence on the government. It is unclear whether the list that McCarthy claimed to possess actually contained the names of any of these

operatives. Evidence suggests that at best, McCarthy dramatically overestimated the presence of communist activity in the government. At the outset of the twenty-first century, the propriety and competence of McCarthy and his tactics remained the subject of criticism and a symbol of ideological excess.

In 2003, the Senate Permanent Subcommittee on Investigations released transcripts of executive sessions conducted under McCarthy. These transcripts included a bipartisan condemnation of the tactics documented in the sessions.

—Michael H. Burchett

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May 3, 1950

U.S. SENATE COMMITTEE BEGINS INVESTIGATING ORGANIZED CRIME

The U.S. Senate's Kefauver Committee explored the full extent of organized crime in the United States, holding televised hearings at a time when television was still new. The hearings commanded the attention of the entire nation at the height of the Cold War, bringing to light the country's own war: domestic crime. The hearings also confirmed what many already knew: Organized crime existed in the United States.

ALSO KNOWN AS: Kefauver Committee; Kefauver hearings; Special Committee to Investigate Organized Crime in Interstate Commerce

LOCALE: United States

CATEGORIES: Gambling; government; organized crime and racketeering; radio and television; popular culture; publishing and journalism

KEY FIGURES

Estes Kefauver (1903-1963), U.S. senator from Tennessee, 1949-1963

Philip Graham (1915-1963), American publisher

SUMMARY OF EVENT

The American economy surged during the early 1950's, leading to a rise in criminal enterprises that



Members of the Kefauver Committee in Washington, D.C. in June, 1950. (AP/Wide World Photos)

assumed legitimacy for money-laundering purposes behind the facades of burgeoning businesses. Organized crime syndicates expanded their operations from urban centers to suburban areas. In early 1950, a probe of nationwide crime syndicates would be engineered by Estes Kefauver, a former U.S. representative and a Democratic senator from Tennessee. At the urging of Kefauver, the U.S. Senate formed the Special Committee to Investigate Organized Crime in Interstate Commerce on May 3.

News reports by *The Washington Post* on the extent of organized crime across the United States led to the full-scale senatorial investigation. Philip Graham, publisher of *The Washington Post*, approached Kefauver for his reputation, political ties, and regional interests. Kefauver's media savvy, coupled with his experience as the attorney for the

Chattanooga News prior to his political career, positioned him as the ideal senator to head the investigation. Kefauver sponsored the probe at Graham's request, but the investigation was one he had considered prior to Graham's prompting.

When Kefauver won his Senate seat in 1948, his familiarity with antitrust cases endowed him with the skill to head the Senate's organized crime probe. His intention was purely to boost the Democratic Party's image and bring to light the pervasiveness of organized crime in the United States, and yet it also led to his name being considered for the 1952 presidential election.

Kefauver's work on a subcommittee that probed judicial corruption alerted him to the links between the judiciary and organized crime. His contacts with other investigators on the committee kept him

THE VIOLENT, BENEVOLENT WORLD OF ORGANIZED CRIME

The Kefauver Committee released its first report on hearings it conducted in Miami, Florida, in May, 1950. The report, dated August 18, noted characteristics shared by organized crime syndicates.

An essential general characteristic of the operations of these criminal syndicates wherever the committee has looked into them is an attempt to monopolize by the use of intimidation, physical violence, connivance or assistance of public officials, or political pressure. Usually these criminals indulge in political activity in order to obtain protection for themselves and oppression for their competitors. They contribute generously to local benevolent and philanthropic organizations to gain public good will. These contributions, of course, are deductible from income for tax purposes.

updated on crime at the state level, thus increasing his awareness of how often crime crossed state boundaries and thus became a federal issue. As a response to the expansion of criminal activities in the United States, Kefauver drafted bills dealing with interstate crime, but those bills were ineffective because information about how organized crime syndicates operated nationally was not centralized.

Kefauver's resolution of January 5, 1950, led to the formation of the committee. The first component of the Senate probe addressed gambling, mainly because it had observable interstate implications. The investigation, however, languished at the judiciary-committee level because that committee's chairman, Senator Pat McCarran, was from Nevada, where much gambling was legal. Kefauver courted the media, and after a month the press forced McCarran to broaden the committee's probe. On April 6, while the investigation languished, a Kansas City Democratic boss and overlord, Charles Binaggio, along with his chief lieutenant, Charles Fargotta, were murdered. Public sentiment demanded the slayings be investigated, and Democratic interests helped push through Kefauver's resolution for fear they would be accused of a cover-up.

The Senate brought together members of the judiciary, interstate, and foreign commerce committees. Finally, in May, Kefauver's resolution from January was approved and the work began. Kefauver's main objective was to educate the public about the seriousness and insidiousness of organized crime in the United States. He also wanted to out major crime bosses. Public knowledge of and interest in the hearing was minimal in the beginning. The first hearing was held in Miami on May 26 and 27. In June, public hearings were held in Washington, D.C. Interest began to spread across the country as hearings were held in Tampa, Florida; St. Louis, Missouri; Kansas City, Kansas; Chicago; Las Vegas; Los Angeles;

New York City; Philadelphia; Cleveland, Ohio; Detroit, Michigan; San Francisco; and New Orleans.

The Kefauver Committee heard testimony from more than six hundred witnesses, including crime bosses, criminal investigators, and petty criminals. Politicians such as New Jersey governor Harold G. Hoffman and New York mayor William O'Dwyer gave candid testimony that ruined their careers. Committee hearings revealed evidence of corruption, bribery, vice, and extortion at many levels, including government.

IMPACT

Kefauver's resolution set a precedent for conducting Senate investigations: Probes would first discover the root of an issue and then would develop steps to correct problems. Furthermore, the committee proved to a wide audience that organized crime existed to a significant extent in the United States. Because the hearings were broadcast live into many homes during the 1950's, during the early years of television ownership, Americans were introduced to the subtle yet pervasive criminal elements of the country, organized elements that extended into their local communities.

A byproduct of Kefauver's widespread appeal

following the hearings was his eventual bid to become U.S. president. As the committee chairman, Kefauver had a name and image that became easily recognizable, thus ensuring his popularity. Supporters believed that he could be the frontrunner for the nomination on the national Democratic ticket in 1952. However, Kefauver's crusade against criminals alienated the party bosses at the state level, and he was passed over as a candidate.

—Rebecca Tolley-Stokes

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January 17, 1951

COLLEGE BASKETBALL PLAYERS BEGIN SHAVING POINTS FOR MONEY

American college basketball players were implicated and convicted for losing games for money, a scandal that rocked sports in the United States and led to a backlash of distrust of sports at all levels. The basketball program at City College of New York was banned from playing games at Madison Square Garden, and the team was moved to a lower division for competition.

LOCALE: United States**CATEGORIES:** Corruption; gambling; hoaxes, frauds, and charlatanism; law and the courts; sports**KEY FIGURES**

Frank Hogan (1902-1974), New York district attorney

Henry Poppe (fl. 1950's), Manhattan College basketball player

Jack Byrnes (fl. 1950's), Manhattan College basketball player

Al Roth (fl. 1950's), City College of New York basketball player

Ed Roman (d. 1988), City College of New York basketball player

Ed Warner (d. 2002), City College of New York basketball player

SUMMARY OF EVENT

The City College of New York (CCNY) had reached a moment of glory in basketball history by winning both the National Collegiate Athletic Association (NCAA) Tournament and the National Invitation Tournament (NIT) in 1950. The top-rated team at the end of the 1950 season faced a scandal, however, less than one year later, when several players were implicated for point shaving: losing games deliberately, most often for money.

Point shaving is the practice of manipulating the number of points scored in a game. Players accept

bribes from gamblers to miss shots or blocks, which causes their teams either to lose or to win by narrower margins than gamblers predict. This manipulation is called going outside the spread, a method used by gamblers to give better odds to lower-ranked teams to win a game. Oddsmakers benefit greatly from this player manipulation, making it worth the cost of the bribes to pay off the players to lose or to “cover” the spread. Soon after beginning his search into allegations of point shaving in past tournaments, New York City district attorney Frank Hogan found how far reaching this scandal was.

The events, which spanned almost an entire year, began on January 17, 1951, when two players from Manhattan College were arrested on charges of bribery. Henry Poppe and Jack Byrnes had received fifty dollars per week throughout the season and an additional three thousand dollars each for Manhattan to lose two games at Madison Square Garden. They received an additional two thousand dollar payoff to prevent the spread in two other games that season. Poppe had made the mistake of trying to recruit Junius Kellogg, a junior at Manhattan, who in turn reported the two players to their coach, Ken Norton. The police were quickly involved, and several days later Poppe and Byrnes were arrested.

More charges of bribery were levied on February 18, when the first CCNY players were arrested. Al Roth, Ed Roman, and Ed Warner were charged with accepting \$4,650, \$3,250, and \$2,500, respectively, for losing games throughout the season. These charges would mark the beginning of the scandal only; two days later, three members of the Long Island University (LIU) basketball team were brought in by District Attorney Hogan. Among the LIU players were LeRoy Smith and Adolph Bigos, both veterans of the U.S. armed services. Smith had been a Marine and Bigos had served in the Army and earned a bronze star. Also among those charged

at LIU was Sherman White, who was touted as the best New York college basketball player of all time.

Three more City College players were arrested on March 26. Irwin Dambrot, Norm Mager, and Herb Cohen were all charged with accepting bribes. Four days later, LIU came back into the limelight with the arrest of Louis Lipman. On April 13, Richard Feutardo was arrested for helping to deliberately lose games several years earlier. The search left New York when Hogan arrested Eli Klukofsky on April 20. Klukofsky had bribed players from City College and Toledo University to throw games in 1948 and 1949. The players from Toledo—Jack Freeman, Bob McDonald, Carlo Muzi, and Bill Waller—were making good money by shaving points, but they never imagined they were doing business with the Mob. Klukofsky had been linked to organized crime, and it was suggested that he was merely a conduit between the players and Mob bookies. Klukofsky died during his trial, and no more information was obtained on his Mob ties.

Over the next six months, Hogan would arrest fifteen more players, bringing the total to thirty-two from seven different schools. Most of the players received suspended sentences, but some did spend time in jail. The longest sentence issued was four to seven years, but the average was one to three years. Of the game fixers, all but Klukofsky served time in prison. None of the players indicted would ever again step foot on a basketball court. One player accused was able to play for the National Basketball Association (NBA), in what would be very short-lived career. His opportunity was an exception.

Bill Spivey, a leading center for the University of Kentucky and an NCAA champion, was banned from playing at Kentucky on March 2, 1952. Rumors abounded that Spivey had shaved points, but no charges were proven. The court proceedings ended in mistrial, and Spivey was never formally charged. However, he was banned from playing in the NBA.

There have been four other scandals in NCAA history that have come close to the magnitude of the scandal of 1951. Rick Kuhn of Boston College was put on trial after being accused of shaving points during six games during the 1978-1979 season. He

College Basketball Players Begin Shaving Points

was later sentenced to ten years in prison. In 1985, Tulane University dropped its basketball program after five players were indicted on multiple counts of point shaving and bribery. Two players from Northwestern University were charged with fixing the outcomes of several games during the 1994-1995 season. Steven Smith, of Arizona State, served almost one year in jail after pleading guilty to shaving points in four games during the 1994-1995 season. None of these incidents affected college sports with the same fury as the shaving scandal of 1951.

IMPACT

The 1951 point-shaving scandal was the first large-scale admission to cheating and bribery in American sports history, yet, despite the consequences of gambling and cheating, point shaving continues as a problem in college sports.

Those most directly affected by the scandal clearly were the players who got caught. Some of them built on the lessons they learned to teach others about their mistakes, while others let the scandal destroy them. Gene Melchiorre of Bradley University in Peoria, Illinois—who also was indicted in the 1951 scandal—toured the United States along with implicated LIU player White and talked to students about the scandal. They tried to right their wrongs by teaching younger players the negative effects of point shaving. Spivey of Kentucky University did not follow the same path. The shame of the 1951 incidents affected him deeply after he left the United States to start a new life in South America. Friends said that he got relief from the scandal only when he died in 1995.

Less obviously affected by the scandal was the basketball team at CCNY, which was banned from playing games at Madison Square Garden and moved from Division I to Division III play. As a result of the ban, with its consequent drain on incoming funds for the college, several sports programs at the school had to be shut down.

The 1951 scandal, furthermore, destroyed college basketball's once-innocent reputation. Nevertheless, the sport rebounded and continues to thrive. Over the years, NCAA basketball has expanded

into more than sixty teams and brought in millions of dollars each season. Basketball lovers may never forget the misdeeds of 1951, but they did forgive.

—Christian Glotfelty

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July 16, 1951

BELGIUM'S DISGRACED KING LEOPOLD III ABDICATES

Belgium's King Leopold III led a heroic, if brief, defense against the German army during World War II. He had surrendered after eighteen days, refused to leave his country at the urging of his government, and then went into exile. By remaining in German-occupied Belgium, Leopold was seen as a traitor by Great Britain and France for his surrender and as a hero by the Belgians for suffering imprisonment along with them. Finally, the public turned against him after he married a Flemish commoner.

LOCALE: Brussels, Belgium

CATEGORIES: Government; military; politics; royalty

KEY FIGURES

Leopold III (1901-1983), king of Belgium, r. 1934-1951

Paul-Henri Spaak (1899-1972), prime minister of Belgium, 1938-1939, 1946, 1947-1950, and foreign minister, 1939-1945

Baudouin I (1930-1993), king of Belgium, r. 1951-1993

Lilian Baels (1916-2002), princess de Rethy, 1941-2002

Hubert Pierlot (1883-1963), prime minister of Belgium, 1939-1945
Charles, Count of Flanders (1903-1983), prince regent, 1944-1950

SUMMARY OF EVENT

At the Congress of Vienna in 1815, Dutch-speaking Flanders—then part of the Austrian Netherlands—and French-speaking Wallonia were merged with the Netherlands as a compensatory reward for the House of Orange's contributions to the defeat of Napoleon. The mixture proved immediately unsatisfactory. Flanders and Wallonia were both Roman Catholic and liberal. They detested the arrogance and economic exploitation by the Protestant Dutch to the north. An 1830's revolt in Flanders and Wallonia scuttled the Vienna merger, and with the assent of Europe's major powers, Dutch-speaking Flemings and French-speaking Walloons were united into the artificially contrived Kingdom of Belgium led by a German prince, Leopold.

Nineteenth century prosperity for the new Belgium centered in the industrialized Walloon portion of the kingdom. French was the nation's official language. During the early twentieth century, power and wealth began to shift from Wallonia to Flanders and away from middle-class Catholics and liberals to the working-class Flemish socialist majority who demanded an end to a century of discrimination. Increasingly, Belgium's king was forced to arbitrate between the two rival linguistic factions.

The future King Leopold III, born in 1901, was distinguished by his handsome appearance, his grave manner tempered in the trenches fighting the Germans in World War I, and a remarkable sense of duty. A sports enthusiast, a lover of fast cars, and widely traveled, Leopold met his first wife, Princess Astrid of Sweden, on one of his trips. If he was the epitome of the fairy-tale prince, then Astrid was the fairy-tale princess, beautiful, charming, and graceful. Married in 1926, the royal couple seemed destined for greatness and were admired and loved by both of Belgium's linguistic communities.

Leopold's life was marred by three great tragedies. In 1934, his father, Albert I, was killed while on a rock-climbing expedition, making Leopold

king. The Belgians' beloved Queen Astrid was killed the next year in an automobile accident, with Leopold at the wheel, while the two were vacationing in Switzerland. In grief, the Belgian people's attachment to their widower king and his three orphaned children deepened. Leopold's third tragedy was the increasingly militaristic stance coming from Adolf Hitler's Germany, threatening the nation's internationally guaranteed neutrality. Without adequate support from either Great Britain or France, who were distracted by their own domestic problems, Belgium was abandoned by the promises of protection from Europe's great powers, a position reminiscent of events from Belgium's 1914 past. From 1936 to 1939, King Leopold, as commander in chief, focused on building Belgian defenses against possible German aggression.

The Kingdom of Belgium is a constitutional monarchy with the monarch's actions needing government sanction. The nation's constitution was less clear on the relationship between the commander in chief (the king) and the head of the elected government (the prime minister). It has been argued that King Leopold overstepped his authority in 1940 by sending his special adviser, Sir Roger Keyes, to London and Paris without the permission of his government, intimating with proper guarantees that Belgium might side with Britain and France against the Germans. The king's diplomatic actions violated the constitutional responsibilities of the Belgian foreign minister, Paul-Henri Spaak. The 1940 collapse of Denmark and Norway to German aggression and of the king's own government over a minor linguistic issue forced Leopold to refuse the resignation of Prime Minister Hubert Pierlot at such a critical time. The king seemed the nation's anchor more than its divided elected government.

The German invasion of Belgium on May 10, 1940, led Leopold to assume personal control of the army as his father had done in 1914. For eighteen days, Belgium's army fought heroically against great odds and without British or French assistance. Threatened by the king's independence, his ministers began to criticize Leopold because he did not heed their recommendations. However, it was

Leopold's decision at the time of surrender on May 28, to share his army's fate and remain in Belgium as a prisoner of war, which created an almost insurmountable breach between the king and his government.

Prime Minister Pierlot had requested the king's and the royal family's evacuation to France, along with the government, to continue the fight from outside Belgium. Leopold refused. From London, the evacuated Belgian government-in-exile became a symbol of resistance while Leopold remained under house arrest in Brussels. Both British and French politicians and military leaders condemned the king's surrender as traitorous behavior, even blaming Leopold for the collapse of France and for the Allies' near catastrophe at Dunkirk. As a prisoner of war, Leopold could not defend himself.

During the war, Leopold attained the near-mythic status of his father, Albert I, as he braved the German occupation and suffered along with his people. This imagery could have resolved the differences between monarch and politicians had Leopold continued to be seen as a grieving widower raising three small children and suffering wartime deprivations. When it became known that the king had married Lilian Baels, the daughter of a Flemish politician, without the consent of the government, public sympathy for the king began to evaporate. The king's image was further eroded when it was apparent the marriage was necessary because Baels was pregnant. The king was clearly not suffering along with his people, and the Belgian people rejected a replacement for their adored Queen Astrid.

The monarchy, the one institution carefully crafted to remain above ethnic rivalries, had now descended into the maelstrom of regional politics. For the rest of the war, Pierlot's exile government ignored the king. When Belgium was liberated, Leopold's brother Charles, the count of Flanders, was declared regent in the king's absence because Leopold, his new wife, and children were evacuated by the Germans to Dresden and later Austria, where they were liberated by the Allies in 1945.

From 1944 to 1950, the royal question dominated Belgian public life, splitting the nation and threatening civil war. Sequestered in exile in Swit-

zerland, Leopold was ready to return to Belgium but was denied the right by his government. The opportunity for Leopold, Spaak, and Pierlot to resolve differences generated by wartime policies enacted by both sides failed to occur because the king demanded his government apologize for its condemnations of his wartime actions. The controversy over the king's constitutional responsibilities and his second marriage to a Flemish commoner divided the country along ethnic lines, with Flanders supporting the king and Wallonia adamantly against him.

A trial exonerated the king, and later, British and French politicians admitted they made Leopold a scapegoat to cover their own political and military failures. The government continued to advise him to stay away. Leopold demanded a plebiscite. On March 12, 1950, Belgians voted and the king received 2,933,392 votes (57.68 percent of the total). Flanders sided with the king and his new wife, now known as Princess de Rethy, while Brussels and Wallonia voted against the king. Violence and massive demonstrations put pressure on the government to force Leopold to reconsider his position for the good of the nation and the monarchy. Upon his return Leopold agreed to abdicate on July 16, 1951, in favor of his eldest son, Baudouin, when he came of legal age.

IMPACT

The crisis created by Leopold III's wartime actions and remarriage was not resolved with the ascension of Baudouin. For the next four decades, parliamentary elections proved that it was impossible to muster a majority for one political party. The vote was consistently divided along ethnic lines, demanding skillful coalition building on the part of the king. No longer were the duties of the king as commander in chief left in doubt. Revisions to the Belgian constitution in 1970 and 1980 placed these duties within the government's domain and divided the nation into a federated state of three regions: Wallonia, Flanders, and Brussels. King Baudouin I depoliticized the monarchy and gradually regained the nation's respect for the institution.

—William A. Paquette

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November 16, 1951

FEDERAL TAX OFFICIAL RESIGNS AFTER ACCEPTING BRIBES

Federal tax official T. Lamar Caudle resigned after a Senate committee revealed that he had accepted bribes from a number of clients under investigation in exchange for postponing or preventing tax audits. Caudle's subsequent admission before the committee eventually led to a reorganization of the U.S. Bureau of Internal Revenue, which later became the Internal Revenue Service.

ALSO KNOWN AS: Bureau of Revenue scandal

LOCALE: Washington, D.C.

CATEGORIES: Corruption; government; business; politics

KEY FIGURES

T. Lamar Caudle (1904-1969), assistant U.S. attorney general, 1947-1949, 1949-1951

Cecil R. King (1898-1974), U.S. representative from California, 1942-1969

J. Howard McGrath (1903-1966), U.S. senator from Rhode Island, 1945-1947, and U.S. attorney general, 1949-1952

Thomas C. Clark (1899-1977), U.S. attorney general, 1945-1949, and associate justice of the United States, 1949-1967

SUMMARY OF EVENT

On June 1, 1951, U.S. representative Cecil R. King, a Democrat from California, investigated alleged

corruption originating in the tax division of the U.S. Department of Justice (DOJ). As chairman of the House Ways and Means Subcommittee tasked with uncovering the facts in the case involving the Bureau of Internal Revenue (BIR; now the Internal Revenue Service, or IRS), King looked into allegations of wholesale fraud from collectors in Delaware, Boston, New York, San Francisco, and St. Louis, Missouri.

King's findings led to the forced resignation of Assistant U.S. Attorney General T. Lamar Caudle on November 16, 1951. Caudle's public display before King's committee beginning earlier in November exposed the mismanagement that plagued the department, calling into question the leadership of Attorney General J. Howard McGrath.

Problems within the BIR first became evident in 1947, when first-term Delaware senator John Williams inadvertently stumbled onto criminal activity in his own state. Much to his disbelief, he discovered that an employee in the Wilmington collector's office had stolen nearly thirty thousand dollars. Even more disturbing, the delinquent cashier, Maurice Flynn, was terminated, but he was not made to stand trial until Williams exposed the crime. During the next three years, Williams uncovered similar transgressions throughout the United States.

Williams's findings led to the King congressional hearings. King, like Senator Williams, wondered why high-level officials had not prosecuted many of these offender-employees. King soon discovered that many employees were protected from ouster by their local political machines. More alarming, the cover-up was authorized from the tax division office in Washington, D.C. At the same time, the Senate Special Committee to Investigate Organized Crime in Interstate Commerce, headed by Tennessee Democrat Estes Kefauver, disclosed



T. Lamar Caudle reacts to testimony at a congressional committee hearing in early November, 1951. The committee was investigating corruption within the Bureau of Internal Revenue, which was headed by Caudle. (Hulton Archive/Getty Images)

that the BIR had been negligent in the prosecution of known mobsters who committed tax fraud.

Ironically, the assistant attorney general, Caudle, the root of the dysfunction, was a personable, seemingly harmless southern lawyer. Caudle was born in Wadesboro, North Carolina, on July 22, 1904, and had received a degree in law from Wake Forest College in 1926. He was a member of his father's law firm until 1940, when President Franklin D. Roosevelt named him attorney for the Western District of North Carolina. Five years later, the new president, Harry S. Truman, appointed Caudle assistant attorney general of the criminal division. Under the auspices of Attorney General Thomas C. Clark, Caudle was made department head of the tax division in 1947.

However, the appointment of Caudle was, it would turn out, ill-conceived. Although it was Caudle's duty to prosecute those who were in clear violation of the law, he was unable to resist offers of personal favors. As a result, wealthy business people and real estate agents under review by the BIR bribed Caudle and his associates with paid vaca-

tions, commissions, and other expensive gifts. Caudle would later reveal that he had received a number of enticements in exchange for favorable verdicts, exposing his own ineptitude and highlighting the level of negligence and corruption that permeated the DOJ. In the end, Caudle earned a handsome profit for his cooperation with various clients under investigation.

By the time Caudle was ousted in November, 1951, more than fifty employees of the agency also had been removed. This revelation did not bode well for the organization or for President Truman, who already was dealing with mounting scandal concerning the lending practices of the Reconstruction Finance Corporation (RFC), a body that was organized during the Depression to aid in the recovery of business, banking, and insurance companies. Although Truman had weathered the fallout from the RFC, the BIR scandals threatened to undermine the 1952 Democrat presidential campaign, especially since Truman's low approval rating (23 percent) undermined the president's relationship with Adlai E. Stevenson, the frontrunner for the Democrat nomination. The most troublesome element of this latest debacle for Truman, however, was the attitude of his current attorney general, J. Howard McGrath, who appeared ignorant of the department's extracurricular activities.

As Democrat national chairman in 1948, McGrath played a major role in Truman's upset victory over New York governor Thomas E. Dewey. Personally loyal to Truman, McGrath unequivocally supported the president. Therefore, when Protestant attorney general Clark replaced Roman Catholic Frank Murphy on the U.S. Supreme Court in 1949, Truman rewarded the loyal and Catholic McGrath with the DOJ post. In spite of McGrath's questionable reputation—reports of his excessive drinking and poor performance as solicitor general tainted his image—Truman supported him. Upon taking office, however, McGrath, who proved very effective as governor of Rhode Island and Democrat National Committee chairman, turned in a lackluster performance as attorney general. When Truman ordered McGrath to fire Caudle, McGrath at first refused to cooperate. By the time he eventu-

ally informed Caudle of the president's decision, Truman had already publicized Caudle's resignation.

IMPACT

Five months after Caudle's ouster, Truman reluctantly ordered McGrath's dismissal, the latest casualty in a string of ousters that would prompt a thorough reform of the DOJ. Following McGrath's removal, a more cooperative atmosphere prevailed in the Justice Department, which paved the way for the president's reorganization plan.

Calling for an end to patronage, the president outlined a plan that would change the BIR to the IRS, replacing the sixty-four local collectors with twenty-five civil-service employees. In a message to the Senate in March, 1952, Truman emphasized his commitment to good, honest government. After a difficult battle in the Senate, the president's plan was signed into law in 1952. His victory on this front, however, did not erase the popular contention that his administration was scandal-ridden. While Truman was not solely responsible for the corruption in the BIR, since many of the problems existed before he became president, his insistence on rewarding political supporters with positions regardless of their qualifications only exacerbated the already troublesome situation in the DOJ.

For Caudle, his political future was destined for failure. Caudle's public display before the King Committee and his criticism of the administration after his ouster appeared foolish and exaggerated before the news cameras. Following a similar destructive pattern after he left office, Caudle was convicted of tax fixing by a federal grand jury in 1956, along with President Truman's trusted assistant, Matthew J. Connelly. Connelly was pardoned in 1962 by President John F. Kennedy, with Truman's full support. However, while Caudle was eventually exonerated three years later, on August 18, 1965, by President Lyndon B. Johnson, Truman refused to defend his former assistant attorney general.

In summation, Caudle had been unable to make the transition from North Carolina lawyer to high-profile Washington, D.C., bureaucrat. His poor

judgment and general ignorance of the Washington political scene led to his inevitable fall in 1951. While Caudle will forever be linked to the tax scandals in Truman's administration, his ouster inadvertently set off a chain reaction that led to a thorough reorganization of the Justice Department.

—Debra A. Mulligan

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September 19, 1952

ACTOR CHARLES CHAPLIN CANNOT REENTER THE UNITED STATES

*While Charles Chaplin and his family were traveling to London by ocean liner for the world premiere of his film *Limelight*, the U.S. attorney general issued a public order that Chaplin's reentry into the United States would not be allowed without satisfying immigration officials that the filmmaker was morally and politically "fit." After years of harassment by the FBI, the American Legion, and the press, Chaplin, a British citizen who had lived, worked, and paid taxes in the United States for decades, moved to Vevey, Switzerland.*

LOCALE: New York, New York

CATEGORIES: Politics; civil rights and liberties; government; international relations

KEY FIGURES

Charles Chaplin (1889-1977), British film producer, director, and actor

J. Edgar Hoover (1895-1972), director of the Federal Bureau of Investigation, 1924-1972

Joan Barry (1920-1996), American actor who won a 1946 paternity suit against Chaplin

Oona O'Neill Chaplin (1926-1991), Chaplin's fourth wife

SUMMARY OF EVENT

In the years following World War II, the Federal Bureau of Investigation (FBI) began investigating film actor and comedian Charles Chaplin. The agency looked into his sex life, ethnic origins, citizenship, political views, and the content of his films during a time of growing political paranoia in the United States. The hostility toward the once-beloved comedian-entertainer culminated in his banishment from the United States in 1952.

Even in the permissive world of Hollywood, Chaplin's sex life raised eyebrows. Mildred Harris

and Lita Gray—his first two wives—were only sixteen years old when they married Chaplin. His fourth wife, Oona O'Neill, with whom he had a lasting and deeply satisfying marriage, had just turned eighteen years old when she and the fifty-four-year-old Chaplin married in 1943. (Oona's father, playwright Eugene O'Neill, disowned his daughter for marrying Chaplin.) Also in 1943, a former lover of Chaplin, Joan Barry, sued Chaplin for paternity. Though a blood test demonstrated that Chaplin was not the infant's father, the evidence was not allowed in court. After a first trial at which Chaplin had the support of the majority of jurors, he was retried and found guilty. The verdict flamed public opinion against him.

When Chaplin's FBI file, which amounted to more than two thousand pages of documents, was later made public through the Freedom of Information Act of 1966, it became clear that these records erroneously listed Chaplin as a Jew. He was not Jewish but, in solidarity with Jews, especially after the Holocaust, he refused to contradict those who claimed he was Jewish. Although Chaplin had resided in the United States for thirty-eight years before he was exiled in 1952, he had never applied for U.S. citizenship. Consequently, the American Legion and other groups questioned the filmmaker's loyalty to the United States. Chaplin claimed to be an apolitical citizen of the world, proud that he had never joined a political party or voted. He described himself as an internationalist and a peace monger, which only intensified hostility toward the performer.

Because of Chaplin's fame, his public appearances attracted press attention. During the early 1940's, during which time the United States and Soviet Union were World War II allies, Chaplin delivered a series of speeches—in San Francisco, New York, and Chicago—in support of Soviet war relief. He appeared at Second Front rallies, and in 1943 he

NO TO THE UNITED STATES

Charles Chaplin decided against trying to reenter the United States after he was banished from the country by the U.S. government in 1952. In a Time magazine interview published on April 27, 1953, he explains why he did not seek reentry.

Since the end of the last world war, I have been the object of lies and propaganda by powerful reactionary groups who, by their influence and by the aid of America's yellow press, have created an unhealthy atmosphere in which liberal-minded individuals can be singled out and persecuted. Under these conditions I find it virtually impossible to continue my motion picture work, and I have therefore given up my residence in the United States.

recorded a speech at the Soviet consul's office to be sent to the Soviet Union. After the war, when relations between the United States and the Soviet Union became increasingly antagonistic, Chaplin bravely refused to disassociate himself from friends such as composer Hanns Eisler, who were linked to communist organizations; Eisler was blacklisted and deported.

In April, 1947, Chaplin described the atomic bomb as "the most horrible invention of mankind." Roman Catholic war veterans urged the U.S. State and Justice Departments to arrange for Chaplin's deportation. Later that year he accepted a subpoena to appear before the House Committee on Un-American Activities (HUAC), but was never called to appear, leading to speculation that HUAC feared Chaplin would arrive dressed as The Tramp (his best-known character) and make a mockery of the proceedings.

Long before the Cold War period, anticommunist rhetoric was part of U.S. political life and assessments of popular culture. Although usually present and sometimes noted, the class antagonism in Chaplin's silent narratives was overshadowed by the films' sentimentality and the tremendous popularity of The Tramp character. When Chaplin released *Modern Times* (1936), deep into the Depression, the film's satiric view of the machine age registered as anticapitalist to some. Such audiences took special notice of the

scene in which Chaplin, playing an assembly line worker, waves the red flag in a labor parade.

In 1941, two isolationist senators who called for hearings to investigate Hollywood propaganda that urged the United States into the war named Chaplin's *The Great Dictator* (1940) as a propaganda picture. Chaplin's satire on Adolf Hitler marked the start of a six-year creative dry period for Chaplin, who did not release his next film, *Monsieur Verdoux*, until 1947. During this period the United States had entered, and helped win, what was widely considered the good war; the Cold War had

begun. *Monsieur Verdoux*, a bitter (and brilliant) satire about a wife killer who claims that the world encourages mass killings but punishes small-time murderers, shocked many who expected sentimental optimism from Chaplin. His critics argued that the unflinching critique of the moral contradictions of capitalism in *Monsieur Verdoux* proved that Chaplin was procommunist. In contrast, film critic and writer James Agee applauded the chilling satire and defended Chaplin's right to free speech at a press conference the day after the film's American opening.

Chaplin's next film, *Limelight* (1952), was politically benign, but its very existence and its release in the United States shortly after Chaplin's exile to Europe caused American Legion members to picket its screenings and to influence three theater chains—Fox, Loews, and RKO—to withdraw the film soon after its opening. Various political action groups successfully pressured distributors to withdraw all of Chaplin's films from exhibition in the United States.

The FBI files demonstrate that its director, J. Edgar Hoover, had negotiated with the U.S. Immigration and Naturalization Service (INS) to revoke Chaplin's reentry permit so that he would not be allowed back in the United States after his trip to London for the world premiere of *Limelight*. U.S. attorney general James P. McGranery clearly had the support of other government officials when

he issued his order on September 19 to keep Chaplin out of the United States.

For two decades Chaplin lived quietly in Switzerland with Oona and their children (eventually numbering eight). In April, 1972, Chaplin finally returned to the United States to accept an award from the Lincoln Center Film Society in New York and an honorary Oscar (his second) from the Academy of Motion Picture Arts and Sciences in Los Angeles. He was issued a one-time entry visa valid for two months. At the Los Angeles award ceremony, the eighty-three-year-old filmmaker responded emotionally to a standing ovation by saying “I’m being born again.”

In 1975, British queen Elizabeth II knighted Chaplin. Two years later he died in his sleep at his villa in Vevey.

IMPACT

Although Chaplin produced and directed two films after his exile from the United States, his creative life was greatly diminished. *A King in New York* (1957) clearly reflected the filmmaker’s bitterness toward the United States. The controversial film was popular abroad but was not seen in the United States until 1976, shortly before Chaplin’s death. Even with stars such as Marlon Brando and Sophia Loren, Chaplin’s *A Countess from Hong Kong* (1967) was a disappointment and an anachronism amid the robust cinematic innovation of the late 1960’s.

Chaplin’s life demonstrates the startling reversal of fortune that can await celebrity, for the most beloved silent-film star in the world moved from darling to pariah in the United States to become the most famous victim of the infamous Red Scare. One positive outcome of this sad story, however, is that the notorious and unjust decision against Chaplin in the Barry paternity case led to the admissibility of blood tests in paternity trials in California and elsewhere.

—Carolyn Anderson

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Charles Chaplin Cannot Reenter the United States

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September 23, 1952

RICHARD NIXON DENIES TAKING ILLEGAL CAMPAIGN CONTRIBUTIONS

When Richard Nixon was the running mate of Republican presidential candidate Dwight D. Eisenhower in 1952, he was accused of accepting \$18,235 in illegal campaign contributions. Nixon went on television to defend himself. In the speech, he said that the only contribution he had received was a cocker spaniel puppy named Checkers, whom he would keep for his children.

ALSO KNOWN AS: Checkers speech

LOCALE: Los Angeles, California

CATEGORIES: Government; politics; radio and television; communications and media

KEY FIGURES

Richard Nixon (1913-1994), U.S. senator, 1950-1953, vice president, 1953-1961, and president, 1969-1974

Dwight D. Eisenhower (1890-1969), president of the United States, 1953-1961

SUMMARY OF EVENT

The United States presidential election of 1952 came at a time when Cold War tensions ran high and the American people were losing faith in their leadership. Disenchantment over U.S. involvement in the Korean War and accusations of communist spies within the federal government led Americans to seek stability. The Republican presidential candidate, Dwight D. Eisenhower, and his running mate, Senator Richard Nixon from California, capitalized on America's desire for change. Together they launched the Republican drive for the White House by declaring a "great crusade" for honest, efficient government at home and freedom abroad. The Republican platform in 1952 was framed around the dual theme of fighting both corruption and communism.

Attacking the alleged corruption of the Harry S. Truman administration, Eisenhower vowed to clean up the "mess in Washington." The campaign

pledged to restore confidence in and respect for the government. The case made a great impact on the public. In September, however, an obstacle threatened to jeopardize the Republican campaign. Reporters accused Senator Nixon of maintaining a secret fund to supplement his salary. This disclosure was at odds with the principles being emphasized in the Republican campaign. Thus, the party that had launched a moral crusade against its allegedly scandal-plagued opposition suddenly had a scandal of its own.

On September 18, the *New York Post* revealed that Nixon had been the beneficiary of an \$18,235 slush fund raised by a group of his California supporters. It was alleged that Nixon personally benefited from this special fund, allowing him and his family to live beyond his salary as a senator. In the days to follow, newspapers responded with editorials. Some papers, such as *The Washington Post*, called for Nixon's immediate withdrawal from the race. Regarding the vice presidential candidate as a political liability, several of Eisenhower's advisers also demanded Nixon's resignation.

Eisenhower himself, however, was particularly cautious in reaching a decision. He understood the risks involved. On the one hand, to drop Nixon from the ticket would jeopardize his hopes of being elected on the grounds that his own choice of running mate was as corrupt as the Democrats he had been criticizing in his campaign speeches. On the other hand, keeping Nixon on the ticket would appear to condone the practice of raising secret funds for public officials. Aware of the potential political repercussions, Eisenhower remained uncommitted. He neither publicly nor privately issued any statements of support for his running mate.

On the evening of September 21, three days after the story broke, Eisenhower finally phoned the senator to discuss the case. During the conversation, he encouraged Nixon to explain the political fund before a nationally televised audience. The public, he

insisted, was entitled to the facts. By presenting his complete financial record, Nixon could overcome the rumors of moral reprobation and regain the trust of the American people. Ultimately, Eisenhower asserted, the decision to remain on the ticket was Nixon's alone.

In an attempt to save his candidacy and, moreover, his political career, Nixon went on national television and radio to defend himself against the charges. On September 23, from the El Capitan Theatre in Hollywood, California, Nixon delivered what later became known as the Checkers speech, denying any wrongdoing. Reiterating several of the lines he had been using on the campaign trail, he responded to the charges of impropriety by providing a detailed account of his personal finances, including his assets and debts. Such a full financial disclosure was unprecedented in American politics. A fund did exist, explained Nixon, although it was used strictly to help defray the costs inherent in holding an elected office. Pleading personal poverty, Nixon attempted to identify with the average American family. The speech contained familial references, including the "Republican cloth coat" worn by his wife and a cocker spaniel puppy that was offered to him from a supporter in Texas; his young daughter named the puppy Checkers. It was the only gift his family had received. His children loved the little dog, and Nixon insisted that the family would keep him.

The speech proved to be dramatic. Nixon not only assumed the defensive but also used the speech as an opportunity to gain an edge in the campaign. He denounced communism and launched a counterattack against the Democratic presidential nominee, Adlai E. Stevenson, revealing that he, too, had a similar political expense fund while he served as governor of Illinois. At the end of the broadcast, Nixon offered an emotional plea

by instructing viewers to wire and write the Republican National Committee (RNC) and assist them in deciding whether to keep Nixon on the ticket. Following his performance, Nixon was convinced that he had failed. In fact, the outcome was quite different.

Shortly after the program, tens of thousands of telegrams were sent through the wires offering messages of support. Nixon had successfully defended himself before the bar of public opinion. The speech was a great success. It won the unanimous support of the RNC, and Eisenhower ended the uncertainty. The following day, Eisenhower summoned Nixon to Wheeling, West Virginia, where he had been campaigning, and announced his decision to keep his running mate on the ticket. With the Checkers speech, Nixon became a national figure overnight, drawing larger-than-ever crowds.

IMPACT

The speech was unique in the annals of American history. It was one of the first major events of presidential politics to reach a national audience at home. A record-breaking fifty-eight million voters



Senator Richard Nixon, the Republican candidate for vice president, speaks to a national television audience. (AP/Wide World Photos)

tuned in to Nixon's broadcast, making it the largest audience ever, to that point in American history, to hear the speech of a politician. In fact, *Entertainment Weekly* magazine ranked the Checkers speech number twenty-nine in its top one hundred moments in television history.

Although the speech provoked disdain among certain sectors of society for Nixon's disclosure of the most intimate details of his private life as well as his theatrics in exploiting his wife and his children's dog to garner votes, most of the feedback was decidedly positive. During his performance, Nixon connected with the viewers, convincing most of his televised audience that he had not broken the law. With his apparent unrehearsed explanation, Nixon endeared himself to the American public. His sincerity and openness won him the admiration of many. The speech outmaneuvered the Democrats and turned a potential disaster for the Republican Party into a political advantage. Nixon remained on the ticket, and on election day, the Republicans won in a landslide victory.

It proved ironic that at the end of his political career, resigning from the presidency in 1974, Nixon stood for the corruption of power that he sought to combat in his campaign for vice president. However, in 1952, Nixon managed to save his candidacy, and ultimately his political career, and went on to serve two terms as vice president of the United States. He was inaugurated on January 20, 1953, the second youngest vice president in the history of the United States.

—Heather L. Shaffer

FURTHER READING

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trates how certain personal crises affected their performance in office.

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Nixon, Richard M. *Six Crises*. New York: Doubleday, 1962. Nixon offers his own account of his personal crisis involving the alleged slush fund and the subsequent Checkers speech.

Summers, Anthony. *The Arrogance of Power: The Secret World of Richard Nixon*. New York: Viking Press, 2000. An analysis of Nixon's life from his early years until he became a politician. Contains a discussion of a litany of outrageous deeds Nixon allegedly committed, thereby demonstrating a pattern of mean-spirited behavior.

SEE ALSO: 1904: Theodore Roosevelt Is Accused of Accepting Corporate Funds; May 30, 1923: U.S. Attorney General Harry M. Daugherty's Aide Commits Suicide; Sept. 22, 1958: President Eisenhower's Chief of Staff Resigns for Influence Selling; Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; June 17, 1972-Aug. 9, 1974: Watergate Break-in Leads to President Nixon's Resignation; July 31, 1972: Thomas F. Eagleton Withdraws from Vice Presidential Race; Oct. 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace; May 14, 1974: *Washington Post* Reveals That the Nixons Received Jewelry Gifts; Sept., 1976: Jimmy Carter Admits Committing Adultery in His Heart; Aug. 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation.

December 1, 1952

GEORGE JORGENSEN BECOMES CHRISTINE JORGENSEN

The New York Daily News reported that Christine Jorgensen had changed her gender from that of a man to a woman at a medical clinic in Denmark. The story initiated a media frenzy, fueling Jorgensen's career as a public personality and spokeswoman for the developing transsexual and transgender movements.

LOCALES: Copenhagen, Denmark; New York, New York

CATEGORIES: Medicine and health care; publishing and journalism; social issues and reform; women's issues

KEY FIGURES

Christine Jorgensen (George William Jorgensen, Jr.; 1926-1989), American entertainer
Christian Hamburger (fl. 1950's), Danish endocrinologist

SUMMARY OF EVENT

On December 1, 1952, Christine Jorgensen became an overnight media sensation. Americans were fascinated by her story. After living twenty-six years as George William Jorgensen, Jr., she dramatically changed her physical appearance through a combination of surgery and hormones. Public interest was sustained because Jorgensen displayed considerable panache with reporters, and photographers highlighted her attractive face and voluptuous feminine figure. Jorgensen passed as a woman with tremendous success, showing considerable flair for fashionable attire, and she had a command of humorous sound bites for reporters.

The *New York Daily News*, a popular American newspaper with a high circulation and dating from 1919, published the news that Jorgensen had reassigned her gender through surgery in Copenhagen, Denmark, and was on her way back to the United States. That such a prestigious publication released the account likely increased the likelihood that the story would be further developed by other journal-

ists across the United States. Also favorable for Jorgensen (and the media) was that the United States at this time was heavily embroiled in the Korean War, and Americans were content to focus on "lighter" news.

Jorgensen's gender reassignment became a huge media event. In no time, weekly periodicals such as *Time* magazine also featured the story. The first paragraph in the *Time* article of December 15, 1952, explored Jorgensen's experience in the military and discussed her bodily changes from the hormonal treatments and the number of surgeries she had endured.

The public learned about Jorgensen's longstanding desire to change her gender, a desire that led her to Europe. Readers discovered that she had begun life as George, the son of Danish American parents (George and Florence Jorgensen), and that she had one older sister. These mundane facts were easier for the public to digest than was the news that George always had been unhappy as a boy. He believed that he had been born into a wrongly sexed, or gendered, body (a condition now termed "gender dysphoria") and was meant to be a girl. Jorgensen's feelings persisted even while he served in the U.S. Army for a brief period during the mid-1940's, which, as many agree, would have severely challenged and rejected his femininity.

Jorgensen's military service, especially, piqued widespread interest. The headline for the *New York Daily News* article was "Ex-GI Becomes Blonde Beauty: Operations Transform Bronx Youth." Published photographs also highlighted the extreme disjunction between George's career choice prior to his gender reassignment and between Christine's appearance after surgery and hormone treatments. Additionally, the U.S. Congress had just instituted the Uniform Code of Military Justice in 1950, which created official policy for the U.S. military regarding homosexual service members. Jorgensen, however, did not identify as homosexual nor was he considered gay by the military; rather, he

identified as wrongly gendered. To most Americans during the 1950's, though, gays and male-to-female transgender persons (and transsexuals and cross-dressers) most often were considered one and the same.

Although the media presented brief details about Jorgensen's childhood and early career as an adult, it focused on what it believed was most scintillating and sensational: her reassigned gender. The media first reported on Jorgensen's decision to change her gender in 1950, when she traveled to Denmark and met endocrinologist Christian Hamburger, who was practicing medicine at the Statens Serum Institut in Copenhagen. Jorgensen became his patient within a few months of arriving in Denmark.

Reporters eventually discovered that Jorgensen had her first surgical procedure for genital reconstruction in September, 1951, after many months of tests, hormone treatments, and medical consultations. After this initial surgery, she continued to live in Copenhagen, developing an increasingly feminine appearance and lifestyle. Then, in November,

1952, Jorgensen underwent a penectomy, the surgery that led to the revelatory *New York Daily News* article of December 1.

The support Jorgensen received from her family contrasted dramatically with the chaotic media reception that greeted her when her flight landed in the United States on December 1. While the sudden media attention must have alarmed her initially, Jorgensen soon rose to the occasion. She was an attractive woman, which appealed to the media, and she used their attention to assist her move into a career in entertainment. She began to perform in nightclubs across the country and was even banned from some venues, which probably helped her in the long run.

More media attention came when Jorgensen was engaged to Howard J. Knox. Jorgensen and Knox attempted to get a marriage license but were denied in April, 1959. Under civil law, Jorgensen was considered a man (despite having undergone a vaginoplasty in 1954). Her birth certificate said she was born male, so she could not marry a man.



Christine Jorgensen. (AP/Wide World Photos)

IMPACT

Beginning during the 1960's, the media began to pay less attention to Jorgensen, for several reasons. Gender reassignment and different gender expressions became more normalized and accepted (or tolerated) in the context of a growing gay and lesbian rights movement, gender activism, and changing social attitudes. Indeed, social stigma against gender reassignment had been waning when Jorgensen died in 1989 at the age of sixty-two. Her death was barely noted by the press and by, perhaps surprisingly, transgender communities. Later histories have given her more prominence in their records of transgender and transsexual experience.

The *New York Daily News* article eventually had a positive im-

pact on how transgender people came to be received. Jorgensen, a media-appointed spokesperson for transgenderism, represented her constituency with flair, which likely helped to diminish negative public reaction to the topic of gender reassignment.

Certainly, many other individuals had transformative genital surgeries before Jorgensen, but through a combination of circumstances, Jorgensen sustained people's interest in a way that earlier individuals had not. She seems to have enjoyed her status as an icon for change. She was charismatic and confident in her interactions with the media, and she met many famous people as her career in entertainment progressed. While her influence on the public lessened during the later years of her life, she once again moved into the limelight with the growth of transgender and gender studies in academia and with increased interest in the early histories of the transgender and transsexual movements.

—Susan J. Wurtzburg

FURTHER READING

Boylan, Jennifer Finney. *She's Not There: A Life in Two Genders*. New York: Broadway Books, 2003. A well-written and thoughtful presentation of Boylan's gender reassignment from man to woman. Includes observations from students and academic peers.

Calafia, Patrick. *Sex Changes: Transgender Politics*. San Francisco, Calif.: Cleis Press, 1997. The politics and challenges of changing genders in the United States.

Currah, Paisley, Richard M. Juang, and Shannon Price Minter, eds. *Transgender Rights*. Minne-

George Jorgensen Becomes Christine Jorgensen

apolis: University of Minnesota Press, 2006. A broad history of the transgender movement, concentrating on events in the United States and presented within a human rights context.

Jorgensen, Christine. *Christine Jorgensen: A Personal Autobiography*. San Francisco, Calif.: Cleis Press, 2000. Jorgensen's own account, originally published in 1967, of what motivated her to change her gender. Strong emphasis on her daily life rather than broader changes in society. Includes photographs.

McCloskey, Deirdre N. *Crossing: A Memoir*. Chicago: University of Chicago Press, 1999. McCloskey became a woman during her time as a professor at an American university. She writes about this transformation.

Morris, Jan. *Conundrum*. New York: Harcourt Brace Jovanovich, 1974. A classic account of gender reassignment, written by a wonderfully articulate travel author who wrote many books about distant places, both as a man and as a woman.

Stryker, Susan, and Stephen Whittle, eds. *The Transgender Studies Reader*. New York: Routledge, 2006. A broad survey that includes extensive references. Helps place the transgender movement in its historic context.

SEE ALSO: 1927: Mae West's Play About Gays Is Banned on Broadway; 1970: Study of Anonymous Gay Sex Leads to Ethics Scandal; Dec., 1982: Julie Andrews and Blake Edwards Deny Being Gay.

November 21, 1953**PILTDOWN MAN IS REVEALED TO BE A HOAX**

The skull and jawbone of a prehistoric human was found in 1912 at a rock quarry. Long accepted as evidence of an evolutionary link between humans and apelike creatures, evidence came to light forty years later that human and orangutan bones and fossilized chimpanzee teeth had been combined to create a fake. Revelation of the hoax encouraged public skepticism about subsequent paleontological discoveries.

LOCALE: London, England**CATEGORIES:** Forgery; hoaxes, frauds, and charlatanism; science and technology; literature; education**KEY FIGURES**

Charles Dawson (1864-1916), English attorney and amateur archaeologist

Arthur Smith Woodward (1864-1944), English paleontologist and museum curator

Franz Weidenreich (1873-1948), German anatomist

Kenneth Oakley (1911-1981), English anthropologist

Joseph Weiner (1915-1982), English biologist

Wilfrid Le Gros Clark (1895-1971), English anthropologist

SUMMARY OF EVENT

At a meeting of the London Geological Society held on December 18, 1912, Charles Dawson, an attorney and amateur archaeologist from Lewes in Sussex, announced the finding of a skull at Piltdown quarry (the skull had been broken up by workers) in 1908. He then told his audience that he brought the skull fragments to Arthur Smith Woodward, the curator responsible for geological specimens at the British Museum. Woodward then accompanied Dawson to Piltdown in the summer of 1912, and they recovered more fragments, including part of a lower jawbone. After reconstructing the skull to the best of his ability, Woodward proclaimed that it was

a new species intermediate between apelike beings and humans.

The find was extremely important in the context of the enduring controversy between evolutionists and creationists, whose arguments often crystallized around the notion of the so-called missing link that might prove the evolutionary descent of human beings from apelike ancestors. The skull of Piltdown man, as the find came to be known, became the subject of immediate controversy. Woodward's reconstruction was challenged by the Royal College of Surgeons, a challenge later dismissed by enthusiasts as mere quibble. By the time more serious criticisms were made during the 1920's, Dawson was dead and could no longer be called upon to answer criticism. In his absence, the evolving doubts about the skull's nature and provenance seemed incapable of resolution.

In 1920, anatomist Franz Weidenreich asserted that the Piltdown fragments came from two different skulls: the cranium from a modern human being and the jaw from an orangutan. The following decade saw a series of further discoveries of early hominid skeletal remains, including Peking man in China and the Taung child in Africa. These remains indicated an evolutionary descent incompatible with the Piltdown skull, but that only caused Piltdown man's supporters to be skeptical of the import of the new discoveries.

In 1948, Kenneth Oakley, Woodward's successor as keeper of geological specimens at the British Museum, used recently developed carbon-dating techniques on a considerable number of proto-human specimens. Oakley found that the Piltdown skull, unlike the others, showed no evidence of antiquity, but the authority and accuracy of carbon dating were still viewed with some suspicion, so the publication of Oakley's data in 1950 was thought insufficient to prove that the skull was a fake.

In June, 1953, Oakley mentioned his findings to Oxford University biologist Joseph Weiner, who then reexamined the skull in collaboration with his

colleague, anthropologist Wilfrid Le Gros Clark. They found that the skull was a composite of three sources, as chimpanzee teeth had been added to the orangutan jaw and human cranium. More crucially, however, they found definite evidence that the teeth had been reshaped with a file and that the bones had been artificially stained to make them seem old.

On November 21, 1953, the *Bulletin of the British Museum* published the findings of Weiner and Le Gros Clark, who used Oakley's data, and *The Times of London* broke the story to the public the same day. *The Times* news story, "Piltdown Man Forgery, Jaw and Tooth of Modern Ape [an] 'Elaborate Hoax,'" would lead to a global scandal. Other British and European newspapers picked up the story on subsequent days, as did newspapers in the United States. The public outcry was sufficient to provoke a motion to the House of Commons that proposed a vote of no confidence in the British Mu-

seum's trustees; the motion, however, was not carried. It is likely that the lasting effects of the 1925 Scopes trial in Tennessee brought the conflicts of evolutionary theory to the fore once again, even a quarter century later. Theories of human evolution could still stir the public.

Although it seemed likely that Dawson had been the faker and Woodward his victim, the lapse of time since the alleged discovery of Piltdown man made that conclusion difficult to prove. Hypotheses regarding alternative culprits and a wider conspiracy were soon proposed. Arthur Conan Doyle, who had taken an interest in the find because of its relevance to his 1912 scientific romance novel *The Lost World*, was soon a suspect.

More attention was focused, however, on Pierre Teilhard de Chardin, a French Jesuit and a paleontologist who had reportedly visited the Piltdown site with Dawson. Teilhard had been forbidden by



The Piltdown quarry excavation site in England in 1911, three years after the skull of a prehistoric man was allegedly found in 1908.

THE PILTDOWN HOAX

British scientists Joseph Weiner, Kenneth Oakley, and Wilfrid Le Gros Clark announced their findings in the case of the Piltdown Man, claiming the Piltdown skull and jawbone are fakes.

From the evidence which we have obtained, it is now clear that the distinguished palaeontologists and archaeologists who took part in the excavations at Piltdown were the victims of a most elaborate and carefully prepared hoax. Let it be said . . . that the problem was not capable of solution on the available evidence, that the faking of the mandible and canine is so extraordinarily skillful, and the perpetuation of the hoax appears to have been so entirely unscrupulous and inexplicable, as to find no parallel in the history of paleontology discovery.

Source: "The Solution of the Piltdown Problem." *Bulletin of the British Museum (Natural History) Geology* 2, no. 3 (November, 1953).

the Society of Jesus to publish his own theories regarding human evolution—theories that were equally unorthodox from the scientific and Roman Catholic viewpoints—and the posthumous publication of his ideas in *Le Phénomène humaine* (1955; *The Phenomenon of Man*, 1959) caused a mild sensation not long after the revelation of the Piltdown hoax. The argument for Teilhard's involvement won support from the successful popularizer of science Stephen Jay Gould.

The nagging enigma of the hoaxer's identity was resolved beyond all reasonable doubt when abundant evidence was uncovered of Dawson's inveterate habit of faking archaeological and fossil finds, apparently as a mere matter of attention-seeking. Piltdown man had been by far his most daring contrivance and Woodward his most prestigious victim, but he probably had no idea of the fuss that his hoax would cause so long after his death. He would doubtless have been delighted to know that the hoax would eventually win him an entry in the *Dictionary of National Biography*. The argument lasted long enough to maintain the public profile of the scandal, which was still simmering at the end of the

twentieth century. In 2003, the British Broadcasting Company produced a television documentary to mark the fiftieth anniversary of the revelation, in which the presentation of detailed and cogent arguments proving Dawson's culpability was still deemed necessary and newsworthy.

IMPACT

The Piltdown hoax of 1953 was generated by the discomfiting suggestion that there had been ready, willing, and able scientists who perpetrated gross deceptions to support the theories in which they believed. In a purely scientific context, the *Bulletin of the British Museum* merely supplied a coup de grâce to an awkward embarrassment. That such a significant scientific fraud had been perpetrated, and its fakery accepted as truth—at least by some observers—for forty years seemed scandalous to many of the newspaper reporters who commented on the revelation, and to their readers. The hoax undermined the trust to which the entire scientific community laid claim.

Sincere evolutionists were upset because the Piltdown hoax provided useful argumentative ammunition to creationists. As creationism enjoyed a remarkable resurgence in the second half of the twentieth century, its adherents continued to point to the Piltdown hoax as evidence of the lengths to which their opponents were prepared to go. That Dawson was an amateur and a habitual trickster rather than a professional scientist could not detract from the fact that many of his dedicated supporters were professionals, whose commitment to evolutionary theory swayed their judgment of what was very poor evidence.

—Brian Stableford

FURTHER READING

Lewin, Roger. *Bones of Contention: Controversies in the Search for Human Origins*. 2d ed. Chicago: University of Chicago Press, 1997. Although primarily concerned with the history of archaeological discovery in Africa and with how researchers struggled for acceptance, this work provides a good overview of the quest for human origins.

Russell, Miles. *Piltdown Man: The Secret Life of Charles Dawson and the World's Greatest Archaeological Hoax*. Stroud, England: Tempus, 2003. Russell, featured in the 2003 BBC documentary, painstakingly enumerates sixteen other forgeries perpetrated by Dawson to establish the case that Dawson, acting alone, perpetrated the hoax.

Walsh, John. *Unraveling Piltdown: The Science Fraud of the Century and Its Solution*. New York: Random House, 1996. Walsh treats the hoax as a mystery, initially rejecting the hypothesis that Dawson was the culprit, but he finds Stephen Jay Gould's suspicions of Teilhard de Chardin unconvincing and similarly rejects all the other candidates, eventually falling back on Dawson for lack of an alternative.

Weiner, Joseph S. *The Piltdown Forgery*. New ed. New York: Oxford University Press, 2003. A new edition of Weiner's popular account of the revelation of the hoax, initially published in

1955. The new introduction and afterword by Chris Stringer provide additional context and an update on the techniques employed.

Weiner, Joseph S., with Kenneth P. Oakley and Wilfrid E. Le Gros Clark. "The Solution of the Piltdown Problem." *Bulletin of the British Museum (Natural History) Geology* 2, no. 3 (November, 1953). The article that sparked the scandal. Remains a classic item of closely argued scientific discourse.

SEE ALSO: Apr. 25, 1983: German Magazine Publishes Faked Hitler Diaries; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Nov. 5, 2000: Japanese Amateur Archaeologist's "Discoveries" Are Proven Fakes; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; Sept. 25, 2002: Inquiry Reveals That Physicist Jan Hendrik Schön Faked His Research.

May, 1955

SCANDAL MAGAZINE REVEALS ACTOR RORY CALHOUN'S CRIMINAL PAST

Confidential magazine published a cover story about film star Rory Calhoun's juvenile criminal past that was based on information provided by his own agent, Henry Willson. Willson made a deal with the magazine so that it would not publish a story about actor Rock Hudson being gay.

LOCALE: Hollywood, California

CATEGORIES: Publishing and journalism; Hollywood; public morals

KEY FIGURES

Rory Calhoun (1922-1999), American film actor
Henry Willson (1911-1978), Hudson's and Calhoun's agent
Rock Hudson (1925-1985), American film star

SUMMARY OF EVENT

In 1955, film star Rory Calhoun, who had been born in Los Angeles in 1922, was at the peak of his career. His agent was Henry Willson, who also represented film star Rock Hudson, whose career was rising faster than that of Calhoun. Willson found out that *Confidential* magazine was on the verge of publishing an article claiming that Hudson was gay. Willson, who was himself also gay, approached the magazine to attempt to make a deal: If *Confidential* would cancel the Hudson story, he would give editors information about Calhoun's juvenile criminal past. The deal went through. The cover story, "Movie Star Rory Calhoun: But for the Grace of God, Still a Convict," ran in the May, 1955, issue of *Confidential* with a photograph of film-star Calhoun featured next to a smaller mug shot of Calhoun



Rory Calhoun. (Hulton Archive/Getty Images)

from 1940, when he had been arrested as a teenager for second-degree burglary.

Calhoun had begun appearing as an uncredited actor in films during the early 1940's, with the backing of actor Alan Ladd and agent Sue Carol (who had also discovered Ladd). By the late 1940's, Calhoun was starring in low-budget films and, with *Massacre River* (1949), began working in Westerns, the genre for which he would become best known. During the 1950's, he added romantic comedies such as *How to Marry a Millionaire* (1953) and *Ain't Misbehavin'* (1955) to his credits. Then his past caught up with him.

The Calhoun exposé, written by Howard Rushmore, describes the actor as being "Tall for his age with heavy shoulders and a wicked punch, a kid of 19 with an Irish grin and an Irish name." It continues, "You know him as Rory Calhoun!" The five-page article shows that his arrest record as a teenager included Calhoun's use of several names (Timothy Durgin, Francis Norton, Francis Mc-

Cown, and Jack Raine). His record shows that he had been in juvenile court three times at the age of thirteen for burglary and possession of firearms. His rap sheet includes car theft at the age of fourteen, robbery at fifteen, and transporting a stolen car across a state line, a federal charge, at seventeen. He escaped several times from incarceration and was deemed incorrigible by authorities. He was sentenced to a juvenile facility, where he was to stay until he was twenty-one years old; he was then sent to San Quentin as an adult to serve twenty years on the federal charge.

Confidential's real target had been Rock Hudson. The magazine had even offered a bounty for evidence that Hudson was gay. Hudson had been discovered by Willson, who was well known for turning good-looking young men into beefcake film stars, matinee idols, and sex symbols. He also represented Troy Donahue, Tab Hunter, John Saxon, Robert Wagner, Guy Madison, and other leading men of the 1950's. Willson had a talent for using the fan press to promote his clients. When it seemed that Hudson's homosexuality was about to surface, Willson arranged a marriage between Hudson and Phyllis Gates, Willson's secretary. At this time in Hollywood, accusations of homosexuality would doom any leading man's acting career.

Calhoun's longest time behind bars, more than three years, had been at El Reno Federal Reformatory in Oklahoma. "At El Reno," Rushmore writes in his exposé, Calhoun had "slugged a gangster [and] sent him to the hospital." Calhoun, "the 'agitator,' was sent to the 'hole' for eight days. From here he went to the 'lockup'—no smokes and half rations for 42 days. . . . And then he met Father John J. Kanaly."

John J. Kanaly, the reformatory priest, told Calhoun that he was not as tough as he looked, but he invited the nineteen-year-old prisoner to accompany him to the boxing ring in the reformatory's gymnasium. "That day Rory learned there was a man who could lick him," the article continues. "He also learned enough about boxing to win 10 out of 12 bouts against professional fighters who were serving time in El Reno, bouts staged by the priest."

Eventually, the priest helped turn Calhoun's outlook around. The future actor was facing a longer sentence at San Quentin for previous convictions once he completed his juvenile sentence, but California court officials eventually dropped the charges. According to the article, Calhoun felt that his own prayers, inspired by the priest, had something to do with the charges being dropped. At the age of twenty-one, Calhoun walked out of prison. He went to work at an ironworks plant, worked at a logging camp, and then became a forest ranger after he was offered the job the head ranger. Calhoun had even told the ranger about his criminal past. A few years later, while horseback riding in a Los Angeles park, he became acquainted with Ladd—and the rest was history.

As it turned out, the Calhoun exposé proved not to be greatly damaging to the young actor-to-be. Rather, the article told the story of a youth who had befriended the wrong people and made bad choices but who nevertheless managed to turn his life around. The *Confidential* article included a photo of Calhoun with his wife, actor Lita Baron, whom he married in 1948. The article reveals that Calhoun had confided his past to Baron before their wedding, and then quoted her as saying, "You were a bad boy, weren't you? . . . When do we get married?" The magazine even tracked down Father Kanaly, who is quoted as well.

Tim Durgin [Calhoun's name as a prisoner] was good with his fists, all right. But, more important, goodness emanated from him. I had faith in Tim—Rory Calhoun, that is. His transformation to a respected place in the world is a great personal satisfaction to me.

Calhoun divorced Baron in 1970. In 1971, he married Sue Rhodes, with whom he remained until his death in 1999, at the age of seventy-six.

IMPACT

Because the *Confidential* exposé had no ill effect on Calhoun's career—some say that it solidified his "bad-boy" image—the impact of its publication is more about its "failure" as a scandal piece than

about its revelations of an actor's criminal past. The impact of the *Confidential* piece, and the story of how it came to be published, also reveals the amount of fear that existed among agents and actors in Hollywood that an actor's homosexuality or bisexuality would become public knowledge and would, thus, end his or her career.

Calhoun survived the story. He continued making films—more than eighty—and appeared in about one thousand television shows, including his own series *The Texan*, which ran on CBS in 1957 and 1960. He also produced and wrote screenplays and diversified into other businesses as his acting career wound down. He was awarded two stars, one for film and the other for television, on the Hollywood Walk of Fame.

Calhoun's final film was *Pure Country* (1992), the story of a country music star (played by George Strait) who opts out of the bright lights to return to his roots. He was listed sixth in the cast by that time. He also made a number of Westerns, some horror movies, and two films about a high school girl who moonlights as a prostitute (*Angel*, 1984, and *Avenge Angel*, 1985), in which he played an old-time cowboy actor called Kit Carson who comes through with unexpected heroics in both pictures.

Willson, who had been one of the most powerful agents in Hollywood, began to lose his reputation after the deal with *Confidential* leaked out. He spent himself into bankruptcy and ended up in a home for indigent entertainment-industry folks. He died there at the age of sixty-seven.

Hudson's career, unlike Willson's, moved forward. The "secret" that *Confidential* did not expose in 1955 came out three decades later, during the 1980's, when Hudson became the first public figure to announce that he was suffering from acquired immunodeficiency syndrome (AIDS). He took a leading role in bringing attention to and raising money to fight the disease. He died from AIDS-related complications in 1985.

—Paul Dellinger

FURTHER READING

Calhoun, Rory. *The Man from Padera*. Canoga Park, Calif.: Major Books, 1978. Calhoun's

stage play. He also wrote several screenplays, including *The Domino Kid* (1957), which he adapted as a paperback novel, and wrote for his television series, *The Texan* (1957-1960).

Hofler, Robert. *The Man Who Invented Rock Hudson: The Pretty Boys and Dirty Deals of Henry Willson*. New York: Carroll & Graf, 2005. An inside look at the workings of the Hollywood star system of the 1950's, focusing on Willson's activities as an agent developing such stars as Hudson, Calhoun, Hunter, and Donahue.

Hudson, Rock, and Sara Davidson. *Rock Hudson: His Story*. New York: Carroll & Graf, 2007. Written at Hudson's request and with his cooperation. Discusses his image as a masculine actor who also was gay and closeted.

SEE ALSO: June 25, 1906: Millionaire Heir Murders Architect Stanford White; Feb. 1, 1922: Director Taylor's Murder Ruins Mabel Normand's Acting Career; Apr. 12, 1922: Film Star Fatty Arbuckle Is Acquitted of Manslaughter; Jan. 18, 1923: Actor Wallace Reid's Death in Drug Rehab Shakes Film Industry; Dec. 16, 1935: Film Star Thelma Todd's Death Cannot Be Explained; Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Jan. 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; Feb. 25, 1977: Film Producer David Begelman Is Found to Have Forged Checks; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

Late 1955

BRITISH ATROCITIES IN KENYA'S MAU MAU REBELLION ARE REVEALED

A state of emergency had been declared in colonial Kenya in 1952 to combat an indigenous uprising known as Mau Mau. The British security forces were largely successful in this campaign but evidence of their brutal methods became known to the British public by late 1955. This created a political scandal that led to Kenyan independence in 1963.

ALSO KNOWN AS: Hola massacre

LOCALE: Kenya

CATEGORIES: Atrocities and war crimes; government; racism; colonialism and imperialism; social issues and reform; violence; human rights; military

KEY FIGURES

Sir Evelyn Baring (1903-1973), governor of colonial Kenya, 1952-1959

Barbara Castle (1910-2002), member of Parliament and a leading critic of security forces in Kenya

Ian Henderson (b. 1927), colonial police officer and key Mau Mau leader

Jomo Kenyatta (c. 1894-1978), populist African politician and first president of Kenya, 1964-1978

Oliver Lyttleton (1893-1972), colonial secretary, 1951-1954

Iain Macleod (1913-1970), colonial secretary, 1959-1961

SUMMARY OF EVENT

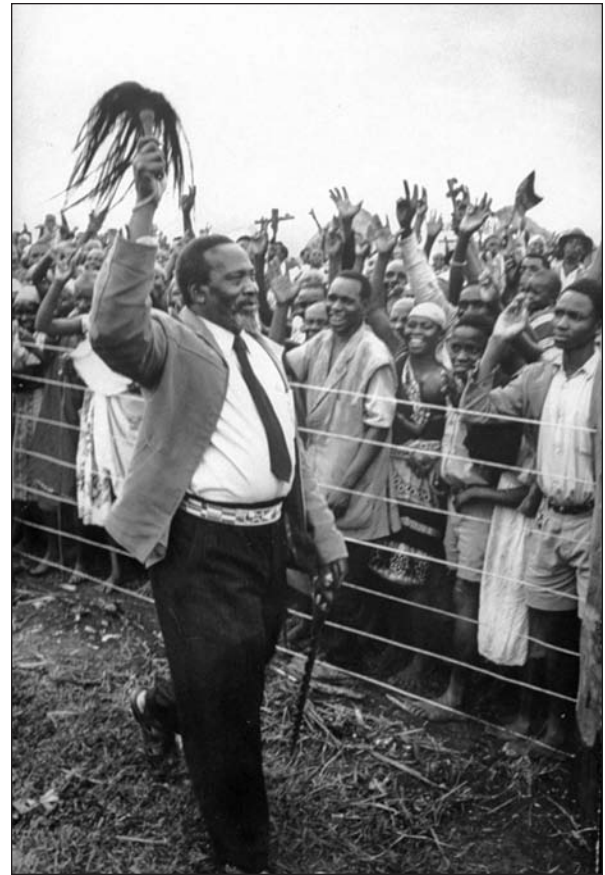
The British colony of Kenya during the 1950's saw a rise in tension over a land policy that reserved much of its richest acreage for white settlers. Thousands of the Kikuyu people participated in an oath-taking campaign in which they pledged to resist European agricultural encroachment. The movement gradually became known as Mau Mau, a word of unknown origin that could have developed from the Kikuyu *muma*, or oath, or perhaps from the name of the Mau escarpment, a geographic region in the area with some guerrilla activity. By November of 1952,

scattered violence associated with Mau Mau led Kenya's colonial governor, Sir Evelyn Baring, to declare a state of emergency.

The colonial government reacted to the instability with several initiatives. Jomo Kenyatta, a populist Kikuyu political figure, was incarcerated even though he had publicly denounced Mau Mau activities. Thousands of troops were deployed in Kenya, including British army regulars, African soldiers of the King's African Rifles, white Kenyan settlers of the Kenya Regiment, and nearly ten thousand local home guards. Security forces gained the upper hand by detaining tens of thousands of Kikuyu suspects and forcing 300,000 more into fortified villages. Special counterinsurgent pseudogangs made up of former Mau Mau fighters led by Ian Henderson were particularly effective. By the end of 1956, all of the major guerrilla leaders, including the elusive Dedan Kimathi, had been captured or killed.

At the beginning of the crisis, public opinion in Great Britain was decidedly against the rebels, who were portrayed as bloodthirsty, barbaric savages inspired by dark and superstitious rituals. Gruesome photographs of murdered Kenyans, particularly victims of a notorious massacre at Lari in March of 1953, graphically reinforced this image. Sensationalized stories of advanced oath-taking ceremonies similarly emphasized the role of black magic and hinted at the menace of African sexuality. Colonial secretary Oliver Lyttleton seemed to believe that the devil himself was at work behind the chaos.

Perhaps it is unsurprising that once the Mau Mau threat began to seriously recede there was a corresponding surge in humanitarian opposition to the conduct of the war. In December of 1954, concerns were raised by the trial of loyalist leader Muriu Wamai, who confessed to murdering two suspected insurgents, thus contradicting earlier testimony by several officials who had tried to cover up for their local ally's crime. Several days later, Arthur Young, who had been sent to Kenya specifically to clean up abuses on the part of some security forces, resigned his position as commissioner of police in protest against the brutal methods he claimed were being condoned by the state. A little over a month later, Governor Baring announced a general am-



Jomo Kenyatta returns home in 1961 after being imprisoned. (Hulton Archive/Getty Images)

nesty for crimes that had been committed during the crisis. The program applied in theory to rebels and security forces alike, but its primary thrust was to safeguard the latter from prosecution. One of the immediate beneficiaries was Wamai, who received a quick pardon for his actions.

All of this added fuel to the growing fire of criticism being directed at the situation in Kenya, beginning in late 1955. Religious groups, in particular the venerable Church Missionary Society, expressed concern over the growing reports of brutality and abuse. A faction of the Labour Party in Parliament led by Barbara Castle also had begun to campaign against the Tory government's heavy-handed response to the crisis. Castle conducted a personal investigation in Kenya and began contributing to the emerging storm of criticism appearing in left-

leaning newspapers such as the *Daily Mirror*. Conservative publications shot back by continuing to emphasize the purported savagery and backwardness of the Mau Mau fighters. Throughout 1956 and 1957, the tide of public opinion gradually shifted against the government, especially after two former security personnel, Eileen Fletcher and Philip Meldon, went public with their insider information about abuses.

The major blow did not come, however, until the so-called Hola camp incident, also known as the Hola massacre. Early in the crisis, the colonial government had created a so-called pipeline system through which detainees could be rehabilitated. In this system, suspects were classified as “white,” “grey,” or “black” according to their presumed loyalty to Mau Mau. Whites were considered eligible for release while greys were subjected to a forced rehabilitation program structured around Christian morality. Blacks were considered to be hardcore prisoners who would be the toughest to crack. This color-classification system was clearly racially based and was later changed to a letter system. Detainees could move through the pipeline from the more severe categories to the more moderate ones if they responded to rehabilitation. By 1959, most detainees had been released but several thousand hardcore prisoners were still being held, including more than one hundred twenty people at the Hola camp. In accord with the Geneva Convention's prohibition on forced labor, these particular prisoners had been refusing to work.

On March 3, the camp commandant tried to break the impasse by having the resisters beaten until they started working. The technique was not called off until eleven prisoners were dead. Feeble and contradictory attempts were made to blame the deaths on the prisoners themselves (they drank water on a hot day, drank bad water, or drowned after being sprayed with water during a riot). A storm of controversy broke out, culminating in a debate in Parliament on July 27. The government narrowly avoided an embarrassing defeat on the issue, but the episode persuaded the conservatives that it was time for a change in direction in Kenya.

IMPACT

The Hola camp incident convinced Iain Macleod, the new colonial secretary, to end the state of emergency in Kenya in 1959. While the security forces succeeded, their brutal actions had called into question the very idea of a British “civilizing” mission. Close to twelve thousand Mau Mau and their presumed supporters had died during the uprising (more than one thousand were hanged), along with about two thousand loyalists. The Crown also had spent nearly sixty million pounds in suppressing the uprising. Retaining the colony was no longer considered worth the cost in blood or treasure.

Kenyatta was released after reiterating his opposition to Mau Mau, and negotiations were held for a one-million-acre land transfer to further reduce tensions. National elections were held in May of 1963, and after a few months of transitional government, independence was granted to Kenya on December 12. Kenyatta became Kenya's first president.

The legacy of Mau Mau has been a mixed one. Although most Africans in the colony eventually denounced the rebellion, independent Kenya retroactively embraced Mau Mau and used its legacy to justify Kikuyu political domination. Leftist opposition politicians likewise tried to interpret the movement as a classic communist insurgency, even though these leaders likely had never read the foundational works of Karl Marx, Vladimir Ilich Lenin, or Mao Zedong.

For Britain, the aggressive manner in which it crushed the uprising created a domestic scandal that made continued political domination of the colony impossible. The British had managed to defeat both Mau Mau and themselves.

—Roger Pauly

FURTHER READING

Anderson, David. *Histories of the Hanged: The Dirty War in Kenya and the End of Empire*. New York: W. W. Norton, 2005. An impressive study of the state of emergency. Highlights the issue of brutality in a logical and sobering manner.

Edgerton, Robert. *Mau Mau: An African Crucible*. London: Collier Macmillan, 1989. A readable,

insightful, and interesting study of the Mau Mau crisis.

Elkins, Caroline. *Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya*. New York: Henry Holt, 2005. Contains intriguing anecdotal evidence but lacks balanced scholarship. The author's extraordinary claims of genocide created a media stir and won for her a Pulitzer Prize but have been heavily criticized by academics.

Lonsdale, John. "Mau Maus of the Mind: Making Mau Mau and Remaking Kenya." *Journal of African History* 31, no. 3 (1990): 393-421. Argues that of all colonial factions the military best understood the political motivations of Mau Mau fighters.

Prescription Thalidomide Causes Birth Disorders

Maloba, Wunyabari. *Mau-Mau and Kenya: An Analysis of a Peasant Revolt*. Bloomington: Indiana University Press, 1993. A respected scholarly book on the subject, this work comprehensively examines the social and economic structure of Mau Mau.

SEE ALSO: Nov. 15, 1908: Belgium Confiscates Congo Free State from King Leopold II; 1930: Liberia Is Accused of Selling Its Own Citizens into Slavery; June 4, 1979: South African President B. J. Vorster Resigns in Muldergate Scandal; Nov. 17, 2005: Liberian Workers Sue Bridgestone Firestone Over Slave Labor.

1956-1962

PREScription THALIDOMIDE CAUSES WIDESPREAD BIRTH DISORDERS

The widespread use of thalidomide, a drug that had been prescribed to pregnant women during the 1950's as a sleep aid and as relief from morning sickness, led to birth disorders among thousands of children around the globe. Inadequate, although standard, testing for the time, along with aggressive marketing, produced an epidemic. The U.S. Food and Drug Administration, which disallowed the drug's use in the United States, would increase its regulations on drug testing and approval soon after the scandal.

LOCALE: Worldwide

CATEGORIES: Drugs; families and children; medicine and health care; science and technology

KEY FIGURES

Frances Oldham Kelsey (b. 1914), American pharmacologist
Widukind Lenz (1919-1995), German pediatrician

SUMMARY OF EVENT

During the early 1950's, a Swiss pharmaceutical company had synthesized the drug thalidomide. Thalidomide was first marketed and sold under the brand name Contergan in West Germany in 1957 by the German drug company Grünenthal. The company advertised the drug as a nontoxic medication with no side effects, helpful for a variety of ailments, including sleeplessness. Soon, the drug was prescribed to pregnant women to help with morning sickness, and its use was extended to Australia, Africa, Asia, and the Americas. The drug's effect on human fetuses never was established because drug tests were not required by German law at the time.

The first so-called thalidomide baby was born in 1956, one year before the drug's initial widespread marketing. The years that followed witnessed a dramatic increase in the number of babies born with birth disorders, including deafness, cleft palate, blindness, and, characteristic of thalidomide babies, torsos without arms, legs, or both. Some babies also had "flipperlike" limbs that grew from the

shoulder or hip. Eventually, physicians and researchers were able to link these birth disorders to the thalidomide taken by women while they were pregnant.

No accurate census of children that had been affected by the drug exists, but approximately five thousand thalidomide cases have been documented. It is known that thalidomide affected thousands of children worldwide. There also may have been thousands of stillborn or miscarried fetuses, and an estimated 40 percent of those born with the disorders died before their first birthday.

Grünenthal continued research and development during 1954 and for the next few years. The company marketed the drug as an anticonvulsant for epilepsy, but it was subsequently proved ineffective. However, thalidomide was found to be effective as a sedative or sleep aid. In particular, those targeted for its use were women experiencing nausea and morning sickness during pregnancy. Three years later, in October, 1957, thalidomide was marketed for morning sickness and nausea and soon became the drug of choice to help pregnant women with

these symptoms. Thalidomide went into general use by 1958 and was widely prescribed around the world.

An American pharmacologist, Frances Oldham Kelsey, looked into the effects of the drug. As a U.S. Food and Drug Administration (FDA) drug evaluator, she repeatedly held off numerous efforts by a U.S.-based licensee of Grünenthal, Richardson-Merrell, to market thalidomide in the United States. Kelsey had serious doubts about the safety of the drug, even though it was being used in Europe. She also noted that the drug affected animals differently from humans and doubted the efficacy of the drug testing that had taken place. Kelsey withstood the pressure of the drug manufacturers to push through its approval.

Because thalidomide did not receive FDA approval in the United States, fewer American women gave birth to thalidomide babies. Women in the United States who were affected had obtained the drug while living abroad or had participated in earlier studies. In recognition of her critical work, Kelsey was awarded the President's Award for Distinguished Civilian Service by U.S. president John F. Kennedy in 1962.

Widukind Lenz, a German pediatrician, established a firm connection between the use of the drug by pregnant women and the birth disorders in November, 1961. He demanded that the drug be taken off the market in Germany; it was removed beginning November 27. Soon, other countries followed. Criminal indictments of nine Grünenthal employees came in 1968, and the criminal case settled two years later with a monetary settlement for those affected by the drug.

In 1972, following the criminal trial, the German government enacted a law that formed the *Hilfswerk für Behinderte Kinder* (disabled children's relief foun-



A child born with a disability caused by the prescription drug thalidomide writes with the aid of a pencil-holding device. (Hulton Archive/Getty Images)

dation) to support disabled children, including children born with birth disorders. Grünenthal contributed more than 100 million marks to the fund, absolving it of further legal claims.

Thalidomide was produced by Grünenthal until 2003, but, according to the company, it was made for humanitarian purposes only. However, the drug—made by drug companies other than Grünenthal—remains available in some countries, especially in the developing world, both legally and illegally. It is available in the United States to treat certain forms of leukemia.

Given the scandal of the 1950's and 1960's, the drug's continued use remains controversial. Thalidomide was approved by the FDA in 1998 for use in the United States as a treatment for leprosy, but with very strict controls. Modern research shows that it might be effective in some cases of macular degeneration, HIV-AIDS, and multiple myeloma. FDA controls on thalidomide include the following: Doctors prescribing and pharmacists dispensing thalidomide are required to participate in a program sponsored by the drug's manufacturer, and patients also must be educated about the drug's effects; women must be tested for pregnancy before beginning use of the drug and tested again after use; women who use the drug must use two forms of birth control if sexually active; men taking thalidomide also must use birth control, such as a condom, because it is not known if thalidomide can produce disorders in the children they help to conceive; and donating blood or semen, as well as breast feeding, are prohibited while taking the drug.

IMPACT

There are several ways to measure the impact of the thalidomide scandal. To those persons and their families directly affected by the drug, the economic and emotional effects have been severe and long lasting. Many thalidomide babies who have survived into middle age and beyond have suffered further medical problems, possibly due to initial exposure to the drug in the womb.

Even more devastating has been the knowledge that the disorders could have been prevented had the drug been tested before being placed on the mar-

Prescription Thalidomide Causes Birth Disorders

ket. As a consequence of the scandal, the U.S. Congress in 1962 passed the Kefauver-Harris Amendment to the Food, Drug, and Cosmetic Act of 1938, which strengthened the FDA's control of the pharmaceutical industry. Germany produced guidelines for drug testing in 1964.

—Mary C. Ware

FURTHER READING

Hilts, Philip J. *Protecting America's Health: The FDA, Business, and One Hundred Years of Regulation*. New York: Alfred A. Knopf, 2003. Documents the history of the U.S. Food and Drug Administration from its establishment during Theodore Roosevelt's presidency to the beginning of the twenty-first century. Emphasizes the FDA's regulatory role and its battles against entrenched business interests.

Knightley, Phillip, et al. *Suffer the Children: The Story of Thalidomide*. New York: Viking Press, 1979. Dramatic and well-written account of the development of thalidomide by Grünenthal, its medical testing, and the massive international repercussions of the thalidomide controversy. Includes appendix summarizing applicable scientific research.

McCredie, Janet. *Beyond Thalidomide: Birth Defects Explained*. London: Royal Society of Medicine Press, 2007. Explores drug-induced birth disorders, with a focus on thalidomide use and its ramifications for pregnant women.

Pray, W. Steven. *A History of Nonprescription Product Regulation*. Binghamton, N.Y.: Pharmaceutical Products Press, 2003. Study of over-the-counter drug regulation in the United States. Includes a chapter on the Kefauver-Harris Amendment of 1962.

Stephens, Trent, and Rock Brynner. *Dark Remedy: The Impact of Thalidomide and Its Revival as a Vital Medicine*. New York: Perseus, 2001. This book was prompted by the return of the use of thalidomide in the United States. A collaboration by a scientist (Stephens) and a novelist-historian (Brynner) carefully relates the history of the drug's development, early uses, and later research and development.

Wallace, Marjorie, and Michael Robson. *On Giant's Shoulders: The Story of Terry Wiles*. London: Times Books, 1976. This book, later made into a film with the same title, chronicles the life of Terry Wiles, a New Zealander who was born disabled as a result of his mother taking thalidomide during pregnancy.

SEE ALSO: Mar. 21, 1928: Alberta Government Sterilizes Thousands Deemed Genetically and Mentally Unfit; Sept.-Oct., 1937: Prescription Elixir Causes More than One Hundred Deaths; Summer, 1974: Dalkon Shield Contraceptive Is Removed from the Market; Sept. 26, 1979: Love

Canal Residents Sue Chemical Company; Sept. 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Sept., 2000: American Scientists Are Accused of Starting a Measles Epidemic in the Amazon; Jan. 30, 2001: Liverpool Children's Hospital Collects Body Parts Without Authorization; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; Summer, 2006-Mar. 16, 2007: Manufacturer Recalls Pet Food That Killed Thousands of American Pets.

March 9, 1956

BRITISH CONDUCTOR-COMPOSER IS ARRESTED FOR POSSESSING PORNOGRAPHY

Sir Eugène Goossens, conductor of Australia's Sydney Symphony Orchestra, had been having a romantic affair with Australian occultist Rosaleen Norton, a controversial artist whose illustrated book of erotica was deemed obscene by the courts. After Goossens's home was raided, he was arrested after police found pornographic materials in his luggage upon his return from a trip abroad. The ensuing scandal damaged Goossens's career and forced him to return to his native England.

LOCALE: Sydney, New South Wales, Australia

CATEGORIES: Law and the courts; music and performing arts; public morals; publishing and journalism; sex crimes

KEY FIGURES

Eugène Goossens (1893-1962), British composer and conductor

Rosaleen Norton (1917-1979), Australian occultist and artist

Bert Trevenar (d. 2003), detective with the New South Wales vice squad

Joe Morris (d. 1991), crime reporter for the *Sydney Sun*

Pamela Main (fl. 1950's), Australian pianist

SUMMARY OF EVENT

Eugène Goossens established himself as a leading conductor in Great Britain and the United States and enjoyed a reputation as an accomplished composer. In 1946, with his third wife, wealthy socialite Marjorie Foulkrod, he moved to Australia to become conductor of the Sydney Symphony Orchestra and director of the New South Wales Conservatorium. A lifelong student of the occult, he bought the book *The Art of Rosaleen Norton* (1952), which illustrated the erotic art of Australian occultist Rosaleen Norton, and began an affair with her the following year. Goossens and his wife were apparently emotionally estranged, and those who knew him claimed that he found both emotional release and artistic inspiration in Norton's company. At about the same time, however, Goossens also began an affair with a young pianist, Pamela Main.

During the 1950's, Australia was extremely conservative on issues of sex and sexuality. Whether

Goossens knew it or not, he was leaving himself open to both legal action and blackmail after he bought Norton's book. The book had been the object of a successful obscenity prosecution in 1953, the year after Goossens bought his copy. Furthermore, a sexually explicit film involving Norton and another of her lovers, Gavin Greenlees, had been stolen and offered to various newspapers. The editor of the Sydney *Sun* alerted the New South Wales vice squad, and Chief Ron Walden sent Detective Bert Trevenar to confiscate the photographs and to open an investigation. Trevenar allowed *Sun* reporter Joe Morris to accompany the vice squad on a raid of Norton's property in the Sydney suburb of Kings Cross. During the raid, Morris found a packet of incriminating letters from Goossens to Norton. It was later revealed that the conductor had urged Norton to destroy the letters. However, she did not do so, and Morris got a hold of them. He turned them over to Trevenar.

Trevenar was on the verge of arresting Goossens for "scandalous conduct" when the conductor left Australia for a concert tour of Europe. Goossens received a knighthood while in Britain but used his visit for other purposes as well, purchasing large quantities of material from London sex shops. Without his knowledge, he was being followed by an agent for the *Sun*, who witnessed the purchases and notified Morris. In turn, Morris shared the information with Trevenar. Goossens returned to Australia and was met by police officials at Mascot Airport in Sydney on the morning of March 9, 1956. Trevenar, Chief Walden, and a senior customs investigator, Nat Craig, were at the airport when he arrived; a photographer for the *Sun* was there as well.

Authorities confiscated from Goossens seven packages wrapped in brown paper and labeled with the names of composers. The packages, containing more than one thousand items, included sexually explicit books and photographs, a roll of film, and items considered pornographic at the time: sticks of incense and several rubber masks. Upon being questioned by Trevenar, Goossens admitted his relationship with Norton and described in explicit detail the "sex magic" rituals involving oral stimula-

tion that the two had participated in. In doing so, he left himself open to charges that could have resulted in a sentence of several years in prison.

The *Sun* and other Australian newspapers treated the incident as a major event and suggested breathlessly that many more cultural and financial figures were implicated in the satanic rites. With his house under siege by the media, Goossens now realized the gravity of the situation. On March 12, he requested a temporary leave from his directorial duties, and the homecoming reception that had been planned for him was canceled. On the following day, March 13, two customs officials served Goossens with a summons, charging him with violating the Customs Act (1901, 1954).

Goossens, who had suffered from heart problems for some time, braved reporters to consult with his medical specialist. The latter declared him unfit to appear in court the next day, so the case was adjourned until March 21. On that day, however, Goossens was still too ill to appear, but he pleaded guilty through his lawyer to the customs charges. He was convicted and fined £100, the maximum allowed by law. Despite the considerable evidence of Goossens's involvement with Norton, however, the New South Wales attorney general chose not to pursue further legal action, a decision that clearly disappointed Trevenar.

Apparently, Goossens hoped that his position with the Sydney Symphony Orchestra might be salvaged, but public opinion and the leaders of the orchestra were against him. He wrote a letter of resignation on March 26, and his resignation was accepted on April 1 by the Australian Broadcasting Commission (ABC). The orchestra further refused to take part in a public farewell. Soon afterward, Goossens wrote a letter to friends hinting at threats that had induced him to buy and smuggle the explicit materials, but no further details were forthcoming. In any case, Goossens left Australia for Britain by way of Rome, Italy, on May 26, flying under the name of E. Gray. He never returned to Australia.

Goossens's lover, Main, eventually followed him by ship and was reunited with him in London. Although the two hoped to marry after Goossens

obtained a divorce, his health was in decline, and he died on June 13, 1962. Shortly before his death he made out a new will and left his estate to Main.

IMPACT

Goossens was the dominant figure in Australian musical life, but despite (or perhaps because of) his position, his downfall was swift. Although sex was the ostensible reason for the scandal, anti-intellectualism, xenophobia, and class antagonism also played important roles.

The Australia of the 1950's was sexually and intellectually conservative, and Australian law prohibited not only the depiction of sexual acts but also many of the acts themselves. Goossens's admission regarding the exact nature of his relationship with Norton left him open to a legal charge of scandalous conduct, and although authorities had detained him for bringing prohibited material into Australia, Detective Trevenar clearly anticipated arresting him on the more serious charge. In the decades following the scandal, prosecutions for scandalous conduct would become uncommon, although the law remained on the books.

Goossens himself deserves much of the blame for his predicament. His patrician attitudes led to many enemies in media circles, and his open disregard for contemporary Australian mores fueled resentment among the native-born, working-class members of the police force and the civil service in general.

What Goossens planned to do with the materials he was carrying remains unclear, and although he hinted to friends that he was acting under duress by bringing the materials into Australia, he apparently never elaborated. His behavior at the airport is also puzzling. He may have thought that his position would shield him, or he may simply have been tired after his flight. Had he called in his lawyer, he might have escaped prosecution, for he had not been charged or arrested and was under no obligation to submit to questioning.

One incident suggests that not all those who knew about the impending arrest of Goossens at the airport were sympathetic to the trap being laid.

Years later, ABC general manager Charles Moses revealed that he had received an anonymous telephone call on March 8 that urged him to warn Goossens about unspecified trouble brewing at the Mascot Airport, but he had dismissed the caller as a crank.

—Grove Koger

FURTHER READING

Drury, Nevill. *The Witch of Kings Cross: The Life and Magic of Rosaleen Norton*. Alexandria, N.S.W.: Kingsclear Books, 2002. Biography of the artist and occultist whose involvement with Goossens drew the attention of authorities. Includes her letters to British writer and theologian C. S. Lewis, illustrations, and a bibliography.

Goossens, Renée. *Belonging: A Memoir*. Sydney: ABC Books, 2003. Autobiography by the daughter of Goossens and his second wife, Janet Lewis. Discusses not only the scandal in which her father was involved but also her mother's assertion, which she does not accept, that Goossens was not her birth father. Illustrations.

Norton, Rosaleen. *The Art of Rosaleen Norton*. 2d ed. Sydney: Walter Glover, 1982. Updated edition of the 1952 work that led to Goossens's involvement with Norton. Includes poems by Norton's lover Gavin Greenlees, an introduction by Norton's biographer Nevill Drury, and a bibliography.

Rosen, Carole. *The Goossens: A Musical Century*. Boston: Northeastern University Press, 1993. Comprehensive study of the Goossens family, including a full account of the scandal and its aftermath. Numerous black-and-white illustrations, a select bibliography, a list of compositions, and a discography.

SEE ALSO: Mar. 26, 1922: Hindemith's Opera *Sancta Susanna* Depicts a Nun's Sexual Desires; May 20, 1974: French Cardinal Daniélou Dies in a Prostitute's House; Nov. 20, 1974: British Politician John Stonehouse Fakes His Suicide; Jan. 12 and May 11, 1987: Media Reports Spark Investigation of Australian Police Corruption.

June, 1956

GEORGE F. KENNAN PROVES RUSSIAN SISSON DOCUMENTS ARE FAKES

The Sisson documents, a compilation of Russian reports, letters, and memoranda allegedly demonstrating that Bolshevik leaders at the time of the Russian Revolution were paid agents of the German government, were found to be fakes by noted scholar George F. Kennan. The papers, purchased in 1918 by Edgar Sisson, a special representative of the U.S. Committee on Public Information in Petrograd, were first declared genuine by a prominent historian and a language professor but determined to be fakes by another historian, and foreign policy expert, in 1956.

LOCALE: Princeton, New Jersey

CATEGORIES: Espionage; forgery; hoaxes, frauds, and charlatanism; government; politics; military

KEY FIGURES

George F. Kennan (1904-2005), historian who exposed the Sisson documents as fraudulent
Edgar Sisson (fl. early twentieth century), American diplomat who acquired the Sisson documents

Evgeni Petrovich Semenov (fl. early twentieth century), Petrograd journalist who sold the documents to Sisson

Anton Martynovich Ossendowski (fl. early twentieth century), probable forger of many of the documents

J. Franklin Jameson (1859-1937), historian who pronounced the documents authentic
Samuel N. Harper (fl. early twentieth century), professor of Russian who vouched for the documents

SUMMARY OF EVENT

The Sisson documents, which some claimed proved that communist leader Vladimir Ilich Lenin and the Bolsheviks were financed by the Germans, can be divided into two groups. The first group contained

papers in Russian that U.S. diplomat Edgar Sisson purchased in Petrograd, Russia, in February, 1918. Fifty-four of the papers were published that fall by Sisson's employer, U.S. president Woodrow Wilson's Committee on Public Information (CPI), in the pamphlet *The German-Bolshevik Conspiracy*.

The fifty-four documents published in the main body of the pamphlet included eighteen communications from the German Great General Staff, fifteen documents from the counterespionage bureau at Russian army field headquarters, eight documents from a "central division" of the General Staff, and thirteen miscellaneous documents from various German offices. All these documents were written in Russian and spanned the period October 27, 1917, to March 9, 1918. Readers were apparently meant to infer that these papers originated in Petrograd. The second group of documents, included as appendix I of the pamphlet, consisted of eight German government circulars from 1914-1916 and six letters from 1917, supposedly written by individuals in Scandinavia, Switzerland, and Germany. Appendix II included only the transcripts of several telegrams between Petrograd and Brest-Litovsk.

Sisson's source for these papers was the Petrograd journalist Evgeni Petrovich Semenov, who brought to David R. Francis, the American ambassador, one of the communications between Petrograd and Brest-Litovsk included in appendix II of the pamphlet. Petrovich Semenov soon gave Francis photographs of two or three other documents, also supposedly dating to a time before the Bolshevik Revolution. Sisson accepted this bait and purchased from Petrovich Semenov additional documents, fourteen purporting to be originals, dated after the revolution and showing the Bolshevik hierarchy accepting orders from secret offices maintained in Russia by the German military.

Impressed by this material, Sisson returned to Washington, D.C., in May and found little interest

in his purchase. That fall, however, CPI began releasing the documents to the press, where they were generally accepted, except by the *New York Evening Post*. It was then that CPI chose to publish all the materials in a pamphlet after appointing two eminent scholars—J. Franklin Jameson, director of historical research at the Carnegie Institution, and Samuel N. Harper, a professor of Russian at the University of Chicago—to evaluate their authenticity. Jameson knew no Russian so the responsibility for the verdict on whether the papers were real rested upon Harper. The two scholars said, “we have no hesitation in declaring that we see no reason to doubt the genuineness or authenticity of these 53 [out of 68] documents.” Harper later lamented in his

memoirs that for patriotic and political reasons he allowed himself to be used by not denouncing the papers from the start.

Most of the attention devoted to these documents has focused on the fifty-four specimens in group one. Another historian, Cold War expert George F. Kennan of the Institute for Advanced Study in Princeton, New Jersey, observed in a June, 1956, journal article that they are of such “extreme historical implausibility” as to be obviously fraudulent. He noted four absurdities: First, that the German General Staff could exercise such power over the Soviet leaders in the period following the revolution and keep this power concealed for decades; second, that the German General Staff could have controlled the January, 1918, elections of communist leaders; third, that the German General Staff could have secretly maintained two fully staffed offices in Petrograd with such “fantastic security of operation”; and fourth, that the Brest-Litovsk negotiations, and those in Petrograd, could have been “an elaborate sham” to fool the public—an impossible conclusion. “Lenin,” Kennan argued, “whatever one thinks of him, was not a conspirator against the Russian Communist movement.” Kennan also noted that there is no shred of evidence in any German files of such a conspiracy.

Kennan lists a dozen “random selections” from Sisson’s papers that conflict with historical fact. For example, the statement in document 5 that Lenin was in Kronstadt in July, 1917, is false. Identifying certain German agents in Vladivostok—as in document 9—was erroneous because those particular agents had left years earlier. Furthermore, document 19 makes no sense because an “occupational detachment” did not exist in Siberia. Numerous technical “imperfections” also pointed to the fraudulence of the paper, as did the German army’s denial of the existence of many of the German officers named in the documents. The German pamphlet noted that the supposed German letterhead had many mistakes, and that the letters from German officers are written in perfect Russian. The dating system used was inconsistent with the Soviet system of using a double date when changing from the Julian calendar to the Gregorian. Finally, close



George F. Kennan in his office in 1960 at the Institute for Advanced Study in Princeton, New Jersey. (Hulton Archive/Getty Images)

analysis of the handwriting and the typing revealed numerous discrepancies.

Petrovich Semenov, the peddler of these papers, was a journalist who wrote for one of the anti-German and anti-Semitic newspapers printed by influential journalist and publisher Aleksey Suvorin. Petrovich Semenov appears to have participated in the provisional government's attempt after the July, 1917, troubles to smear the Bolsheviks as German agents, and it was probably he who took to the Cossack region the documents that eventually made up appendix I of the pamphlet. Hoping to stimulate allied interest in these documents, Petrovich Semenov contrived on his return from Cossack country for sets of them to turn up at the allied embassies in early 1918. Petrovich Semenov later admitted that he had worked with two anti-Bolshevik groups to gather and distribute the documents. To the head of Scotland Yard he identified a journalist colleague, Anton Martynovich Ossendowski, as his source.

Ossendowski had a long and complicated biography, but he was born in Poland in 1876 and surfaced in Vladivostok in 1903 as an antigovernment agitator. When World War I began, Ossendowski apparently lent his pen to Russian business interests in a series of attacks on German competitors in the Russian Far East. By 1917, Ossendowski and Petrovich Semenov were conniving with the provisional government to show a connection between the Bolsheviks and the Germans. A curious sidebar to Ossendowski's story is his prolonged campaign to defame Adolph Dattan, the German consul at Vladivostok and head of the prominent firm of Kunst and Albers. The retired Russian naval officer V. A. Panov, mentioned in document 9, was so enraged by being called a German agent that he did his own handwriting study that claimed all the signatures and marginal notes in the main body of papers (but none of those in appendix I) were written by Ossendowski. Kennan agreed, and concluded that "The evidences, direct and indirect, of Ossendowski's leading complicity in the concoction of these documents are thus, in their entirety, powerful and persuasive."

U.S. PROPAGANDA

The U.S. Committee on Public Information published a pamphlet The German-Bolshevik Conspiracy (1918), which contained what it claimed were authentic Russian documents, known as the Sisson documents. The documents, excerpted here, allegedly proved that the Bolshevik Revolution was actually an attempt by Germany to dominate Russia.

[T]he Bolshevik revolution was arranged for by the German Great General Staff, and financed by the German Imperial Bank and other German financial institutions. . . . They [the Sisson documents] show, in short, that the present Bolshevik government is not a Russian government at all, but a German government acting solely in the interests of Germany and betraying the Russian people, as it betrays Russia's allies, for the benefit of the Imperial German Government alone.

IMPACT

The release of the government pamphlet at the end of October, 1918, had only minimal impact. Kennan said that "Its effect on public opinion seems to have been largely lost in the excitement over the simultaneous ending of World War I." In 1920 and 1921, the U.S. Department of State was thwarted in its attempt to learn more about the documents by President Woodrow Wilson, and when he left the White House the originals all disappeared. In 1952, they were discovered in a safe as President Harry S. Truman was preparing to leave office. All the documents, including the materials gathered during the Department of State's futile attempt to study the originals, were sent to the National Archives.

Ossendowski's lies hurt several individuals. The suspicion surrounding Dattan led to his forced exile to Tomsk, and his company was damaged by Ossendowski's repeated smears. Panov also suffered from his name showing up in document 9, but the U.S. government ignored his pleas for access to the original. Given these facts, perhaps the greatest result of Kennan's definitive study was the vindication of those individuals implicated by Ossendowski's slanders.

—Frank Day

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June 25, 1956

PRESIDENT TRUMAN'S APPOINTMENTS SECRETARY IS CONVICTED OF TAX CONSPIRACY

Matthew J. Connelly, a close associate of U.S. president Harry S. Truman, was serving as Truman's appointments secretary when he conspired to fix a tax case. Also involved in the conspiracy was T. Lamar Caudle, the head of the Justice Department's tax division.

Harry S. Truman (1884-1972), president of the United States, 1945-1953

Irving Sachs (fl. 1950's), businessman

Harry I. Schwimmer (fl. 1950's), attorney

Charles Oliphant (fl. 1950's), attorney with the Bureau of Internal Revenue

LOCALES: Kansas City and St. Louis, Missouri; Washington, D.C.

CATEGORIES: Corruption; government; politics; business

KEY FIGURES

Matthew J. Connelly (1907-1976), appointments secretary of U.S. president Harry S. Truman, 1945-1953

T. Lamar Caudle (1904-1969), assistant U.S. attorney general, 1947-1949, 1949-1951

SUMMARY OF EVENT

After being sworn in as commander in chief following the death of U.S. president Franklin D. Roosevelt, Harry S. Truman, the humble man from Missouri, said, "I felt like the moon, the stars, and all the planets had fallen on me." However, history has been kind to the unassuming Truman. He has been looked upon favorably for his leadership in such critical matters as World War II, the containment of communism, and the racial integration of the armed forces.

One of Truman's legacies, to which modern political leaders often make reference, is the aura of complete honesty and integrity that he brought to the White House. This reputation was well earned nationally by his famous Truman Committee, which oversaw World War II military contracts, as well as by his straight talk with the American public. However, such a reputation belies that Truman used to be known as the "senator from Pendergast" rather than as the "senator from Missouri." This derisive moniker reflects how young Truman's political career was developed, perhaps nefariously, by political-machine boss Thomas Pendergast of Kansas City, Missouri.

During the 1940's political world of party bosses, machine politics, and patronage appointments, a conspiracy unfolded within the high reaches of executive power. Though Truman was never directly implicated in the conspiracy, it certainly happened on his watch by those at least somewhat close to him personally.

Irving Sachs owned a sizable shoe manufacturing company in St. Louis, Missouri, called Shu-Stiles, Inc. Sachs was guilty of flagrant tax fraud and was investigated by agents from the Bureau of Internal Revenue (BIR; later called the Internal Revenue Service, or IRS). The agents concluded that Sachs should be prosecuted in federal criminal court for failure to pay taxes.

Sachs turned to Kansas City lawyer Harry I. Schwimmer to avoid prosecution for this crime. Before resorting to more sinister measures, the attorney tried two defenses. First, he claimed that Sachs had made full disclosure to the government agents. This was false, as Sachs had repeatedly lied to federal representatives. Second, Schwimmer argued that Sachs could not stand the ordeal of being prosecuted for this crime, as he was an epileptic and it would kill him. However, a physician appointed by the courts to look at Sachs concluded that the odds of Sachs dying from a prosecution were sufficiently "remote."

Now that Schwimmer had exhausted the usual paths to protect his client, he took an ill-advised turn into illegalities. Conspiracies, by their very nature, are secretive affairs. In this instance however, crim-

inal proceedings have shed at least some light on what happened next. Schwimmer was a business associate of Tom L. Evans, who happened to be an old friend of President Truman. Evans also was a friend of the president's appointments secretary, Matthew J. Connelly. Whether Evans introduced Schwimmer to Connelly, or whether Schwimmer made the connection himself, the Missouri roots of this scandal are apparent.

Schwimmer was paid forty-six thousand dollars by Sachs to assist him in this matter. Though ostensibly the money was for legal fees, during the 1940's this sum was a gross overpayment for such a service. By late 1949, the Sachs case had made its way from the BIR to the Department of Justice (DOJ). Now, Schwimmer's goal was to secure letters from both of the government agencies involved that there would be no prosecution of his client.

Connelly, though not formally a high-ranking official, had great informal power within Washington, D.C. As Truman's confidant and appointments secretary, he served as a gatekeeper to the chief executive. In politics, such face time with the boss is sought by many. Consequently, the bargaining power that Connelly brought to bear on executive department officials was strong indeed.

Connelly first contacted Charles Oliphant, the chief counsel of the BIR. Oliphant would have been in charge of overseeing Sachs's prosecution from the BIR's side. Oliphant cooperated with Connelly in thwarting Sachs's prosecution, as he is thought to have also done in the cases of many large corporations that were able to go through his boss, Secretary of the Treasury John W. Snyder.

With one-half of the deal sealed, the urgency now lay with getting the DOJ's assistant attorney general for tax cases, T. Lamar Caudle, to conspire as well. This group of Schwimmer, Connelly, Oliphant, and now Caudle spoke many times on the phone together and colluded to protect the heavily connected and well-bankrolled Sachs. In hindsight, the zeal with which they approached their task cannot be explained away simply as working for a bribe. They also were no doubt helping a genuine friend and partner in arms. Their actions also repre-

sented the status quo in Washington, D.C., for disputed matters such as this.

Several pieces of evidence provide insight into the conspiracy, and the conspirators' ultimately short-lived victory in obtaining a DOJ letter promising Sachs a "get-out-of-jail-free card." First, during the 1940's, the official phone calls of high-ranking officials were transcribed by federally employed secretaries. These officials were foolish enough to work out a portion of their misdeeds on official phone lines rather than on their private office lines.

Written accounting records from Sachs and Schwimmer also gave prosecuting attorneys evidence for use in the courtroom. Conspiracies are hard to prosecute without such evidence, but in this case that hard evidence was readily at hand. Connelly was the chief beneficiary of the illegal payments, as would not be surprising given his place of power outside the Oval Office. Connelly, at minimum, received an oil royalty worth about thirty-six hundred dollars, cash in the amount of twenty-five hundred dollars, two custom suits, and a top hat. Caudle received a thirty-three hundred dollar oil royalty as well.

The group's prosecution would wait until Republican president Dwight D. Eisenhower was firmly in power in 1956. At that point there would be no Oval Office shield for the shadow operators. Connelly, Caudle, and Schwimmer would be indicted on twenty-four separate counts, ranging from conspiring to defraud the government to perjury. Sachs pleaded guilty and paid forty-thousand dollars in fines for tax evasion, thus ending up losing considerably more money than the taxes that were assessed against him in the first place. Caudle was sentenced to two years in a federal correctional institution in Tallahassee, Florida. He served six months and was later pardoned in 1965 by Democratic president Lyndon B. Johnson.

Connelly, convicted on June 25, also was sentenced to two years in prison, for which he served six months, but only after a four-year delay for appeals. He served his time in 1960 and was pardoned in 1962, "fully and unconditionally," by Democratic president John F. Kennedy.

IMPACT

This criminal tax-evasion case in many ways pales in comparison to later White House scandals. Ordeals such as the 1972 Watergate break-in, supported by President Richard Nixon, as well as President Bill Clinton's sexual trysts with intern Monica Lewinsky and President Ronald Reagan's Iran-Contra debacle, were characterized by both direct presidential involvement and legal repercussions during each respective administration, and not afterward.

The Connelly scandal was, however, considered a serious one during the 1950's. Truman-era scandals were used as campaign fodder by Eisenhower and, ironically, his nominee for vice president, Nixon. At the time these scandals occurred, during the 1940's, they were representative of the old way of doing business within politics. Patronage appointments of old friends and "cronies" were commonplace. Major General Harry Vaughan, Truman's military aide, was a longtime poker buddy. Truman's Jewish business partner in Kansas City, Eddie Jacobson, played a little recognized role in the creation of modern-day Israel. Jacobson had urged his old friend to support the creation of Israel and speak with pro-Zionist lobbyists. The urging worked, and Truman ultimately backed the post-World War II formation of Israel.

Similarly, the BIR had been run by political appointees who were chosen for their loyalties rather than for their knowledge of tax code. In turn, these high-level appointees chose their own lower level political appointees. This type of intimate system was begging for an incident like that involving Connelly. In the end, Truman remained loyal to Connelly but fired Caudle for this case as well as other misdeeds.

The Connelly tax scandal serves as an example of what can happen if power is left unchecked. Since the time of Truman, so-called sunshine disclosure laws have been passed, and the federal bureaucracy has become increasingly complex and professionalized. In sum, fixing a tax case is no longer like fixing a traffic ticket.

—*R. Matthew Beverlin*

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Jerry Lee Lewis Marries Thirteen-Year-Old Cousin

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December 12, 1957

ROCK STAR JERRY LEE LEWIS MARRIES THIRTEEN-YEAR-OLD COUSIN

The career of rock music star Jerry Lee Lewis was nearly ruined after revelations that he married his young second cousin, Myra Brown. The marriage led to a widespread boycott of Lewis by radio and television and by concert venues, which effectively stalled a career that might otherwise have rivaled that of Elvis Presley. The incident made him as infamous for his behavior offstage as he was for his musical performances.

LOCALE: Hernando, Mississippi

CATEGORIES: Families and children; music and performing arts; public morals

KEY FIGURES

Jerry Lee Lewis (b. 1935), American rock singer
Myra Brown Lewis (b. 1944), Lewis's second cousin and third wife

Jane Mitcham Lewis (b. 1936), Lewis's second wife

Jud Phillips (fl. 1950's), Lewis's promoter
Oscar Davis (fl. 1950's), Lewis's manager

SUMMARY OF EVENT

The popularity of rock-and-roll singer Jerry Lee Lewis was on the rise when the London press learned of his secret marriage to Myra Brown, his thirteen-year-old second cousin. Myra's youth, the secrecy of the marriage, and the discovery that Jerry Lee's second marriage had not yet ended created a media sensation. Despite attempts to keep the marriage secret, Myra admitted her relationship to the press on the first day of her new husband's 1958 concert tour in England, which was overshadowed by news of the marriage. The tour was canceled and the couple returned to the United States to find that Jerry Lee had been blacklisted by the entertainment industry. The incident would contribute to his reputation for reckless impropriety and reinforce the public's association of rock music with immorality.



Jerry Lee Lewis and Myra Brown Lewis in London in 1958.
(AP/Wide World Photos)

Though Jerry Lee and Myra realized their marriage would be controversial when discovered, they never suspected that the negative publicity would interfere with the tour's success. This miscalculation reflected their rural southern background. In Mississippi and Louisiana, marriage at a young age was frowned upon but acceptable. Jerry Lee was sixteen years old when he married Dorothy Barton, the seventeen-year-old daughter of a local preacher; they had lied about their ages to obtain the marriage license. Their marriage lasted one year before Dorothy discovered an extramarital affair between Jerry Lee and a seventeen-year-old, Jane Mitcham. When Dorothy petitioned for divorce, Jerry Lee refused to appear in court. Deciding his marriage to Dorothy was over and that the divorce proceedings were a formality, he married Jane, providing false birth dates for their marriage license. Jerry Lee and Jane married on September 15, 1953, twenty-three days before Jerry Lee's first marriage legally ended.

Jerry Lee met Myra in 1957 through another cousin—Myra's father, Jay Brown. Jay was a bass player with contacts in the recording industry, and Myra was his twelve-year-old daughter. Jay helped Jerry Lee secure his first contract with Sun Records, eventually becoming the bass player of the Jerry Lee Lewis Trio. Jerry Lee lived at the Brown residence during this time and did not allow Jane to live with him. When he petitioned for divorce, she answered with a cross-petition that claimed he had not been supporting her or their two children. When it was discovered that their marriage had been illegal, Jerry Lee convinced Jane to drop the lawsuit but neglected to have the marriage annulled.

Jerry Lee then began to secretly date Myra, reasoning that he and Jane were never married. That December, an older-looking female friend accompanied him to the courthouse to pose as Myra, so he could register Myra as an eighteen-year-old on a marriage license. Myra and Jerry Lee married on December 12; Myra was thirteen years old and Jerry Lee was twenty-two years old. Jane learned of the

Jerry Lee-Myra marriage the following March and divorced Jerry Lee in April.

Between September, 1956, and April, 1958, Jerry Lee had progressed from anonymity to national fame, with three major television appearances and record sales numbering in the millions. However, the public knew nothing about his personal life. Sun Records promoter Jud Phillips and manager Oscar Davis struggled to keep the marriage a secret. The tour in England was arranged with a warning to Jerry Lee: to keep the marriage a secret. However, they could not keep him from taking Myra to England with him.

Jerry Lee and Myra arrived in London on May 22 to find a crowd of reporters waiting for them at the airport, but none knew that Jerry Lee was married. That changed when after one reporter asked Myra who she was; she replied that she was Jerry Lee's wife. Davis pulled Myra into a waiting limousine before the reporter could ask more questions. Two more reporters showed up at the hotel suite and interviewed Jerry Lee and Myra briefly before Davis arrived and forced the reporters to leave. Questions about Myra continued at Jerry Lee's promotional press conference. Reporters were told that Myra was fifteen years old and a grown woman.

Newspapers the following day ran articles that focused more on Jerry Lee's underage bride than on his concert tour. After some research, London's *Daily Mirror* learned that Myra was actually thirteen years old and her husband's cousin, and that Jerry Lee had not divorced his previous wife. On May 25, London police visited the couple at their hotel, inspected their passports, and questioned them on the validity of their marriage. The Home Office secretary briefly investigated the possibility of deporting the couple as "undesirable aliens."

The unresolved legal issues and questionable morality of the relationship dominated press coverage. Some editorials called for the couple to be deported, accusing Jerry Lee of bigamy, incest, and pedophilia. In an attempt to quell the controversy over the marriage's questionable legality, Davis tried to have the couple marry again, but the American embassy in England refused, citing conflicts

with British law. Poor concert attendance and constant heckling led to the tour's cancellation after only three shows. The Lewises left England a few days after they had arrived.

In the United States, Jerry Lee's latest single peaked at number twenty-one on the pop charts before it abruptly stopped selling. Radio stations stopped playing his songs and he was turned down for appearances on television. In response, he published an open letter to the music industry, apologizing for his bigamy, characterizing it as a misunderstanding of his legal status with Jane.

Jerry Lee and Myra held another marriage ceremony on June 4, which did little to allay criticism. Myra's age and her blood relation to Jerry Lee remained controversial, and the reaffirmation of their relationship demonstrated Jerry Lee's disregard for those issues. A lawsuit by British tour promoters cost Sun Records \$100,000. Sun tried unsuccessfully to restart Jerry Lee's career, investing personal money and enlisting private investments to continue promoting its former star—but Jerry Lee had been blacklisted by the entertainment industry. He continued to play in small venues for a fraction of his former salary and eventually became a successful country singer during the 1970's. However, he never approached the level of success he had anticipated in 1958.

IMPACT

Jerry Lee Lewis became a symbol of rock's threat to traditional morality. Before the scandal, he had been a controversial figure because of his music. Opponents of rock music during the 1950's associated it with lewdness and obscenity. Rock and roll was also associated with African American culture, leading some adults to worry about its popularity among white teenagers, especially girls. Indeed, some stations refused to play Jerry Lee's early records on the radio because they thought he was black. "Whole Lotta Shakin' Goin' On" (1957), one of Jerry's Lee's first hits, had once been banned from radio stations because of perceived sexual innuendos. The sexually charged performances of male rock stars and the adulation of their fans made singers like Jerry Lee especially threatening.

Jerry Lee's marriage to Myra Brown shifted media attention from his professional accomplishments to his personal life. Though he was used to controversy over his music, the singer was unprepared for the reaction to his marriage. His grandfather had married a fifteen-year-old first cousin, and his mother had married at the age of sixteen. He had not been close to the Brown family until his adulthood. Myra later claimed that the couple had never thought of each other as cousins.

Financial and emotional strain would lead to the deterioration of the marriage, which ended in divorce in 1971. Subsequent arrests and hospitalizations for problems related to substance abuse merely added to his already poor reputation for impulsive and amoral behavior. By the time he was inducted into the Rock and Roll Hall of Fame in 1986, Jerry Lee had become a symbol of everything the public associates with rock, the good as well as the bad.

—Shaun Horton

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April 4, 1958

ACTOR LANA TURNER'S DAUGHTER KILLS TURNER'S GANGSTER LOVER

A beautiful and popular film actor who made headlines for her many marriages and romances as often as for her films, Lana Turner became romantically involved with violent gangster Johnny Stompanato. Turner's daughter, Cheryl Crane, stabbed him to death one night when he was threatening them both. Some continue to suspect that Turner killed Stompanato, who was known for abusing women.

LOCALE: Beverly Hills, California

CATEGORIES: Murder and suicide; organized crime and racketeering; Hollywood

KEY FIGURES

Lana Turner (1921-1995), American film star
Cheryl Crane (b. 1943), daughter of Turner
Johnny Stompanato (1925-1958), American gangster

SUMMARY OF EVENT

Lana Turner could easily serve as the archetype of the American movie star of the first half of the twentieth century: modestly talented but gorgeous, stylish, photogenic, sexy, and shamelessly profligate in her love life. In the Hollywood rags-to-riches tradition reflected in a number of her films, Turner was discovered as a high school student from a working-class family when a reporter saw her in a drugstore in Los Angeles and was impressed by her beauty.

Within months, the teenager was a professional actor, working steadily for the next twenty years for two of the most prestigious studios in the film industry at the time, first Warner Bros. and then Metro-Goldwyn-Mayer, appearing opposite superstars such as Clark Gable and Spencer Tracy. Her costars most often received the critical acclaim, however. Before the Stompanato scandal, she had given only two thoroughly effective performances in leading roles, first as the unfaithful and murder-

ous young wife in *The Postman Always Rings Twice* (1946) and as the harried mother in the screen version of Grace Metalious's best seller, *Peyton Place* (1957), for which she received an Oscar nomination for Best Actress.

Instead, most of Turner's fame was based on her glamorous face and figure and on her many marriages and romantic escapades. Dubbed the Sweater Girl, she became a popular pin-up among soldiers during World War II. By the time she got involved with Johnny Stompanato in 1957, she had had four husbands: bandleader Artie Shaw, restaurateur Stephen Crane (Cheryl Crane's father), millionaire Henry Topping, and actor Lex Barker, whom she divorced after Cheryl accused him of molesting her. Her list of other lovers was rumored to include Gable.

Stompanato came from a middle-class family in Woodstock, Illinois, where it seems he had been something of a problem child. His father sent him to a military school, where he spent most of his high school years. He enlisted in the U.S. Marine Corps during World War II and served honorably in the Pacific. His activities between the time he left the military at the end of the war and his emergence in Hollywood are uncertain. He likely traveled in Asia and the Middle East, married at least once, and worked in night clubs. Arriving in Hollywood during the mid-1950's, he became part of the entourage of infamous California mobster Mickey Cohen, serving as his bodyguard and operating a gift shop that sold bric-a-brac as a cover for a number of Cohen's criminal activities. He and Turner met in 1957 soon after her separation from Barker. They had been together slightly more than one year when he was killed by Turner's daughter.

Stompanato had a reputation for being temperamental, violent, and insanely jealous. According to both Turner and Crane—at the time of the killing and later in interviews and autobiographies—he of-



Lana Turner, left, Johnny Stompanato, and Cheryl Crane at Los Angeles International Airport, fifteen days before Stompanato's murder. (AP/Wide World Photos)

ten was abusive, flying into rages over trivialities and striking Turner, sometimes beating her viciously. A public demonstration of Stompanato's temper and jealousy had occurred earlier in 1958 when Turner was in England making a film called *Another Time, Another Place* opposite Sean Connery. Stompanato brandished a gun in Connery's face, and the two men fought. It was a similar fit of anger and jealousy that allegedly led to Stompanato's death in April of 1958.

As in many such cases, what really went on during the early hours of Good Friday in 1958 in Turner's Beverly Hills home remains uncertain. According to Turner and Crane, Stompanato was infuriated because Turner wanted to end the abusive relationship and insisted that he move out of

the house at once. Crane at first tried to talk the couple into calming down, but Stompanato's wrath only increased, and he began to threaten to kill not only Turner but also Crane and Turner's mother. In a panic, Crane raced to the kitchen, grabbed a butcher knife, and returned to her mother's bedroom. Minutes later, Stompanato lay dying from a stab wound. Turner later testified that she had not actually seen her daughter stab her lover, as he was standing in front of her, blocking her view of Crane.

Years later, Crane suggested that she had not intentionally stabbed Stompanato; instead, she brandished the knife only as a warning to make him back away from her mother. In a rage, however, he thrust himself forward to disarm her and ended up impaling himself on the knife when she held it out to protect herself. Turner summoned first a doctor, who tried but failed to revive Stompanato, and then Jerry Geisler, the most renowned show-business lawyer of the time. Crane spent the Easter weekend in juvenile detention.

One week later, a coroner's inquest was held. Unsurprisingly, the inquest quickly became a spectacle. Reporters swamped the small hearing room, and the public lined up at dawn to get into the court. When Turner herself testified, minutiae pertaining to her clothes, makeup, vocal inflections, and emotional breakdowns on the stand appeared in newspapers across the United States. Debate erupted about whether Turner's distraught behavior and appearance in court were authentic or merely histrionics aimed at getting herself and her only child out of a desperate situation. Numerous rumors arose, the two most prominent being that Turner had actually killed Stompanato and that both mother and daughter had been in love with him. At one point, a mentally disturbed man disrupted the proceedings and had to be removed. Eventually, the jury deliberated for half an hour and

found that Crane's killing of Stompanato had been justifiable homicide.

IMPACT

Because of the scandal, Turner's career surged again: Sales of tickets to *Peyton Place*, which was still in theaters, skyrocketed. Soon afterward, famed cult-film director Douglas Sirk offered Turner the lead in *Imitation of Life* (1959), which dealt with mother-daughter conflicts, and it was a box-office hit. She continued to act through the 1980's, dying of cancer in 1995. However, the effects on Crane's life were wholly negative. The court investigated Turner as an unfit mother, and Crane was sent to stay with her grandmother. Her adolescence was troubled, and she spent time in reform school. As an adult, however, she became a successful businesswoman and wrote a well-received autobiography.

The Stompanato scandal maintains a place in American popular literature, films, and music. In 1962, Harold Robbins's best seller, *Where Love Has Gone*, was inspired by the scandal, especially the unfounded rumor that both mother and daughter had been in love with Stompanato. In 1964, a film version of Robbins's novel was a financial success and earned several Oscar nominations. In 1987, Woody Allen wrote and directed *September*, the focal characters of which are a mother and daughter based on Turner and Crane. Allen drew on the other common rumor from the 1950's: that Turner had actually slain her lover and then let her daughter take the blame. James Ellroy's 1990 crime thriller *L.A. Confidential* and its 1997 film adaptation feature Cohen, Stompanato, and Turner as characters, though the latter two are minor.

Furthermore, much of Turner's makeup, hair-style, and public persona were appropriated by pop singers of the 1980's and 1990's, including Madonna (who refers to Turner in her hit song "Vogue") and Gwen Stefani. In 2003, urban folk-singer Tom Russell included the song "Tijuana Bi-

ble" on his album *Modern Art*. The song encapsulates in a few lines the story of the Turner-Crane-Stompanato scandal.

—Thomas Du Bose

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September 22, 1958

PRESIDENT EISENHOWER'S CHIEF OF STAFF RESIGNS FOR INFLUENCE SELLING

In 1958, U.S. president Dwight D. Eisenhower's chief of staff, Sherman Adams, faced charges that he had attempted to influence the Securities and Exchange Commission and the Federal Trade Commission on behalf of a textile manufacturer, who had paid some of Adams's bills and given him expensive gifts. The scandal forced Adams, a former U.S. representative and governor of New Hampshire, to resign.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; government; politics; business

KEY FIGURES

Sherman Adams (1899-1986), Republican governor of New Hampshire, 1949-1953, and President Dwight D. Eisenhower's chief of staff, 1953-1958

Dwight D. Eisenhower (1890-1969), president of the United States, 1953-1961

Bernard Goldfine (1889-1967), New England textile manufacturer

Meade Alcorn (1907-1992), chairman of the Republican National Committee

SUMMARY OF EVENT

Sherman Adams, a popular Republican governor of New Hampshire, helped Dwight D. Eisenhower win the Republican nomination for U.S. president in 1952. For his campaign skills, Eisenhower asked him to serve as chief of staff in 1953, although Adams was never given a specific job title or description. Adams was among the most publicly visible members of the Eisenhower administration and one of the most visible chiefs of staff in modern presidential history.

Adams became well known for his colorful character. A terse man with a notorious lack of tact, he did not hold press conferences but, on many occasions, spoke to groups of reporters or presented the

administration's point of view in public forums. In January, 1958, he famously delivered a blistering attack on the Democratic Party, blaming it for the Japanese attack on Pearl Harbor in 1941 and for the loss of the space race with the Soviet Union.

Stories abounded about Adams's supposed influence with Eisenhower. As chief of staff, Adams helped the president by serving as a buffer. He played gatekeeper, determining who and what got access to Eisenhower, as well as coordinating policy making and serving as a spokesperson. In his memoirs, Adams described his routine work as resolving differences between cabinet secretaries and agency heads before a given issue was submitted to Eisenhower.

By including some people while excluding others, chiefs of staff inevitably create ill-feeling on the part of those who feel that their message has been excluded. For his part, Adams acquired the nicknames great stone face and abominable no-man. He apparently relished this gruff, autocratic image, but it did not help him when he came under attack for ethical lapses. Given that hostility to chiefs of staff often arises from within the president's own party and administration, chiefs of staff who fall from grace are typically with few allies and many intense enemies. Both the Republicans and the Democrats strongly disliked Adams. He essentially had a constituency of one: Eisenhower.

In early June, 1958, a subcommittee of the House Interstate and Foreign Commerce Committee claimed that Adams had allowed a New England industrialist, Bernard Goldfine, to pay some of the chief of staff's hotel bills in Boston. Goldfine also had given Adams an expensive vicuña coat and an oriental carpet worth \$2,400. In return, Adams allegedly lobbied for Goldfine, who was having tax and regulatory problems with the Securities and Exchange Commission (SEC). In his memoirs, Adams explained that he had also given gifts to Goldfine and that the hotel accommodations he used at the

Sheraton Plaza in Boston were maintained by Goldfine for the convenience of his friends and business associates. Goldfine often gifted the prominent people of New England with the products of his mills, including vicuña coats. Adams contended that he did not see any strings attached to the gifts.

A Russian immigrant, Goldfine owned textile mills in four New England states, with his base in Lebanon, New Hampshire. As many other textile manufacturers moved out of New England in search of cheaper labor and low-cost power, Goldfine stayed put and paid his employees well. He was well-respected in the region. To further his business interests, Goldfine had wined and dined New England governors, including Adams. The Adams and Goldfine families had spent weekends together.

In 1953, the Federal Trade Commission (FTC) accused Goldfine of mislabeling his textiles. Goldfine took his problem to Adams, who called the chairman of the FTC, Edward F. Howrey. When the mislabeling continued, Adams set up a meeting between Goldfine and Howrey that resulted in the charges being dropped. Adams intervened again, in 1955, when Goldfine faced SEC charges for failing to find annual financial reports for one of his companies. The relationship between Goldfine and Adams raised suspicions.

Adams could have cited Eisenhower's blanket protection for White House employees against testifying before committees, policy that was enacted in 1954 during the U.S. Army-McCarthy hearings. Instead, Adams faced his accusers. He later stated that he did so because he believed that the congressional committee intended to criticize his conduct as an aide to Eisenhower. Under the circumstances, Adams held that the usual restrictions against testimony by a White House staff member did not apply.

Adams declared in his memoirs that he felt a personal responsibility to make a public disclosure of every bit of information that he knew about the Goldfine case. Accordingly, on June 17, Adams appeared before the committee. He said that Goldfine had been a personal friend for eighteen years but that he knew little about his business dealings. Adams admitted to a lack of prudence with Goldfine, but also insisted that he had placed only one phone

call to the SEC, asking the agency to expedite its Goldfine hearings.

Eisenhower also spoke publicly on Adams's behalf at a news conference during the hearings. The president said that he had accepted gifts from friends that far exceeded the value of items accepted by Adams from Goldfine. Eisenhower also had accepted several yards of vicuña material from Goldfine. Privately, he noted that gift-giving was a worldwide custom and difficult to refuse without giving offense to the donor. Publicly, Eisenhower stated that no one could doubt Adams's personal integrity and honesty. He described his aide as effective and dedicated.

Nevertheless, Democrats calling for Adams's resignation were joined by such Republican stalwarts as Barry Goldwater and Bill Knowland. In July, Eisenhower sent Vice President Richard Nixon to advise Adams that he had become a political liability for the upcoming congressional elections. A sweep by Democrats appeared certain, especially in the wake of the crisis surrounding the racial integration of Little Rock High School in Arkansas and the debacle of Sputnik, the first satellite in space and a Soviet accomplishment. Adams refused to resign.

By early September, the demands for Adams to resign had become irresistible. Still, Eisenhower, loyal to the person who had served him well, hated to let his chief of staff go. Meade Alcorn, chairman of the Republican National Committee, forced Eisenhower's hand by advising him that the Adams scandal made it difficult to raise money. Eisenhower asked Alcorn to join with Nixon in speaking to Adams. However, Adams still refused to resign, then spoke personally with Eisenhower. At this meeting, on September 17, Adams indicated that he was willing to resign but that he wanted to wait a month or so to get the personnel situation straightened out. Eisenhower initially agreed but then telephoned Adams to say that the situation could not continue for another month. On September 22, Adams announced his resignation. Eisenhower accepted it "with deepest regret."

Adams returned to New Hampshire and opened a successful ski resort on Loon Mountain. He continued to play an active role in state government, serv-

ing on commissions devoted to road building and to conserving the state's resources. Adams also privately advised state and national Republican politicians until his death in 1986.

IMPACT

In the 1958 congressional elections, Democrats reminded voters of the Adams scandal as well as a weakening U.S. economy. On election day, the Republicans suffered their worst defeat since the 1930's. While Adams is not the sole cause for the losses, he certainly did not help the Republican Party.

After Eisenhower left office, the U.S. Justice Department, under President John F. Kennedy, received information that Adams had received more than \$150,000 in cash from Goldfine over a period of about five years, an amount far higher than previously known. The Kennedy administration considered prosecuting Adams, but Eisenhower argued that he had suffered enough.

Scholars have been kind to Adams, with the consensus holding him to be the most effective presidential chief of staff of his era and essentially defining the position. Goldfine did not do as well. He received three prison sentences for contempt of Congress and for tax evasion.

—Caryn E. Neumann

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May, 1959

TEAMSTERS LEADER DAVE BECK IS CONVICTED OF TAX FRAUD

The leader of the powerful Teamsters Union, Dave Beck, came before the U.S. Senate Select Committee on Improper Activities in Labor or Management and eventually was convicted for tax fraud and embezzlement. He was imprisoned, paroled in 1964, and pardoned by U.S. president Gerald R. Ford in 1975.

LOCALE: Seattle, Washington

CATEGORIES: Labor; law and the courts; organized crime and racketeering; corruption

KEY FIGURES

Dave Beck (1894-1993), leader of the Teamsters Union, 1952-1957

Robert F. Kennedy (1925-1968), U.S. attorney general, 1961-1964

John McClellan (1896-1977), U.S. senator from Arkansas, 1943-1977

SUMMARY OF EVENT

In 1956, the McClellan Committee, formally known as the Senate Select Committee on Improper Activities in the Labor-Management Field, began investigating charges of corruption in American labor unions, particularly in the largest and most influential union of the time, the Teamsters. The McClellan Committee, named for its chairman, Senator John McClellan, included U.S. attorney general Robert F. Kennedy as its counsel. Of the figures the committee questioned, one of the most powerful and prominent was Teamsters Union leader Dave Beck.

After returning from service in the U.S. Navy during World War I and after a job as a laundry-truck driver, Beck became secretary treasurer of the Laundry Drivers Union in 1924. In 1927, he became a full-time organizer for the West Coast Teamster's Union, which he would lead for more than forty years. Charismatic and intelligent, Beck had realized early on as he rose in prominence in the

Teamsters Union that unions would not succeed without regional organization. Accordingly, he set up the Western Conference of Teamsters over the opposition of other Teamster leaders. Beck's vision proved crucial to the organization's success, and he became the union leader and one of the most popular and powerful figures in Seattle. In Seattle, he served as a member of the Washington state parole board, the Seattle Civil Service Commission, and the University of Washington Board of Regents. Beck supported other unions. Indeed, his support of the Newspaper Guild strike in 1936 is believed to have been a major factor in its success.

Beck's policy in running the union reflected his business background. He opposed radicals and union democracy of the type espoused by leftist union leaders, such as Harry Bridges, who represented the Longshoremen and the Congress of Industrial Organizations (CIO). Beck himself did not believe that rank-and-file workers could make informed decisions. He once noted, "I'm paid \$25,000 a year to run this outfit. . . . Why should truck drivers and bottle washers be allowed to make decisions affecting policy? No corporation would allow it." Beck's organization, the American Federation of Labor (AFL), split from the CIO in the most intense struggle witnessed between the two labor organizations.

With time, Beck had acquired a name for success, but also for strong-arm tactics and blackmail. Teamsters would not deliver supplies to businesses that did not support the union, and in 1934, restraining orders were filed against Beck and fellow union leader Frank Brewster after a brawl in which several members of the Brewery Worker's Union, which the Teamsters were attempting to absorb, were dragged from their vehicles and beaten with lead pipes.

Despite this reputation, Beck's success was impressive enough to induce U.S. presidents Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Ei-

senhower to offer him the position of U.S. secretary of labor during their respective administrations. Beck turned each offer down, saying he preferred to remain part of the labor movement. His career continued to carry him up the ladder of command, and he appeared on the covers of both *Time* and *Newsweek* magazines. In 1940, he joined the Teamsters International executive board as an international vice president. In 1952, he was elected general president of the International Brotherhood of Teamsters. Under his strong leadership, the membership swelled, growing from seventy-eight thousand to close to six million members by the time he faced the McClellan Committee.

In 1956, Kennedy began investigating corruption in the Teamsters Union. The investigation would prove the greatest challenge of Beck's career. Two previous investigations of the union had found nothing (later historians would claim that this was due to cover-ups). Kennedy was surprised to find abundant evidence of Beck's corruption, including interest-free loans for more than \$320,000 and a home that had been purchased for him by the Teamsters; the Teamsters had bought the home from him and then allowed him to live in it rent free. Beck was brought before the McClellan Committee on March 26, 1957, to answer questions about misappropriation of funds, but he refused to testify, using his Fifth Amendment rights sixty-five times. The tactic of refusing to testify was used by many other members of the Teamsters who appeared before the committee.

In May, Beck testified before the AFL-CIO Ethical Practices Committee, led by AFL-CIO president George Meany. Because the committee could not guarantee he would not be subpoenaed by the McClellan Committee if he answered questions, Beck refused to testify, invoking the Fifth Amendment more than one hundred times in this case. His membership on the AFL-CIO executive council was withdrawn and the Teamsters were expelled from the organization. Beck, who had intended to seek the presidency of the Teamsters, declined in the end, however, because of the growing scandal and threat of indictment. He was succeeded by his former assistant Jimmy Hoffa, who Senator Mc-

Clellan had called "a fountainhead of union corruption."

Kennedy and the McClellan Committee continued to investigate Beck. They discovered additional illegalities, including defrauding the widow of his best friend. Eventually, Beck faced state embezzlement charges and federal indictments for income tax evasion for failing to pay \$240,000 in back taxes. He was convicted on the state charge in 1957 and convicted of federal income tax evasion in 1958. The federal conviction was later dropped on appeal. In May, 1959, he was convicted for filing a fraudulent federal tax return. He was sentenced to five years in prison but appealed the sentence. The court cut his sentence in half, and he entered federal prison at McNeil Island in Washington State and served thirty months.

Beck stayed out of the public eye after his parole in 1964. He was pardoned by U.S. president Gerald R. Ford in 1975 and lived the rest of his life in Seattle. He retained his Teamsters president pension and parleyed the funds with his existing holdings into a multimillion dollar business in parking lots. He died in 1993 at the age of ninety-nine.

IMPACT

The trial and the media attention focused on crime and illegal tactics within the Teamsters Union influenced public opinion for years to come, and the Teamsters retained its reputation for corruption long after Beck's departure.

The Labor-Management Reporting and Disclosure Act, which owed its success to the prominence of the McClellan Committee's investigations into the Teamsters and Beck, was passed. It guaranteed that union members had a voice in running unions as well as freedom from intimidation when reporting corrupt practices.

Beck's conservative approach influenced the organization's leadership for years, perhaps because of the similar strong personality of his successor, Hoffa. The Teamsters developed strong ties to organized crime under Hoffa's leadership, eventually leading the U.S. government to sue the union in 1988 to impose federal supervision of the union's daily operations and its internal election process.

Hoffa's leadership lasted until the mid-1960's, and one of his chief accomplishments was the 1964 implementation of a single, national, master freight agreement. Like Beck, Hoffa faced close surveillance from Kennedy and his office and was convicted in 1964 of attempting to bribe a grand juror. Hoffa vanished in 1975 under mysterious circumstances, and his death remains unsolved. Popular theory holds that the Mafia was responsible for his disappearance.

—Catherine Rambo

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November 2, 1959

CHARLES VAN DOREN ADMITS TO BEING FED ANSWERS ON TELEVISION QUIZ SHOW

*Charles Van Doren testified before a U.S. Senate subcommittee that he received answers to questions beforehand as a contestant on the popular television quiz show *Twenty-One*. Van Doren came to symbolize blatant corruption in the quiz-show industry. As a direct result of the scandal, most quiz shows in the United States were canceled and Van Doren lost his academic position, a promising career in television, and the adulation of thousands of disenchanted viewers. By 1960, federal law made it a crime to fix a game show.*

LOCALE: Washington, D.C.

CATEGORIES: Hoaxes, frauds, and charlatanism; corruption; radio and television; government; business

KEY FIGURES

Charles Van Doren (b. 1926), contestant on the television quiz show *Twenty-One*

Herb Stempel (b. 1926), contestant on *Twenty-One*

Dan Enright (1917-1992), lead producer of *Twenty-One*

Albert Freedman (1920-1965), coproducer of *Twenty-One*

SUMMARY OF EVENT

Television in the United States during the 1950's emerged as a pervasive new source of information and entertainment that reached a large audience. To tap into this vast audience, television executives adapted the popular radio quiz-show format of the 1940's. Televised quiz shows offered an attractive combination of low production costs, high entertainment value, and great appeal to commercial sponsors. Two or more contestants would contend for modest prizes of cash or merchandise by answering questions of varying difficulty posed by a moderator. The limited size of the rewards gave lit-

tle incentive for television executives to manipulate the results.

A turning point came in 1955 when quiz shows began to provide large cash prizes. The most successful of these new shows was *Twenty-One*, a weekly show that was launched in October, 1956, by the National Broadcasting Company (NBC). Two contestants stood on a studio stage in adjoining soundproof glass booths. A correct answer earned points according to its difficulty. The first contestant to reach 21 points was the victor and could return as champion the following week to face a new challenger. However, the first few programs, played straight, failed dismally in viewer ratings. Contestants proved so inept at times that the show's sponsor urged changes to boost ratings. The producers, Dan Enright and Albert Freedman, decided to intervene directly in all the main aspects of the production. They had no problem with fixing the outcome of each show because they regarded the shows simply as entertainment. From that point, each contestant was given the questions—and the answers—in advance and was carefully coached on how to dress and, especially, how to achieve the maximum suspense in responding. As *Twenty-One* rose steadily in the ratings, Enright and Freedman sharpened the image of contestants to increase viewer interest.

The producers found a particularly promising candidate in twenty-nine-year-old military veteran Herb Stempel. He had been attending a local public college under the GI Bill while supporting a wife and child. He eagerly accepted Enright's offer of a twenty-five thousand dollar advance for appearing on a "managed" episode of *Twenty-One*. To underscore Stempel's persona as a struggling former soldier, Enright selected from Stempel's own closet a blue shirt with a frayed collar and an ill-fitting suit given Stempel by a relative. As an added touch, Stempel was instructed to get a Marine-style "white-wall" haircut. Thus attired and coiffed, Stempel,

who was stocky and supremely confident, initially did well on *Twenty-One*. However, when Stempel's sometimes arrogant manner began to wear on viewers, the producers decided that he should be "removed" from the show. He had won nearly fifty thousand dollars, a bonanza for the time.

Enright and Freedman found their new champion in another twenty-nine-year-old: Columbia University English instructor Charles Van Doren. His father and uncle had won Pulitzer Prizes in literature, and he himself was completing a doctorate in English literature. However, the severe constraints of a meager instructor's salary at Columbia made Van Doren vulnerable to Freedman's blandishments. Furthermore, Freedman intimated that Van Doren would have a unique opportunity to convey to the show's forty million viewers a heightened respect for education and the life of the mind. Despite initial qualms about participating in a crooked scheme, Van Doren agreed to perform.

Stempel's departure was quickly arranged, and in early December, 1956, Van Doren became the new champion. As Enright had done with Stempel, Freedman rehearsed Van Doren and instructed him on how to behave on camera. Van Doren learned to furrow his brow, squeeze his eyes shut, and bite his lip as he agonized for the correct answer to a question that he, of course, already knew. For viewers, the suspense could be excruciating.

As the new champion of *Twenty-One*, Van Doren projected an image in sharp contrast to Stempel. Van Doren was tall and pleasant-looking, and he appeared intelligent, modest, and congenial. Viewers were captivated by his charming manner and command of obscure facts. He vanquished challenger after challenger. He received thousands of letters praising his performance, and he received gratitude (especially from parents) for being such a good role model for the values of education and intellectual achievement. Van Doren made

the cover of *Time* and joined NBC's *Today* program. He had become something of a folk hero.

Van Doren, however, was never comfortable as part of a systematic scam. Despite pleas that he continue with the show, he departed after fourteen weeks with total winnings of \$129,000. Ratings sagged, but the show survived until October, 1958, mortally wounded by the corruption charges that would be leveled by Stempel.

Stempel detested Van Doren for his privileged Ivy League background and high public esteem. He also deeply resented the crude manner of his own dismissal from *Twenty-One*. Through bad investments, he had quickly lost his winnings from the show, and when Enright refused his request for financial help, Stempel vengefully determined to expose the show as a fraud.

Initially, Stempel approached two New York City newspapers with his accusations but was rebuffed because he had no corroborating witnesses. However, by early 1958, rumors and revelations of corruption on other quiz shows gave his claims a new credibility. A New York County grand jury, after taking sworn testimony from about one hundred fifty witnesses, recommended a number of indict-



Charles Van Doren, far right, with contestant Vivienne Nearing and *Twenty-One* host Jack Barry during a taping of the quiz show. (Library of Congress)

ments. For reasons not clear, however, the presiding judge sealed the jury report and dissolved the investigation. Van Doren was among those who had denied under oath any knowledge of quiz-show fraud.

Nonetheless, by early 1959, public outcry led to an investigation by the U.S. Senate. In November, 1959, the House Subcommittee on Legislative Oversight convened in Washington to examine charges of fraud and deceit lodged against various quiz shows. Stempel was the first to testify. After admitting his own complicity, he angrily denounced *Twenty-One* producers Enright and Freedman and strongly implied the collusion of Van Doren, who had continued to plead his innocence.

Van Doren had anguished about having so long deceived the *Twenty-One* audience. On November 2, he appeared under subpoena before the subcommittee in a packed room that included Stempel. Van Doren delivered an impassioned confession of guilt and apologized to all he had deceived. Both Columbia University and the *Today* program fired him, and he was charged with perjuring himself before the New York grand jury. However, Van Doren and others found guilty in the quiz-show scandals received suspended sentences because there was no federal statute that made the manipulation of television quiz shows a criminal offense. To prove fraud, a prosecutor would have to demonstrate how quiz-show scams caused serious monetary loss to viewers. Cheating viewers was not illegal.

Meanwhile, public anger and plunging ratings forced the cancellation of nearly all television quiz shows. Despite their central roles, *Twenty-One* producers Enright and Freedman also received suspended sentences. Van Doren fled New York City for a private life in Chicago, working as an editor for the publishers of *Encyclopedia Britannica*.

OUTLAWING GAME-SHOW FIXING

On September 13, 1960, Congress passed an amendment to the Communications Act of 1934, making it a crime to fix a game show. The act is excerpted here.

Deceptive Contests

Section 9, Title V, of the Communications Act of 1934, is further amended by adding at the end thereof the following section:

PROHIBITED PRACTICES IN CASE OF CONTESTS OF INTELLECTUAL KNOWLEDGE, INTELLECTUAL SKILL, OR CHANCE

- (a) It shall be unlawful for any person, with intent to deceive the listening or viewing public:
1. To supply to any contestant in a purportedly bona fide contest of intellectual knowledge or intellectual skill any special and secret assistance whereby the outcome of such contest will be in whole or in part prearranged or predetermined.
 2. By means of persuasion, bribery, intimidation, or otherwise, to induce or cause any contestant in a purportedly bona fide contest of intellectual knowledge or intellectual skill to refrain in any manner from using or displaying his knowledge or skill in such contest, whereby the outcome thereof will be in whole or in part prearranged or predetermined.
 3. To engage in any artifice or scheme for the purpose of prearranging or predetermining in whole or in part the outcome of a purportedly bona fide contest of intellectual knowledge, intellectual skill, or chance.

IMPACT

Several significant changes resulted from the quiz-show scandals. First, television networks regained control of programming from the producers, which made fraud more difficult to conceal. A kind of innocent trust was clearly lost after the scandal. Some condemned the entire television industry; others tempered harsh criticism of the scandals with sympathy for appealing participants such as Van Doren. Others, finally, remained detached or cynically indifferent to the whole mess.

The Senate hearings put a national spotlight on the rigged programs. Everyone from editorial writers to religious leaders argued that American society had lost its moral compass. Most agreed that the quantum jump in prize money in 1955 brought greed to center stage. With so much more at stake,

MODERN SCANDALS

producers tried to maximize profits regardless of the ethical implications. Again, *Twenty-One's* producers regarded what they did as pure entertainment, having nothing to do with right or wrong. For contestants, finally, there was the exciting lure of what a sudden fortune could mean for achieving the good life. They also dreamed of overnight fame.

The big-money television shows did gradually return but only in a much sobered and regulated environment. The Communications Act of 1934 was amended in 1960, making it a crime to fix a game show. The tawdry scams of the 1950's became a fading memory, as did Van Doren, the scandal's human face.

—Donald Sullivan

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Kennedy Romance Links Him to Organized Crime

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February 7, 1960

PRESIDENT KENNEDY'S ROMANTIC AFFAIR LINKS HIM TO ORGANIZED CRIME

U.S. president John F. Kennedy was tied to organized crime through his romantic relationship with Judith Campbell. The crisis, which threatened to undermine the credibility of the Kennedy administration, was stalled through the intervention of the director of the FBI, who convinced Kennedy to end his relationship with Campbell. Nevertheless, Kennedy was plagued by controversy even after his assassination, as the cause of his death was blamed on Campbell, the mob, and even Fidel Castro, among others.

LOCALES: Las Vegas, Nevada; Washington, D.C.

CATEGORIES: Public morals; government; politics; sex; organized crime and racketeering

KEY FIGURES

John F. Kennedy (1917-1963), president of the United States, 1961-1963

Judith Campbell (1934-1999), John F. Kennedy's lover

J. Edgar Hoover (1895-1972), director of the Federal Bureau of Investigation, 1924-1972

Robert F. Kennedy (1925-1968), U.S. attorney general, 1961-1964

Frank Sinatra (1915-1998), American entertainer

Sam Giancana (1908-1975), Chicago mob boss
John Roselli (1905-1976), Los Angeles mob boss

SUMMARY OF EVENT

The romantic relationship between Judith Campbell, who was linked with two organized-crime leaders, and U.S. president John F. Kennedy, remains one of the controversial legacies of the Kennedy administration. Kennedy met Campbell through singer Frank Sinatra and a group of Hollywood entertainers known as the Rat Pack. She had been introduced to Kennedy on February 7, 1960, in Las Vegas, Nevada, just a few weeks after Kennedy announced his candidacy for the presidency of the United States.

Campbell had a long association with the Rat Pack as well, and she had long-term friendships with key members of organized crime, namely Sam Giancana of Chicago, Illinois, and John Roselli of Los Angeles, California. The scandalous relationship that developed between Kennedy and Campbell was closely monitored by the Federal Bureau of Investigation (FBI). The FBI began surveillance of Kennedy during his association with the Rat Pack and intensified as his relationship with Campbell

deepened. Members of the White House staff facilitated the liaisons between Kennedy and Campbell.

In 1961, at the time Campbell and Kennedy were having their affair, the United States was facing increasing tension with the Soviet Union. In May, President Kennedy met with Soviet leader Nikita S. Khrushchev in Vienna, Austria, but the meeting was not successful. Profound disagreements on a host of international questions produced a stormy series of meetings between the two leaders. It was during this time of potential international crisis that Campbell's relationship with Kennedy was at its high point.

The crisis that was brewing for Kennedy at home included the FBI surveillance. FBI director J. Edgar Hoover was concerned about Campbell's access to President Kennedy, especially considering her ties to Giancana and Roselli. This easy access led the FBI director to request a private meeting with the president.

Prior to meeting with Kennedy, Hoover had a memorandum delivered to Attorney General Robert F. Kennedy, the president's brother, about the evidence he had on the president, Campbell, Giancana, and Roselli. As Robert already knew, Hoover had material on his brother's

previous sexual encounters with women, including one with an alleged German spy twenty years earlier. Undoubtedly, the memo was meant to intimidate the attorney general, who did apparently speak with his brother about the Campbell affair. The contents of that conversation, if it did take place, remain unknown, however. What is known is that Robert recommended that his brother end his relationship with Campbell and with Sinatra, who had been the president's friend. Sinatra had gone to great lengths to solidify his relationship with President Kennedy. He had invested in upgrades to his own residence, upgrades that included a helicopter



Judith Campbell at a 1975 press conference in which she said she had a "close, personal relationship" with former president John F. Kennedy. (AP/Wide World Photos)

MODERN SCANDALS

pad for the president's use and facilities for presidential staff members and secret service agents.

The Hoover memorandum was upsetting to Robert. It implied that his brother had connections with organized crime. During the late 1950's, Robert had helped to investigate the influence of organized crime in the United States. He carried this zeal for investigatory activities from the 1950's into his job as attorney general, leading the Kennedy administration into pursuing organized crime at the same time the president was involved with Campbell.

A clear dichotomy existed between the Kennedy administration and organized crime, but a paradox existed as well: The Kennedys had relied upon the support of organized crime in winning the endorsements of several unions during the 1960 presidential campaign. Sinatra had acted as a go-between who contacted Giancana to secure the political support of unions for John Kennedy. It was during this time that Sinatra introduced Giancana's girlfriend, Campbell, to the presidential candidate. Robert knew that the Hoover memo was a threat to his brother's presidency.

IMPACT

On March 22, 1962, Hoover met with the president, but no minutes of the meeting exist. The only other person in attendance was Kennedy's aide, Kenny O'Donnell, who later denied that anything of significance happened during the meeting. Kennedy ended his affair with Campbell soon after the meeting with Hoover, and he also severed his ties with Sinatra. So significant was Kennedy's break with Sinatra that when the president traveled to California the day after his meeting with Hoover, he stayed at the home of entertainer Bing Crosby, a Republican, rather than with Sinatra.

In 1977, Campbell published her own account of the affair in her autobiography *My Story*. (Campbell had remarried in 1975 and taken the name of her new husband, golfer Dan Exner.) Despite O'Donnell's denial of a romantic relationship between Campbell and the president, the revelations in Campbell's memoir contain enough detail to confirm otherwise.

The assassination of John F. Kennedy on No-

Kennedy Romance Links Him to Organized Crime

vember 23, 1963, led to several conspiracy theories about why he was murdered. The Campbell-Kennedy relationship lends credence to the claim that organized crime was involved in his assassination. Through her ties with Giancana and Roselli, Campbell did establish a linkage, although much of the evidence remains circumstantial. Campbell's relationship with the president also links him to Cuba and Fidel Castro, as Giancana and other elements of organized crime reportedly were involved in assassination plots against Castro.

The sexual relationship between Kennedy and Campbell highlights the shadow overhanging the Kennedy legacy. In the immediate aftermath of the assassination, Americans were positive about the legacy of the Kennedy administration. During the 1970's, several new works appeared that cast doubt on his legacy. Many of these new studies focused on Kennedy's propensity to engage in reckless sexual behavior. Without question these revelations damaged his standing with many Americans. Other sexual liaisons have been difficult to prove, but Kennedy's affair with Campbell has been more verifiable, and given the FBI's involvement, it has been deemed much more serious.

—Michael E. Meagher

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February 8, 1960

U.S. CONGRESS INVESTIGATES PAYOLA IN POP MUSIC INDUSTRY

With the rising popularity of rock and roll during the late 1950’s, establishment critics of the new music form sought to curtail its influence, especially on young people. The revelation that radio disc jockeys often received payments in return for playing rock records on the air provided those critics with a rationale to take their concerns to the U.S. Congress. This led to the dismissals of many deejays, compelled radio stations to rethink the inclusion of rock in their programming, and led to federal legislation outlawing the clandestine practice of playing music for pay.

ALSO KNOWN AS: Payola scandal

LOCALE: Washington, D.C.

CATEGORIES: Corruption; music and performing arts; radio and television; government; business

KEY FIGURES

Alan Freed (1921-1965), disc jockey credited with coining the term “rock and roll”

Dick Clark (b. 1929), pop-music entrepreneur and host of *American Bandstand*

Oren Harris (1903-1997), U.S. representative from Arkansas, 1941-1966, and chairman of the congressional subcommittee investigating the scandal

SUMMARY OF EVENT

Rock-and-roll music burst onto the scene during the 1950’s and challenged mainstream American social and cultural traditions. The new music was loud, rebellious, sexy, and widely embraced by white youth, even though it was initially created by and for African American listeners. Radio disc jockeys became the prime purveyors of the new music, establishing themselves as celebrities and

garnering intensely loyal listeners for their programs.

Record companies soon sought influential deejays to play their new releases, and the companies often provided incentives, ranging from composition credits to cash, in return for airplay. This practice was termed “payola” by the trade press during the 1930’s and actually had a long history in the popular-music industry, having been used to support virtually every style of music since the late nineteenth century.

With the arrival of rock and roll during the early 1950’s, opponents denounced the music for both social and aesthetic reasons. It was considered crass and offensive, and its growth in popularity was seen by some as representative of a general decline in American culture, especially for its effect on young people and its blurring of longstanding racial dividing lines. Having failed to curb the music through attacks in the press, rock and roll’s enemies, the churches and schools, turned their attention to the deejays, hoping to publicly discredit them and thereby destroy their influence as tastemakers. Payola provided the needed cudgel. Although payola was not illegal, the practice certainly led to charges of bribery, extortion, and other unethical or immoral practices.

In November, 1959, the U.S. Congress began investigating television quiz shows, which had been accused of rigging the outcomes of their contests. In the course of that investigation, Congress also learned that several prominent New York music publishers bribed television producers into using their music as themes during broadcasts. The payola hearings would begin on February 8, 1960.

The publishers affected were affiliated with the American Society of Composers, Authors, and Publishers (ASCAP), a licensing organization that collected royalties for the use of material produced by its members. ASCAP primarily represented mainstream music, with most members tied to traditional Tin Pan Alley pop. The group actively op-



Disc jockey Alan Freed, center, with his wife, Inga, outside the district attorney's office in New York City in November, 1959. (AP/Wide World Photos)

posed the spread of rock and roll, most of which was licensed by the rival group Broadcast Music, Inc. (BMI). Apparently in an effort to deflect attention from their own transgressions, members of ASCAP made countercharges against BMI, submitting a letter to Congress alleging numerous cases of payola in the promotion of BMI-licensed rhythm and blues and rock and roll. With the public already stirred to indignation over the quiz show scandal, these new charges gained immediate significance with both Congress and the media.

The House Subcommittee on Legislative Oversight, chaired by Representative Oren Harris of Arkansas, took the accusations seriously enough to shift its attention to the deejays once they were finished with investigating the quiz shows. The mood against deejays was exacerbated by tales of wild times at a deejay convention earlier that year in Miami, Florida. News reports of the event made copious mention of “babes, booze, and bribes,” as rec-

ord promoters saw a golden opportunity to line up influential deejays to play their records. Such stories marred the reputation of disc jockeys generally, and it spurred the congressional subcommittee to send investigators across the United States to collect additional evidence. It turned out that payola not only was widespread but also was considered an acceptable way to do business. That view was not shared by the public, many of whom took the revelations as confirmation that rock and roll was a scam perpetrated on innocent young people by a crooked system.

As the investigation progressed, broadcasters scrambled to protect themselves. A number of prominent deejays lost their jobs, including Alan Freed, who was arguably the most famous and powerful deejay in the country, broadcasting with radio station WINS in New York. Freed had been instrumental in promoting the rise of rock and roll and even credited with coining the term itself while broadcasting in Cleveland decades earlier. Freed freely acknowledged to investigators that he had a financial stake in some of the music he played, but he would not admit this practice was unethical. His refusal to sign an affidavit claiming he never accepted payola led to his termination, essentially ending his career.

Some deejays tried to deny that payola existed, and others admitted knowledge of the practice while they themselves were innocent. The most forthright shrugged it off as just part of the system. However, even in conceding the existence of payola, many deejays argued that it was irrelevant to the rise of rock and roll: They argued that if they allowed pay-for-play to dictate their programming, especially if it led to playing so-called bad music, they not only would lose the trust of their listeners but also their popularity and the clout they had in making hits.

In addition to Freed, the most famous figure caught up in the investigation was Dick Clark. A Philadelphia disc jockey who attained national prominence as the host of the television show *American Bandstand*, Clark had parlayed his success into a number of lucrative music- and broadcasting-related enterprises. While not entirely denying the charges against him and speaking favorably of rock and roll and the young people who were his primary

audience, Clark portrayed himself as a canny capitalist, freely admitting that he seized opportunities as they presented themselves. That approach, along with divesting his most incriminating investments, saved him from sharing the fate of his more rebellious counterparts, including Freed.

IMPACT

The congressional investigation led to an amendment to the Communications Act of 1934, outlawing the practice of playing music for pay without notifying listeners; offenders would be hit with significant penalties. The subcommittee's final report made it clear that the intent of the new law was to help reopen the airwaves to "good" music.

Several states, notably New York, invoked local commercial bribery statutes to prosecute disc jockeys. At the federal level, the Internal Revenue Service would begin to use information gathered by the Federal Communications Commission about payola cases to pursue tax-evasion charges against those guilty of accepting kickbacks.

More deejays lost their jobs, and many radio stations ended or significantly curtailed their rock-and-roll programming. Interestingly, the record companies that initiated payola agreed to abide by the new federal regulations and, thus, faced limited prosecution and minimal public opprobrium.

Neither payola nor rock died with the scandal of 1959-1960, though the attention and new laws forced payola to become more clandestine. Rock's popularity did wane for a couple of years before it reclaimed its central place in American popular culture. The true effect of the payola scandal, especially coming on the heels of the quiz show scandal, was perhaps more subtle. Payola represented another blow to the public's trust in mass media, which became a major contributing factor to the protest movements of the 1960's.

—John C. Hajduk

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March 14, 1960

FCC CHAIRMAN JOHN C. DOERFER RESIGNS FOR ACCEPTING GIFTS FROM NETWORKS

After the quiz show scandal of 1959 demonstrated that several of the popular television programs had been rigged, the Federal Communication Commission's oversight of television networks came under close scrutiny. Chairman John C. Doerfer was forced to resign after it was discovered that he had accepted gifts from the networks and relied too heavily on the networks' own reassurances of honesty without thorough independent investigation.

LOCALE: Washington, D.C.

CATEGORIES: Government; radio and television; corruption; hoaxes, frauds, and charlatanism; communications and media

KEY FIGURES

John C. Doerfer (1904-1992), chairman of the FCC, 1957-1960, who was forced to resign for his role in the quiz show scandal

George Storer (d. 1973), media magnate and president of Storer Broadcasting, Inc.

Newton Minow (b. 1926), Democratic chairman of the FCC, who pledged stricter oversight of networks by the FCC following Doerfer's resignation

SUMMARY OF EVENT

During the 1950's, as television in the United States was growing in popularity, networks and advertisers sought ever-higher viewer shares. Amazingly popular quiz shows featured outrageous prizes. Whereas radio quiz shows had never offered more than about one hundred dollars (and often much less) in prize money, television quiz shows gave high monetary awards from the very start. However, after the infamous quiz show scandal exposed widespread network rigging of the shows, the government stepped in, trying to learn how the networks were able to pull off the deception for so long. The U.S. Congress focused on the poor oversight of the networks by the Federal Communications Commission (FCC) and its chairman, John C. Doerfer, who should have been censuring the net-



John C. Doerfer, center. (Hulton Archive/Getty Images)

works but were, instead, ignoring the problem.

U.S. president Dwight D. Eisenhower appointed Doerfer chairman of the FCC in 1957, a time when the television industry was coming under intense public scrutiny. Complaints about advertisers controlling station content bombarded the agency throughout Doerfer's tenure. The public felt cheated by the amount of time stations devoted to advertising, and many felt networks were broadcasting too much fluff. Because intellectual and educational programming was less popular, however, advertisers paid less to sponsor such programs. Networks justified their behavior by citing the need to pay off their operating expenses.

Doerfer and the FCC were slow to respond to these critics. Under increasing pressure, Doerfer did force networks to add a weekly hour of educational programming to their schedules, but his actions appeased few. Critics wanted far more educational content, and they wanted far less advertiser

control. Doerfer maintained that FCC monitoring would inevitably lead to censorship, a practice he wanted to keep the FCC well clear of. He argued that if the FCC regulated program content, the agency would be in violation of the 1934 Communications Act. In November of 1959, when Charles Van Doren testified before Congress that he had, in fact, been told what answers to give on NBC's quiz show *Twenty One*, Doerfer's attitude and policies came under congressional fire.

The quiz show scandal originated a year earlier, in 1958, when Herbert Stempel, Van Doren's chief rival on NBC's popular program, claimed, after Van Doren defeated him, that *Twenty One* was rigged. He also claimed the network instructed him to give a wrong answer so that the huge prize would go to the more popular Van Doren. Stempel also said the two contestants were coached throughout their run on the air. Of course, the networks denied any wrongdoing, as did Van Doren, and Stempel was portrayed as a sore loser. The FCC barely investigated, with Doerfer taking network claims of innocence at face value. More contestants, from a variety of networks, started coming forward with similar stories, but the FCC still refused to investigate. In particular, Doerfer trusted NBC's assurances too blithely. Finally, Congress called a series of hearings to investigate the scandal, and the FCC's failure to oversee the networks came under as much scrutiny as did the networks' quiz shows themselves.

Only under this pressure did Van Doren finally decide to tell the truth, bringing the quiz show industry to a screeching halt, recovering only after many years. Equally significant, the FCC's role in the scandal forced changes in the oversight of television programs. As Congress examined the agency and its chairman, more compromising details were revealed. Congress believed Doerfer's attitude was part of the deception, and evidence seemed to support this opinion.

Doerfer was accused of accepting favors from media magnate George Storer, president of Storer Broadcasting, Inc. Storer lived large and feted his friends. In 1958, he took Doerfer on a plane ride to Florida and then Bimini. Congressional hearings

wrapped up in December of 1959. Then, in early 1960, even with the quiz show scandal still a highly publicized nightmare for his agency, Doerfer maintained a close relationship with Storer. Doerfer flew with his wife to Miami on Storer's planes and took a cruise from there to the Florida Keys on Storer's yacht. Though he claimed to have paid for the plane tickets himself and said the event was purely social, few believed him. Indeed, his former outspoken defense of network freedom marked him as a hypocrite, and most believed he had been bribed. At best, he had displayed a sincere conflict of interest in continuing to spend extended time with Storer. His behavior highlighted to the public the increasing advertiser control of network programming, starkly displaying the FCC's ineffective oversight.

President Eisenhower requested Doerfer's resignation and received it on March 14, 1960, though Doerfer insisted he had done no wrong. Doerfer went into private law practice in the Washington, D.C., area, having completed a law degree in 1934. However, in 1963, he moved to Florida to work for Storer as a legal consultant until 1974.

IMPACT

Doerfer was replaced briefly by fellow Republican Frederick W. Ford. In 1961, when Democrat John F. Kennedy assumed the presidency, he appointed Newton Minow to the FCC chairman position. Minow took an immediate reform stance, making the now-famous "Vast Wasteland" speech, in which he targeted the mindless nature of much television programming. Minow suggested that the FCC would take action against the control exerted by advertisers over programming. Pledging that broadcaster licenses would no longer be renewed without scrutiny, he refused to relicense Melody Music, whose owners had been involved in the quiz show scandal. However, NBC, the best-known guilty player in the scandal, had its license renewed even after the courts required heavy scrutiny of its FCC application. Courts ruled that the FCC treated larger corporate entities, such as NBC, as though they were less prone to corruption than those owned by individuals, such as Melody Music.

Minow was replaced by the time the federal

courts finally forced the FCC to review its inconsistent decisions and relicense Melody Music in 1965. Thus, Doerfer's turbulent chairship of the FCC came at a critical time in television history, and his compromised position with regard to the networks who he should have been overseeing drew legal and public scrutiny to the agency.

—Jessie Bishop Powell

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SEE ALSO: Nov. 2, 1959: Charles Van Doren Admits Being Given Answers on Television Quiz Show; Feb. 8, 1960: U.S. Congress Investigates Payola in Pop Music Industry; Apr. 11, 2007: Shock Jock Don Imus Loses His Radio Show over Sexist and Racist Remarks.

July, 1961

PSYCHOLOGIST STANLEY MILGRAM BEGINS OBEDIENCE-TO-AUTHORITY EXPERIMENTS

Social psychologist Stanley Milgram designed a controversial experiment in which one subject was ordered to give increasingly strong electric shocks to another. His goal was to see how long the subject administering the shocks would comply in the face of the recipient's discomfort. He found a universally high degree of compliance. The experiment raised ethical questions because those persons administering shocks were not told the real purpose of the experiment.

ALSO KNOWN AS: Milgram experiments

LOCALE: New Haven, Connecticut

CATEGORIES: Psychology and psychiatry; science and technology; education; cultural and intellectual history

KEY FIGURE

Stanley Milgram (1933-1984), social psychologist

SUMMARY OF EVENT

In July of 1961, psychologist Stanley Milgram began a series of about twenty social psychology experiments designed to test the way people comply with authority. Milgram wanted to know the number of "normal" people who would continue to inflict pain on another person when directed to do so by an authority figure. His interest in this question was stimulated, in part, by the atrocities committed during World War II by seemingly average German citizens who were following the orders of their leaders.

Milgram was an excellent student with wide-ranging interests in both the arts and sciences. For his doctoral dissertation, he studied the effects of group opinion on conformity. He was interested in the degree to which group consensus could influence the opinion of a new, naïve group member. His research showed that about one-third of the time the naïve individual would agree with the group's opin-

ion, even when that opinion was demonstrably wrong about a concrete event such as which of two musical tones was played for a longer time period or which of two written lines on a piece of paper was longer.

As a young professor at Yale University, Milgram expanded his interests to include research on how authority influences obedience. His 1961 experiments, later known as the Milgram experiments, were designed to see how much pain an average person would inflict on another person simply because he or she was directed to do so by an authority figure. Milgram soon was criticized for withholding the purpose of the studies; he told subjects that they were participating in an experiment on learning and memory. Had he attempted to conduct these experiments during the early twenty-first century, Milgram likely would have faced resistance. During the 1960's, however, informed consent in studies involving humans lacked many of the rules that were instituted in later decades, and the time in which he worked saw much less institutional oversight of human experimentation.

Milgram designed his first experiment as follows. A stern, unemotional adult acted as the authority figure. A trained actor played the role of the learner, and the experimental subjects, all men in the first experiments, were cast in the role of the teacher. The teacher was presented with a bank of switches that administered electric shocks to the learner. The teacher was told that every time the learner made an error he should deliver an increasingly strong jolt of electricity to the learner. The shocks began with 15 volts of electricity (a mild stimulus) and increased in 15-volt increments up to 450 volts (an extremely painful shock). The shocks were supposed to be administered in strict order of increasing voltage. The teacher was given a shock of 45 volts before the experiment began as a reference point for what the learner would feel.

In the initial experiment, the learner and teacher

met each other and then were sent to separate rooms; they could hear but not see each other. The teacher began the “instruction” by reading a word. He then asked the learner to choose a word from a list of four read out loud by the teacher that would pair with the first word. The authority figure reminded the teacher to shock the learner with an increasingly strong shock every time the learner made a mistake.

What the teacher was not told was that the learner was an actor and that no shocks were actually being delivered. Instead, each time the teacher shocked the learner, the learner played a tape-recording of his supposed vocal reaction to the shock. The taped reactions became increasingly anguished as the shocks got stronger. At high voltages, the actor would bang on the wall that separated him from the teacher and would become silent, as if injured. If the teacher expressed concern about the learner’s well-being or asked to stop the experiment, the authority figure prodded the teacher to continue, using four increasingly strong verbal commands. The experiment ended only if the teacher requested that the experiment stop following a fourth authority figure command.

Before he began the experiments, Milgram polled Yale psychology graduate students and faculty about what percentage of people they predicted would administer the highest level, 450-volt, shock. The consensus of these academics was that fewer than two people out of one hundred would intentionally continue to inflict pain on another person simply because he or she was told to do so by the experimenter. The results of this first experiment, however, astounded Milgram. His published results in the *Journal of Abnormal and Social Psychology* in 1963 generated headlines and newspaper editorials across the United States. No one wanted to believe what Milgram had found: Of the forty men who participated as teachers in the first experiment, twenty-six of them, or 65 percent, administered the full range of shocks up to 450 volts

when told to do so. They had continued the shocks even though they were visibly uncomfortable doing so. They often had asked the authority figure about stopping the experiment. Not one of the forty participants refused to shock the learner until the shocks reached an agonizing 300 volts. In addition, the teachers who refused to administer the final shocks did not complain that the experiment was inappropriate or insist that it should be discontinued.

Milgram went on to design about twenty variations of this experiment. He found that women were slightly more likely than men to complete the shock series, that more teachers completed the shock series when the authority figure remained in the room, that fewer teachers completed the shock series when they had to physically place the learner’s arm on the shock device, and that about two-thirds of teachers completed the shock series regardless of their nationality or cultural background. He concluded that in a structured society, an innate need exists that causes one to obey authority, regardless of one’s cultural background and gender. Furthermore, he concluded that when people have little information about a situation, they tend to comply thoughtlessly to the demands of authority. Milgram

AGENTS OF PAIN AND SUFFERING

Stanley Milgram’s 1961 experiments showed that seemingly ordinary people could turn into obedient agents of torture, simply at the urging of someone deemed an authority figure. An excerpt from his 1974 book Obedience to Authority shows Milgram’s own dismay at the outcome of the experiments.

Many subjects will obey the experimenter no matter how vehement the pleading of the person being shocked, no matter how painful the shocks seem to be, and no matter how much the victim pleads to be let out. This was seen time and time again in our studies and has been observed in several universities where the experiment was repeated. It is the extreme willingness of adults to go to almost any lengths on the command of an authority that constitutes the chief finding of the study and the fact that most urgently demanded explanation. . . .

[O]rdinary people, simply doing their jobs, and without any particular hostility on their part, can become agents in a terrible destructive process.

wrote about his extended experiments in his book *Obedience to Authority* (1974). Several films, including the documentary *The Human Behavior Experiments* (2006) and the fictional television movie *The Tenth Level* (1975), addressed the experiments as well.

Milgram was strongly criticized for the psychological discomfort he allowed his teacher-subjects to feel during the experiments. He was denied tenure at Harvard, at least in part because of the controversy, and spent the remainder of his career at the Graduate Center of the City University of New York. He went on to study what he called the “small world” phenomenon. This research produced the concept of “six degrees of separation,” meaning that every person can connect with every other person around the globe through a small number (the average is six) of intermediaries. Milgram died of a heart attack at the age of fifty-one.

IMPACT

The Milgram experiments showed that under certain conditions, normal, average people (the teachers) were inclined to abdicate personal responsibility when obeying an authority figure, even when the actions demanded of them made them stressed and uncomfortable. In following the instructions of an authority figure, the individual (the teacher) came to see himself as blameless for inflicting pain upon another human being (the learner).

Milgram’s findings, which led to changes in the way military leaders are trained, also helped to explain how ordinary persons could commit atrocities such as the Holocaust; the My Lai massacre during the Vietnam War, in which many civilians were murdered; and the abuse and torture at Abu Ghraib prison during the Iraq War. In each case, the perpetrators excused their actions by saying that they were simply following orders.

—Martiscia S. Davidson

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March 29, 1962**BILLIE SOL ESTES IS ARRESTED FOR CORPORATE FRAUD**

Billie Sol Estes was one of the most successful businessmen in Texas during the middle of the twentieth century. However, his business was based on selling nonexistent fertilizer tanks to farmers and on defrauding lenders. The investigation became a major scandal especially because Estes claimed that Vice President Lyndon B. Johnson and other politicians benefited financially from his scheme.

LOCALE: Pecos, Texas**CATEGORIES:** Hoaxes, frauds, and charlatanism; banking and finance; business; corruption; government; politics**KEY FIGURES**

Billie Sol Estes (b. 1925), American businessman
John Dunn (b. 1926), doctor and newspaper owner

Lyndon B. Johnson (1908-1973), vice president, 1961-1963, and president of the United States, 1963-1969

SUMMARY OF EVENT

The arrest of Billie Sol Estes in 1962 was the culmination of a long period of fraud perpetration, first through a federal cotton subsidy program and then through borrowing on fertilizer tanks that did not exist. Estes defrauded lending institutions of millions of dollars by using the nonexistent tanks as collateral for multiple loans.

His scam was to sell tanks to farmers on an installment basis. The farmers, in turn, signed installment notes to pay for the tanks. Estes would take the notes to financial institutions and use them as security for loans. However, he used each note several times for several loans and ended up with more loans than notes from farmers. By the time his scheme was uncovered, Estes had obtained more than thirty thousand loans on eighteen hundred tanks of fertilizer.

Estes grew up in West Texas. His early life was

perhaps an indicator of how he would live his life as an older child and an adult. By the time he was sixteen years old, he had a reputation as a shrewd manipulator. By his thirtieth birthday he was a millionaire. Before his fortieth birthday he was in Leavenworth Federal Penitentiary.

Estes amassed his early fortune through the federal surplus-cotton program. His business ethics were questionable even as a youth. As a boy, he sold a cow to a farmer with the promise that the cow would produce four gallons of milk. The farmer later complained that the cow was not producing the expected quantity of milk. Estes shrewdly replied that he never stated how long it would take the cow to produce four gallons.

By the 1960's, Estes was the leading citizen of Pecos, Texas, and an active member of the local Church of Christ. He owned two airplanes and the most elegant mansion in town with a swimming pool and two tennis courts. He was so religious that when he invited guests to swim in his pool, men and women were not allowed to swim together. Men would swim first, followed by women, as prescribed by the precepts of the Church of Christ. In 1961, he ran for a position on the Pecos School Board with a platform that called for the elimination of dancing at all school functions and the requirement that cheerleaders wear longer skirts. He lost the election. He had been named one of the outstanding men of Texas, one of the ten most outstanding young men in the United States, and was a friend of former president Harry S. Truman and Vice President Lyndon B. Johnson. Estes's daughter, Pam, later wrote that her father had occasionally supplied Johnson with great wads of money.

Estes apparently was generous, always ready to help out those in need, but his generosity came with a price: recognition. A friend stated that Estes often supplied an airplane and pilot, at no expense, to take the sick to distant cities for specialized medical care. However, Estes made sure that the public

knew about such benevolence. Democratic politicians also were his beneficiaries.

Estes's fraud scheme was exposed by a former friend, John Dunn, a doctor and a member of the conservative John Birch Society. Dunn had purchased part interest in the local newspaper, a newspaper that did not support the liberal beliefs of Estes and his friends. Estes tried to defame the doctor and drive the newspaper out of business. Dunn began an investigation of Estes's activities and turned over his evidence to the Federal Bureau of Investigation and the U.S. Internal Revenue Service. Those records, some of which were stolen from Estes's own office, showed evidence of fraud totaling more than forty million dollars. The U.S. Department of Agriculture already knew of the accusations against Estes and had begun an undercover investigation in 1961.

On June 3, 1961, an investigator from the Agricultural Stabilization and Conservation Service, Henry Marshall, was found dead in his car. Despite the presence of five gunshot wounds in Marshall's body, the local justice of the peace attributed Marshall's death to carbon monoxide poisoning because a hose, attached to the exhaust pipe, was in the car along with the body. Marshall's body was buried without an autopsy. The suicide verdict was later overturned in 1979, when Estes testified that Johnson had ordered Marshall's murder out of fear that Marshall was close to uncovering the fraud. On March 29, 1962, Estes was arrested by federal officials.

Before Estes went to trial, a congressional investigation had been formed to determine whether Estes had received favored treatment from government officials. In the spring of 1963, Estes received a fifteen-year sentence following his conviction for fraud. He was paroled eight years later. As to why Estes perpetrated his fraud, one friend described him as a scared little boy with an inferiority complex. Estes's early motivation was a contempt for wealth. In the end, this contempt was reversed; he now glorified personal wealth and power.

Following his release from prison in 1971, Estes



Billie Sol Estes on the cover of Time magazine in 1962. (Courtesy, Time, Inc.)

was in trouble again. In 1979, he was convicted of tax fraud and concealment of assets and sentenced to another ten years in prison. He was paroled in November, 1983. His 1979 tax-fraud trial was related to the unreported profits from his sale of fertilizer tanks. Estes also claimed to have paid ten million dollars to Johnson as business expenses, but he had no proof of the payments. The result was conviction and another prison sentence. The relationship between Estes and Johnson might have been corroborated, or denied, by three men: George Krutilek, Harold Orr, and Howard Pratt. However, all three were found dead of carbon monoxide poisoning. Although never accused of murder, Estes left a trail of bodies. One person summarized Estes as a "scandal magnet extraordinaire"; he was often in trouble in some form or another.

In 1984, after having been out of prison for a few months, Estes approached the U.S. attorney general and offered to provide information on past crimes if he could be exonerated from liability on those crimes and receive a pardon for his past convictions. He claimed to have direct evidence of seven murders, including that of President John F. Kennedy, and claimed the murders were ordered by Johnson. In fact, Estes claimed there had been eighteen such murders, but he had evidence on only seven of them. He said that he, too, would have been killed were it not for certain audiotapes in his possession. The tapes allegedly included conversations in which the killings were ordered. However, the government did not pursue the matter, and the purported tapes have never surfaced.

IMPACT

Estes's fraud scheme led many to believe that big business in the United States was shady business. Accountants and auditors were affected because the case led to changes in auditing procedures. Both auditors and lenders had been misled by Estes with a shell game of switching identification plates on fertilizer tanks.

The fraud scheme and Estes's conviction affected politics as well. Estes claimed he made payoffs to many prominent politicians, including Johnson. The immediate political consequences included the election of a Republican to the U.S. House of Representatives from west Texas in 1962. Democratic incumbent J. T. Rutherford was defeated because of his ties to Estes.

—Dale L. Flesher

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SEE ALSO: 1919-1920: Ponzi Schemes Are Revealed as Investment Frauds; 1932: Insull Utilities Trusts Collapse Prompts New Federal Regulation; Nov. 28, 1967: Investor Louis Wolfson Is Convicted of Selling Stock Illegally; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; June 25, 2002: Internal Corruption Forces Adelphia Communications to Declare Bankruptcy; Sept. 12, 2005: Westar Energy Executives Are Found Guilty of Looting Their Company.

May 19, 1962

MARILYN MONROE SINGS “HAPPY BIRTHDAY, MR. PRESIDENT”

Film star Marilyn Monroe sang “Happy Birthday, Mr. President” to John F. Kennedy for his forty-fifth birthday celebration at Madison Square Garden in New York. Wearing a gown of sheer silk with shimmering beads and pearls, and singing in a sexy voice, Monroe’s rendition gave credence to rumors of a sexual relationship between her and the president, rumors that marred Kennedy’s legacy. The performance also led to added speculation about Monroe’s death from an overdose of barbiturates less than three months later.

LOCALE: New York, New York

CATEGORIES: Drugs; Hollywood; music and performing arts; politics; publishing and journalism; sex

KEY FIGURES

Marilyn Monroe (1926-1962), American film star and entertainer

John F. Kennedy (1917-1963), president of the United States, 1960-1963

Robert F. Kennedy (1925-1968), U.S. attorney general, 1961-1964

Peter Lawford (1923-1984), American actor, brother-in-law of President Kennedy

SUMMARY OF EVENT

On Saturday evening, May 19, 1962, glamorous film star Marilyn Monroe entered New York City’s Madison Square Garden dressed in a sheer, form-fitting gown with sparkling beads. She was running late, which was her habit, and she came on stage in a rush. Despite being congested and running a fever of 102 degrees from a sinus infection, she was radiant and smiling as she began to sing “Happy Birthday, Mr. President” to John F. Kennedy, the president of the United States. Her rendition has been described as breathless and sexually charged. The audience cheered as she began to sing and contin-

ued to do so throughout her performance.

Following the birthday song, Monroe sang a verse she had written to “Thanks for the Memory,” which lauded some of Kennedy’s victories in office. Then, raising her arms, she invited the audience to join in with their own verse of “Happy Birthday.” Kennedy thanked her after her performance, saying that he could finally retire from politics after hearing such a sweet song, sung in such a wholesome manner. Gossip columnists suggested that after a private party following the gala, Kennedy had spent the night with her.

The planning for this event had begun in the spring of 1962, as the Democratic Party needed to raise funds to pay back debts incurred during the 1960 presidential campaign as well as to raise more money for an even bigger campaign in 1963 for the next presidential election. Members of the Kennedy family, including the president, Robert, and actor Peter Lawford, the husband of their sister, Jean, held a number of planning meetings with Hollywood friends, ultimately deciding to hold a gala birthday party at Madison Square Garden for the president in May. The event would be a gathering of music and song and culminate with Monroe’s singing of “Happy Birthday.”

Monroe had been making plans to be part of the president’s birthday party since early in 1962, when she had been invited to meet the president and First Lady Jacqueline Kennedy at a party given by Peter and Jean Lawford in California. The Lawfords were close to the president, as were all the Kennedys. A second planning meeting was held in New York, with the final meeting in Palm Springs, California, at the home of entertainer Bing Crosby. In addition to Monroe, a number of celebrities had promised to attend, including Ella Fitzgerald, Henry Fonda, Jack Benny, and Harry Belafonte.

At the time of the scheduled party, Monroe had been in the middle of filming *Something’s Got to Give* at Twentieth Century-Fox Studios in Los An-

geles. Speculation and disagreement about Monroe's relationship with the studio had existed in the months and weeks before and immediately following her trip to New York. Some commentators said that Monroe thought she had permission from the studio to fly to New York; others said that studio executives let her know a few days before she was scheduled to leave that they objected to her leaving California. Indeed, they reportedly told Monroe that if she left Hollywood, she would be fired. Others suggested that both Peter Lawford and Robert Kennedy tried to negotiate with the studio executives on her behalf, but that her bosses were determined to keep her in Hollywood.

Filming started without Monroe, who missed a few weeks of work because of a bad cold that became worse. The film was nine days behind schedule at the time she flew to New York, desperate to attend the birthday celebration. Although she was in New York for just three days, she found a letter upon her return to Hollywood. The letter, from studio executives, expressed the studio's displeasure with her actions and warned her about further infractions of company rules. Still sick and unhappy over the threatened firing, it is possible that Monroe then called Robert Kennedy to intercede for her. She also might have called Peter Lawford.

Monroe had returned to work at the studio that Monday and was greeted by negative comments about her appearance, an exchange that had been televised, and by rumors that executives planned to fire her. By the beginning of June, she was sick again, her sinus infection perhaps exacerbated by stress and her increasing use of barbiturates and alcohol. By June 4, the studio told her she was being replaced; the film, though, was shelved after her departure and, given its ties to the chaos of Monroe's life that year, remains one of the most notorious unfinished films in Hollywood history.

Much has been written about what really happened in the days and months both before and after Monroe's New York birthday performance for Kennedy. Rumors included everything from sexual liaisons with the Kennedys to theories about Robert Kennedy being involved in Monroe's alleged suicide on August 5, 1962; gossip about the weekend of the gala was rife with innuendo as well.

Nevertheless, a few facts can be ascertained from a number of sources. The first is that the presidential birthday gala had been planned for several months and Monroe had always planned to attend. Second, her firing from the film could have come from the desires of a studio wanting to get rid of an actor who was becoming too expensive and too unreliable—and not from the studio's anger that she left Los An-



Marilyn Monroe singing "Happy Birthday" to President John F. Kennedy at Madison Square Garden. (Hulton Archive/Getty Images)

geles, and the film's production, for the party in New York. Third, her involvement with the president may have consisted of as few as four meetings, three of those meetings in the company of his family members. Also, she reportedly told confidants that her relationship with the president went no further than friendship.

IMPACT

Monroe's scandal-provoking Madison Square Garden performance also marked her final public appearance. The events of that summer were chaotic for Monroe: Hints of a physical and mental breakdown brought on by alcohol and drugs surrounded her before her death on August 5 at her home in Brentwood, California.

For Kennedy, the gala and its aftermath reinforced the public's perception of him as a flawed person willing to risk his marriage, reputation, and health by engaging in risky sexual liaisons. Most critics agree that he refused further contact with Monroe after the gala. His political life was very important to him, as was his image as a family man. Whatever the truth, within eighteen months of his birthday party, Kennedy was dead from an assassin's bullet.

—Julia Meyers

FURTHER READING

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September 12, 1962

BRITISH CIVIL SERVANT IS ARRESTED FOR SPYING

John Vassall became a spy for the Soviet Union after he was photographed having sex with other men and was subsequently blackmailed. On returning to London, he worked in the Admiralty, the government department in charge of all naval affairs, and also for a government minister, while continuing to supply the Soviets with classified naval documents. He was arrested, tried, and sentenced to eighteen years in prison, amid allegations of a more senior naval spy within the Admiralty.

LOCALES: Moscow, Soviet Union (now in Russia); London, England

CATEGORIES: Espionage; law and the courts; international relations; sex; government; politics

KEY FIGURES

John Vassall (1924-1996), civil servant in the British Admiralty and Scottish Office

Sigmund Mikhailsky (fl. 1960's), KGB agent

Sir William Hayter (1906-1995), British ambassador in Moscow, 1953-1957

T. G. D. Galbraith (1917-1982), conservative politician and government minister, 1957-1964

Cyril Radcliffe (1899-1977), attorney, who was chairman of the Radcliffe tribunal

Anatoli Golitsin (b. 1926), KGB agent working in Finland, who defected to the West

Yuri Nosenko (b. 1927), KGB agent working in Switzerland, who defected to the West

SUMMARY OF EVENT

John Vassall came from a family of Church of England clergy. After attending a succession of private schools, he worked in an office in London until volunteering for the Royal Air Force during World War II. He was trained as a photographer. After the war, in 1945, he joined the British civil service and was assigned to the Admiralty, the government department in charge of all naval affairs. He also was

gay, living in a society in which homosexuality was still deeply taboo and homosexual acts were punishable by law.

Vassall applied for a two-year post in the British embassy in Moscow, Soviet Union, and worked as a civilian clerk under the naval attaché. He often was lonely, and he was housed in an apartment block reserved for diplomats, closely observed by the Russian secret police, the KGB. Several of the Soviet employees at the embassy, including Sigmund Mikhailsky, were KGB agents as well. Vassall was later to confide in Mikhailsky. It was not long until Vassall received mysterious invitations to meet various Russians and received warm hospitality from people who turned out later to be KGB agents. He also enjoyed the capital's diplomatic social and cultural life and became increasingly detached from what he thought of as the very formal, cold life of the embassy. Even after a poor first work report there, he became increasingly trusted as a reliable clerk.

The KGB used Vassall's sexuality as a means for blackmail. They set up a compromising situation in which Vassall was reportedly drugged, given alcohol to make him drunk, and encouraged to act out certain sexual acts, which were photographed. On March 19, 1955, the trap was sprung. The KGB showed him the damaging photographs and proceeded to blackmail him, threatening him with exposure and prosecution. Vassall felt he could not go to the British ambassador, Sir William Hayter, a formal, traditional diplomat, nor to any senior embassy staff member.

Vassall became a pawn in the experienced and manipulative hands of the KGB. Under his Soviet minder, or supervisor, he was persuaded to give more and more information about the British embassy to the KGB. In return, agents arranged various vacations and trips for him. He naively believed that his return to London at the end of his tenure in Moscow would mark the end of the KGB's hold on him. This was not to be the case.

Vassall returned to London in March, 1956. It became clear to him that Soviet intelligence still desired his services, leading him to believe there was no escape. His British superiors gave him a job in naval intelligence in the Admiralty, an ideal post for KGB intelligence. Vassall supplied his Soviet minder with classified documents concerning naval defense, radar, torpedoes, and antisubmarine defense development. He would meet his minder every few weeks and give him documents that were photographed and returned. Later, Vassall photographed the material for the KGB himself. He then shifted jobs and began working for the Scottish Office under Conservative Party government minister T. G. D. Galbraith, giving him wide access to the House of Commons.

Russian diplomat Nikolai Karpekov became Vassall's new minder. Vassall returned to an Admiralty that was embroiled in another scandal, the Portland spy case, in which five Soviet agents had been caught spying on the British prototype nuclear submarine at the Portland Harbour naval base on the southern coast of England. The newest scandal at Portland brought orders for Vassall to cease operations early in 1961. However, he was ordered to resume operations later that year.

By the middle of 1962, the British authorities were alerted to Vassall's activities. A KGB defector, Anatoli Golitsin, had given MI5, the British counterintelligence department, names of British spies (and possible spies) working for the Soviets. Another defector, Yuri Nosenko, had both confirmed and contradicted this information. It was believed there were up to two Soviet agents in the Admiralty, and both defectors named Vassall as one of them. Some later suggested that the Soviets deliberately engineered the defection of Nosenko to protect a more senior Soviet spy in the Admiralty. This claim was made after a full confession by Vassall to the British police.

Vassall was closely observed and arrested on September 12. He pleaded guilty at his trial, which began in October, and was sentenced to eighteen years in prison. The Conservative government of Prime Minister Harold Macmillan was happy to let the details remain hidden, but under pressure from

the media and Labour opposition leader Hugh Gaitskell, Macmillan was forced to set up an official inquiry. The Radcliffe tribunal, as it was called, began in March, 1963, and was led by Cyril (Viscount) Radcliffe, a distinguished attorney. Vassall gave evidence to a limited range of questions, though he had to pay his own costs. The tribunal excoriated Vassall as lustful and greedy, but it left unanswered the question of just why Vassall was allowed into such dangerous political waters and why he had gone undetected for so long.

Vassall was released from prison after serving ten years of his sentence. He wrote his autobiography, *Vassall: The Autobiography of a Spy* (1975), adopted another name, and became an office clerk at the British Records Association. He died in 1996.

IMPACT

For Vassall, the spy scandal was a disaster. He was a weak person who craved society, friends, and the good life, and he had become a pawn in the Cold War games played by intelligence-gathering forces of the East and West. He was apolitical and a loyal convert to Roman Catholicism, and he was paralyzed by fear of exposure. His own account suggests he received only minor financial reward.

For the British government, the Vassall case marked another dent in its counterintelligence work, coming so soon after the Portland spy case. Golitsin had confirmed the existence of spies in high places in the British diplomatic service. Unlike previous Soviet spies, many of whom were covert communists, Vassall worked on his own and had no sympathy for the Soviet cause.

The Vassall scandal was soon followed by the Profumo affair, in which a British cabinet minister was implicated in a spy case that damaged the reputation of British security. The Profumo affair led to the resignation of Macmillan. In the end, British security was shown to be at the mercy of the extremely efficient KGB machine. In all this, Vassall suffered disproportionately. Other spies had escaped to Russia or were exchanged through diplomacy. In Vassall's case, the Soviets detached themselves completely from him after his arrest and conviction.

—David Barratt

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SEE ALSO: Oct. 26, 1962: West German Police Raid *Der Spiegel* Magazine Offices; Mar. 2-Sept. 25, 1963: John Profumo Affair Rocks British Government; Mar. 4, 1966: Munsinger Sex and Spy Scandal Rocks Canada; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Aug. 19, 1985: West German Counterintelligence Chief Defects to East Germany; Feb. 18, 2001: CIA Agent Robert Hanssen Is Arrested for Spying for the Russians; Mar. 2, 2003: U.S. National Security Agency Is Found to Have Spied on U.N. Officials; July 14, 2003: Columnist Robert Novak Leaks the Name of CIA Operative Valerie Plame; Jan. 21, 2006: British Politician Resigns After Gay-Sex Orgy; Nov. 23, 2006: Former Russian Security Service Officer Dies from Radiation Poisoning.

October 26, 1962

WEST GERMAN POLICE RAID *DER SPIEGEL* MAGAZINE OFFICES

Commonly described as one of the most serious domestic crises to confront West Germany, the unconstitutional occupation of the offices of the magazine Der Spiegel and the arrests of its publisher and several editors for publishing an article critical of the government attracted worldwide attention and prompted widespread protests. The affair damaged the careers and reputations of its chief government instigators but also demonstrated that the rule of law and respect for civil liberties had taken hold in West Germany's young democracy.

ALSO KNOWN AS: *Spiegel* affair

LOCALE: Hamburg, Federal Republic of Germany (now in Germany)

CATEGORIES: Law and the courts; publishing and journalism; civil rights and liberties; politics; communications and media

KEY FIGURES

Franz Josef Strauss (1915-1988), West Germany's minister of defense, 1957-1962
 Conrad Ahlers (1922-1980), *Der Spiegel* magazine's defense editor, 1954-1966
 Rudolf Augstein (1923-2002), *Der Spiegel* magazine's founder and publisher, 1947-2002
 Konrad Adenauer (1876-1967), chancellor of West Germany, 1949-1963
 Wolfgang Stammberger (1920-1982), West Germany's minister of justice, 1961-1962

SUMMARY OF EVENT

On October 8, 1962, *Der Spiegel* (the mirror), a highly popular West German newsmagazine with a reputation for reporting government abuses, published an extensive critique of the Federal Republic's military preparedness in the event of an attack by the Soviet Union and its Warsaw Pact allies. Written by Conrad Ahlers, *Der Spiegel*'s editor of

defense-related stories, and based on secret military documents apparently provided by a colonel in the West German army, the article reported on the poor performance of the Bundeswehr (the German army) at a North Atlantic Treaty Organization military exercise, Fallex 62. The article, "Conditionally Prepared for Defense," questioned West Germany's overreliance on U.S. nuclear forces, which in *Der Spiegel's* estimation had led those responsible for the Federal Republic's defenses to neglect conventional forces despite the enormous sums spent for military purposes.

Almost three weeks later, on October 26, federal police forces launched a midnight raid on *Der Spiegel* offices in Hamburg, Dusseldorf, and Bonn. Police confiscated files and proofs of the next issue of the magazine, and arrested six editors and executives, including Rudolf Augstein, *Der Spiegel's* esteemed founder and publisher. All were charged with high treason. Simultaneously, Spanish authorities, at the request of the West German military attaché, arrested Ahlers, who was vacationing with his wife at Malaga on the Spanish coast. Jailed for twenty-eight hours, Ahlers was returned to West Germany, though no extradition agreement for political crimes existed between the latter and Spain.

West German federal police also searched private residences of *Der Spiegel* staffers, ransacking them in an attempt to uncover incriminating evidence. Thus began the *Spiegel* affair, one of the most serious domestic political crises in West Germany's forty-year history.

The instigator of the raid was Franz Josef Strauss, the controversial minister of defense since 1957. Born in Munich in 1915, Strauss rose from humble origins to achieve prominence and power in post-World War II West Germany. He was a founding member of the Christian Social Union (CSU), a conservative Bavarian party that had been in alliance with Chancellor Konrad Adenauer's Christian Democratic Union (CDU) since the establishment of the Federal Republic in 1949. Ambitious and arrogant, Strauss's authoritarian proclivities and questionable behavior made him a frequent target—as was the Adenauer government as a whole—of *Der Spiegel* criticisms. Strauss interpreted "Condi-

tionally Prepared for Defense" as yet another unwarranted political attack by Augstein and thus ordered, with Adenauer's blessing, the raids, confiscations, and arrests that commenced on October 26. Strauss did not, however, inform Wolfgang Stammberger, the minister of justice. According to West Germany's constitution of May, 1949, Stammberger enjoyed exclusive authority to issue federal indictments, and he controlled the federal police.

The heavy-handed, highly unconstitutional actions of October 26, ominously reminiscent of the Nazi era, were perceived as exclusively political and therefore provoked a widespread public outcry. Sensing that the relatively new constitutional democracy and the civil liberties upon which it rested were in danger, West German newspapers lambasted the Adenauer government, declaring that it had humiliated itself and questioning whether a coup d'état had occurred. The intellectual community, especially university professors and students, also criticized the government and engaged in various protest activities, including demonstrations and sit-ins. In one location, Hamburg, seven to eight thousand university students gathered on successive nights outside the jail where Augstein was incarcerated to hear protest speeches.

Within the Bundestag, West Germany's parliament, angry elected deputies greeted Strauss, Adenauer, and Minister of the Interior Hermann Hoherl with cries of "Gestapo!" and "Neofascist!" and subjected them to three days of intense questioning (November 7-9). Government accusers not only failed to prove the charge of high treason leveled against Augstein and his *Der Spiegel* colleagues, but the minister of defense, after initially denying involvement, finally acknowledged his complicity by admitting that he had personally telephoned the Federal Republic's military attaché in Madrid and thereby set in motion the process that produced Ahlers's detention. Adenauer exacerbated the situation and damaged his own prestige even further when, while defending the government's actions, he accused Augstein of profiting by committing treason and downplayed the illegality of Ahlers's arrest and extradition from Spain.



University students in Munich call for the resignation of Defense Minister Franz Josef Strauss for his actions against *Der Spiegel*. The signs read, from left, "calls for Strauss's resignation" and "please sign here." (Hulton Archive/Getty Images)

IMPACT

On February 7, 1963, after 103 days in jail, Augstein was released, making him the last of those arrested to be freed. Prosecutors, however, would go after Augstein, and two other editors, with formal charges of treason in October, 1964, but those charges were dismissed in May, 1965, by West Germany's federal supreme court. The court cited insufficient evidence that *Der Spiegel* had published military secrets. Later, in August, 1966, the federal constitutional court, by a vote of 4-4, rejected the magazine's claim that the arrests and searches had violated the constitution. Even with this rejection, the federal court's ruling in the case led to increased press freedom in West Germany.

For Strauss and Adenauer, the *Spiegel* scandal did grave damage to their political careers and reputations. On November 19, 1962, in the wake of the initial Bundestag hearings, the Free Democratic Party (FDP) withdrew its five ministers, including Stammberger, from Adenauer's cabinet and announced its intention to go into opposition unless the elderly chancellor dismissed Strauss. Faced with the prospect of losing power, Adenauer agreed to replace Strauss and promised he would not remain in office beyond 1963. The *Spiegel* affair sullied irredeemably Strauss's reputation and effectively ended any chance he had to become chancellor, a position for which he had been frequently mentioned prior to the scandal. Adenauer, West

Germany's first chancellor and the person who had done so much to shape the Federal Republic's development, both domestically and internationally during the first decade-plus of its existence, resigned on October 15, 1963, the *Spiegel* scandal obscuring much of what he had accomplished since 1949.

Beyond the immediate political crisis it produced, and the damage done to Strauss and Adenauer, the *Spiegel* affair represented a telling moment in the history of West Germany. Founded in May, 1949, a child of allied occupation and the Cold War, the Federal Republic was twentieth century Germany's second experiment in political democracy and representative government, the first being the Weimar Republic of 1919 to 1933, which had never achieved a consensus among the German population and had thus been destroyed easily by Adolf Hitler and the Nazi movement.

The illegal and unconstitutional actions against *Der Spiegel* initiated by Strauss and approved by Adenauer constituted a direct violation of the rule of law and the basic civil liberties, freedom of the press in particular, upon which the Federal Republic was theoretically based. That these actions had engendered a hue and cry throughout West Germany, that the intellectual community and elected delegates to the Bundestag had rallied in support of the rule of law and basic civil liberties and thereby forced Strauss and Adenauer, for all intents and purposes, to admit their guilt, and that the federal supreme court ultimately exonerated all those falsely accused of treason demonstrated conclusively that Bonn (capital of the Federal Republic) was not Weimar.

—Bruce J. DeHart

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SEE ALSO: May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Nov. 9, 1976: German Generals Must Retire for Supporting a Neo-Nazi Pilot; Apr. 25, 1983: German Magazine Publishes Faked Hitler Diaries; Aug. 19, 1985: West German Counterintelligence Chief Defects to East Germany; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim's Nazi Past Is Revealed; Dec. 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed; Aug. 12, 2006: Novelist Günter Grass Admits to Youthful Nazi Ties.

February 23, 1963

PLAY ACCUSES POPE PIUS XII OF COMPLICITY IN THE HOLOCAUST

*At the height of the Cold War, Rolf Hochhuth's play *The Deputy* accused Catholic pope Pius XII of complicity in Nazi Germany's extermination of Jews during World War II. The play's thesis was widely accepted and resulted in the publication of numerous anti-Catholic polemics. The validity of Hochhuth's claims was undermined by the release of numerous Vatican documents and the revelation of the play's links to a Soviet disinformation campaign against the Catholic Church.*

LOCALE: Berlin, Germany

CATEGORIES: Performing arts; publishing and journalism; religion

KEY FIGURES

Rolf Hochhuth (b. 1931), German playwright
Pius XII (Eugenio Maria Giuseppe Giovanni Pacelli; 1876-1958), Roman Catholic pope, 1939-1958

SUMMARY OF EVENT

German playwright Rolf Hochhuth's *The Deputy: A Christian Tragedy* debuted in Berlin on February 23, 1963. The five-hour play, originally written and published as *Der Stellvertreter: Ein Christliches Trauerspiel* (1963), was staged in English in Great Britain at the Royal Shakespeare Theatre later that year. It was staged (in an abridged form) on Broadway in New York in 1964. *The Deputy* accused Roman Catholic pope Pius XII of acquiescing to Nazi Germany's murder of Europe's Jews during World War II to protect the Catholic Church's financial interests.

Although a work of fiction, the play's thesis is that the pope, the central figure of Western Christian civilization, kept silent about one of human history's greatest crimes—the Holocaust. Hochhuth attributes such indifference to the pope's cold per-

sonality, German sympathies, and fears about the future of the Church. The play's thesis was accepted by most left-leaning intellectuals and artists in Europe and the United States, many of whom condemned the Church for other reasons as well. Indeed, many of the play's supporters were themselves liberal Catholics or former Catholics.

The play inspired a debate among historians regarding the role of the Vatican during the Holocaust and World War II. A variety of historians point out that Pius XII personally intervened to save Jews in Italy, hid Jews in the Vatican itself, directed others to aid Jews, was perceived by Nazi leaders as pro-Jewish, and was widely praised by Jews in the years immediately after the war for his assistance.

Even more damaging to the reputation of Hochhuth's play was the revelation by a former Romanian communist spymaster, Ion Mihai Pacepa, of the play's close links to a Soviet disinformation campaign against the Vatican. The campaign was designed to undercut the Church's moral standing in Western Europe and the United States in the context of Cold War propaganda. Following the failed effort to frame Hungary's cardinal and the fiasco surrounding the arrest of Poland's cardinal, the Catholic Church had enjoyed significant public sympathy as a victim of communist persecution. In 1960, the KGB began a major effort to create propaganda in the West portraying Catholics in general and Pius XII in particular as Nazi sympathizers who had remained silent in the face of the Holocaust or even aided the Nazi regime. The effort to write and promote *The Deputy* was part of a much larger effort, but was overseen at a high level by the KGB and Eastern bloc intelligence agencies.

Prior to the play's debut, Hochhuth was virtually unknown as a literary figure. He claimed to have taken a leave of absence from his job, traveled to Rome, interviewed bishops, and viewed otherwise

secret Vatican archives to which no other scholar or member of the public had had access. Instead, it is likely that Hochhuth was given the general outline of the play and routine documents stolen from Vatican archives by Romanian agents at the behest of the KGB that had little incriminating value but which might seem suggestive to average readers. The play was brought to the Berlin stage by director Erwin Piscator, a long-time communist who had spent the war years in the Soviet Union before emigrating to the United States under mysterious circumstances.

The most popular work supporting Hochhuth's thesis about Pius XII was John Cornwell's 1999 book *Hitler's Pope*. Cornwell and others critical of the Catholic Church adopted approaches and language directly from Hochhuth's play. At the heart of their case were two main items: the Concordat signed between Germany and the Vatican while Eugenio Pacelli, the future Pius XII, was papal nuncio in Germany, and the history of anti-Jewish polemics by various Christian leaders over the centuries.

Although widely acclaimed by Pius XII's detractors, Cornwell's book was attacked in numerous scholarly reviews for false and misleading claims, inaccurate use of primary documents, selective reading of secondary literature, and misquoting of both living and deceased witnesses. Reviewers also pointed out that Cornwell's claims of using previously unknown documents were false, as all the documents he cited were previously published and known to scholars.

IMPACT

Despite its fundamentally unscholarly character, *The Deputy* significantly shaped both scholarly and popular perceptions of the Catholic Church's role during World War II. The play has done so for Catholics as well as non-Catholics. To this day, the general public perception is that Pius XII either remained silent or aided the Nazis, conclusions strongly at variance with the historical record. Many scholars, particularly those unversed in the actual Vatican documents, have accepted this view at face value, supported by a few works such

Cornwell's heavily criticized book, *Hitler's Pope*. Indeed, as Rabbi David Dalin points out in his book *The Myth of Hitler's Pope* (2005), the continuing salience of the issue has much to do with the rancor felt by many former Catholics, such as Cornwell, toward the allegedly conservative papacy of John Paul II (1978-2005) and its unwillingness to loosen Church teaching on priestly celibacy, the ordination of women, abortion, and other issues in the manner they would have liked.

At the same time, scandal created by Hochhuth's play resulted in a massive publishing effort and forced the Vatican to release large quantities of documents that would have otherwise remained secret for many years. As a result, the papacy of Pius XII is one of the best documented of modern times.

Finally, the popularity of the play made Hochhuth something of a celebrity. Although his later plays, including one based on the work of Holocaust revisionist David Irving, have had far less acclaim, *The Deputy* has been published in some twenty languages and remains one of the best known German plays of the postwar era.

—John Radzilowski

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Rychlak, Ronald J. *Hitler, the War, and the Pope*. Huntington, Ind.: Our Sunday Visitor Press, 2000. The author, a professor of law, examines the controversy from many perspectives to refute the claims made against Pius XII and the role of the Church in World War II.

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Calif.: Salem Press, 2008. An extensive review and analysis of *The Deputy* and its place in the context of literature on the Holocaust. Part of a two-volume set in the Magill's Choice series.

SEE ALSO: Mar. 26, 1922: Hindemith's Opera *Sancta Susanna* Depicts a Nun's Sexual Desires; 1927: Mae West's Play About Gays Is Banned on Broadway; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Dec. 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed; Jan. 6, 2002: *Boston Globe* Reports on Child Sexual Abuse by Roman Catholic Priests; Sept. 30, 2005: Danish Newspaper's Prophet Muhammad Cartoons Stir Violent Protests; Aug. 12, 2006: Novelist Günter Grass Admits to Youthful Nazi Ties.

March 2-September 25, 1963

JOHN PROFUMO AFFAIR ROCKS BRITISH GOVERNMENT

A high-ranking government official, a beautiful show girl, a whiff of communist espionage, concerns over breached national security, and the fall of the mighty defined a scandal in the British government that became sensational tabloid news in 1963. In the end, the Conservative Party lost its hold on government, a doctor committed suicide, and John Profumo, secretary of state for war, lost his job.

LOCALE: London, England

CATEGORIES: Espionage; government; politics; public morals; sex

KEY FIGURES

John Profumo (1915-2006), British secretary of state for war

Christine Keeler (b. 1942), model

Stephen Ward (1912-1963), osteopath

Harold Macmillan (1894-1986), British prime minister, 1957-1963

SUMMARY OF EVENT

The actual drama that would unfold as the Profumo affair involved beautiful women, adultery, sex for hire, and the fall from power of the rich and blessed. It also included a prominent London doctor who may or may not have been a Soviet spy but who was surely something of a pimp, and it included gunplay by a minor actor, a flight from the law, suicide, and redemption.

By most accounts the story began in January of 1961 when John Profumo, secretary of state for war and on the fast track to leadership of the British Conservative Party, met aspiring London model-actor Christine Keeler at a gathering at the home of Viscount William Astor. Keeler, who maintained that she had shared a drink with Profumo at an earlier party, was present as one of the companions of Stephen Ward. Ward was a prominent London osteopath who was known for giving grand parties and surrounding himself with young and glamorous women whom he often introduced to

his friends in Britain's ruling class.

Although Profumo was married at the time to an established actor, Valerie Hobson, he began a brief but torrid affair with Keeler. The affair ended in less than one month, and—given the discretion with which the British press then treated rumors involving the private lives of the politically influential—the story would have ended before it really began had it not been for the fanfare that soon engulfed the lives of both Keeler and Ward.

From the moment that the story broke across the front pages of the British tabloids and serious press alike, the affair had the ingredients of a miniseries or feature film. Keeler's life at the time of the affair was crisscrossed with contacts, sexual and otherwise, and with abusive and violent characters, including an acquaintance who fired a bullet into the door of Keeler's residence. The incident drew a significant amount of public attention to her private life. That life also included—at the same time that she was having an affair with Profumo—a sexual relationship with Yevgeny Ivanov, the senior naval attache at the Soviet embassy in London who was later confirmed to have been involved in espionage activities while in England. Ivanov's acquaintanceship with Keeler, like that of Profumo, was the product of an introduction by Ward.

On March 2, 1963, a member of the Labour Party expressed his fears of a possible compromise of British national security. He asked Profumo to answer a variety of charges, including whether he had compromised state secrets or assisted Keeler in an escape to Spain to avoid testifying against her acquaintance in the shooting case. On March 22, Profumo answered the charges, categorically denying he had revealed state secrets or abetted anyone in evading the law. In both instances he was telling the truth, but his statement also included a denial of any "impropriety" in his relationship with Keeler, a lie shortly ferreted out by the press. Caught in his



John Profumo. (Hulton Archive/Getty Images)

fabrication, on June 5 Profumo submitted his resignation to Prime Minister Harold Macmillan.

Three days after Profumo's resignation, Ward was arrested by British authorities and charged, but not with espionage. He had been living on the earnings of his stable of "friends," Keeler and Marilyn "Mandy" Rice-Davies, who were nineteen and sixteen years old, respectively. In what amounted to pimping, Ward had demanded money from the "dates" he arranged for the young women. Publicly disgraced and abandoned by his influential contacts, Ward took his own life on August 3, the last day of his trial before the jury was to deliberate on the case against him.

Keeler continued as a quasi-celebrity for some time, and she occasionally resurfaced. In 1989, she appeared in public when *Scandal*, a film about the affair that was based on her 1989 book of the same title, made the rounds of theaters in Britain and North America and, in 2001, she published her autobiography *The Truth at Last: My Story*. In 2007, the play *Keeler*, based on the autobiography and authorized by Keeler, opened in London.

Profumo's political career ended in June of 1963, but his public service career remained intact. Although he still had powerful friends within Britain's establishment and the career options of the indepen-

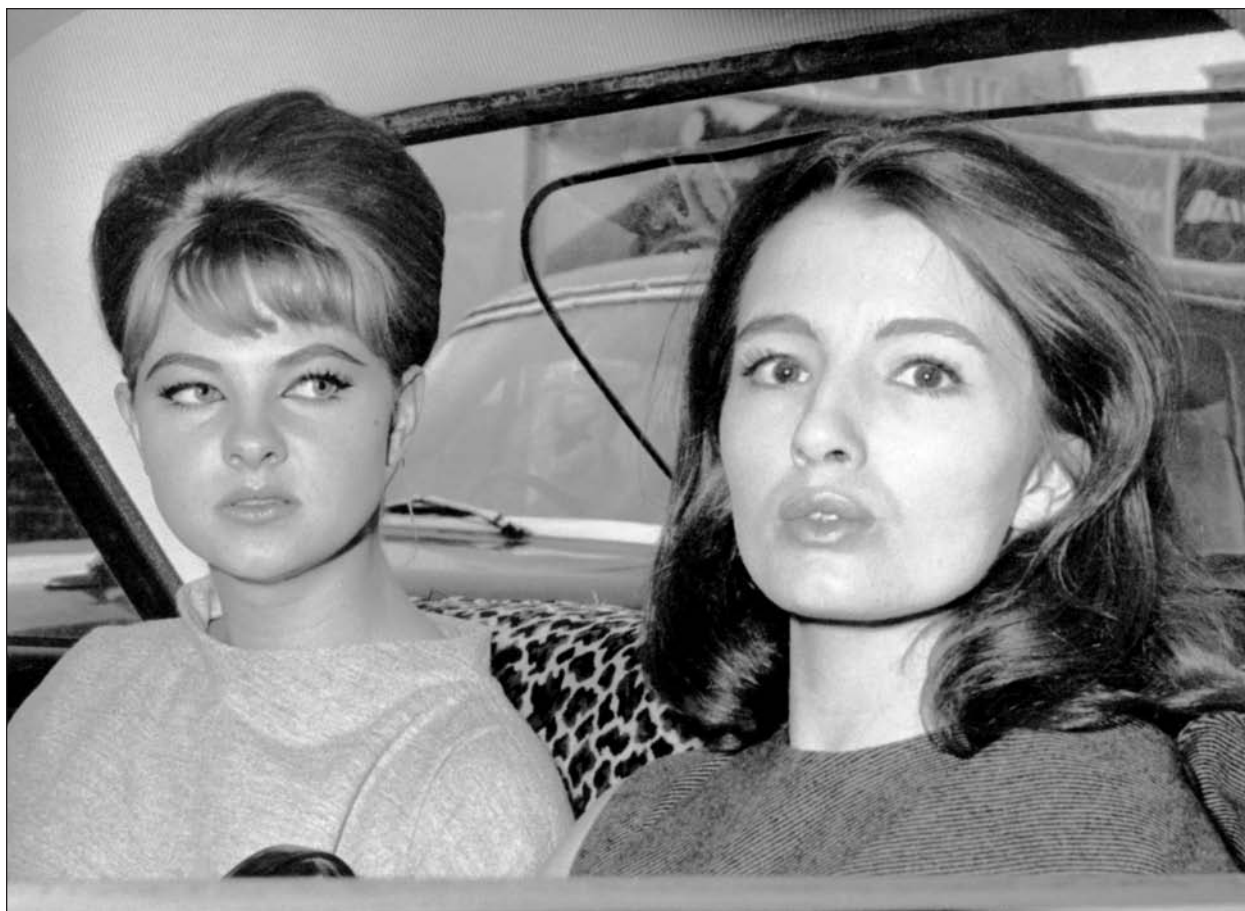
dently wealthy, Profumo began to literally clean toilets at Toynbee Hall, a charitable organization located in London's poor, east end district. Eventually he was persuaded, and it was evidently a hard sell, to move from that job into the organization's administration, where he spent the rest of his active life helping Toynbee Hall function and raising funds for its work.

In 1975, Queen Elizabeth II recognized Profumo's good works by making him a Commander of the Order of the British Empire, and shortly before his death he received an even greater honor: In 2003, he was awarded the prestigious Beacon Fellowship Prize for his work at Toynbee Hall in combating the social deprivation of London's working classes and poor.

IMPACT

The Profumo affair had no direct effect on the Cold War or the ceaseless game of espionage and counterespionage during that period in world history. Even if Ward was an agent of the Kremlin seeking intelligence relating to the operations of the North Atlantic Treaty Organization, no vital information was compromised. An exhaustive investigation led by Lord Alfred Denning and including the participation of Federal Bureau of Investigation director J. Edgar Hoover, made that clear when it released its report on September 25, 1963. The scandal nonetheless affected the British system of government.

In the short term, the Profumo affair tainted the Conservative Party's image and was at least partially responsible for the loss of the conservatives'



Christine Keeler, right, and Mandy Rice-Davies after the first day of court in the criminal trial of Stephen Ward. (Hulton Archive/Getty Images)

power in government. Health problems caused Macmillan to step aside as prime minister in favor of Alec Douglas-Home in October of 1963, and the Conservative Party was defeated by Harold Wilson's Labour Party in Britain's 1964 general election.

The long-term impact of the Profumo affair is more elusive and difficult to pinpoint. Unlike the U.S. political system, there is no written constitution to limit the powers of the British government, nor is there a federal division of power between the central government in London and the lower levels of government in the realm; nor is there a separation of powers between the executive and legislative branches to help keep that central government in check. Indeed, until the United Kingdom joined the European Community (now the European Union) during the early 1970's, the majority in the House of Commons could do what it desired. What confers legitimacy on this system in Britain is thus not a system of checks and balances designed to discourage abuses of government power but the bond of trust between the government and the governed. The lynchpin of that trust is the unwritten rule of British politics that the country's political leaders will not lie to the public. In asserting that there was no impropriety in his relationship with Keeler, Profumo broke that cardinal rule. In resigning, he validated the rule's continuing vitality as a fact of British political life.

—Joseph R. Rudolph, Jr.

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July 2, 1963

MUSLIM LEADER ELIJAH MUHAMMAD IS SUED FOR PATERNITY

Elijah Muhammad, leader of the Nation of Islam, the major Black Muslim organization in the United States, was sued by two of his young secretaries for paternity, beginning a national scandal. Muhammad and second-in-command Malcolm X severed their personal and professional relationship over major disagreements about how to handle the lawsuit and other related issues. Some believe that this rift led to the assassination of Malcolm X in 1965.

LOCALES: Los Angeles, California; New York, New York

CATEGORIES: Law and the courts; social issues and reform; women's issues; murder and suicide; religion

KEY FIGURES

Elijah Muhammad (1897-1975), leader of the Nation of Islam

Malcolm X (1925-1965), future leader of the Nation of Islam

Wallace Dodd Fard (1891-1934), founder of the Nation of Islam

SUMMARY OF EVENT

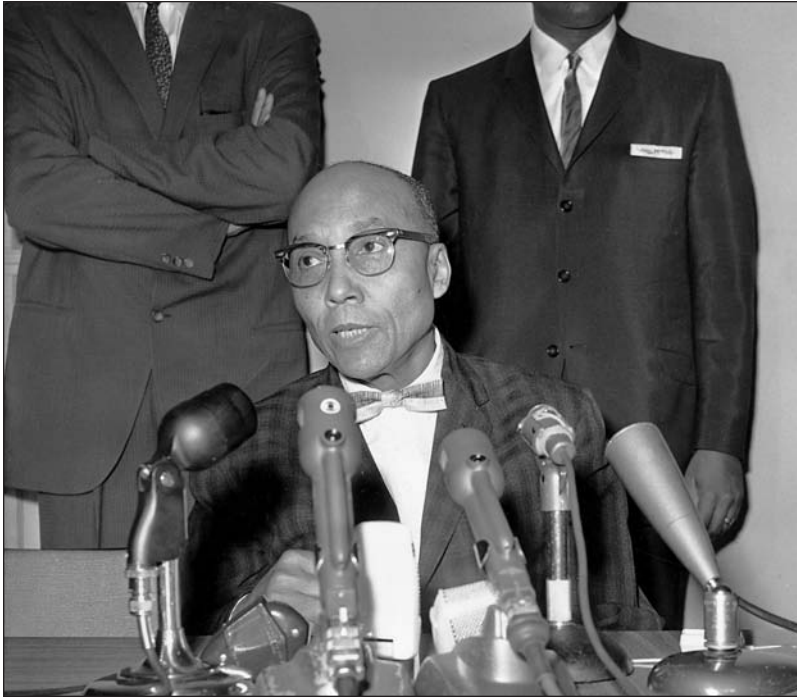
During the early 1930's, Elijah Muhammad was overcome by the teachings of Wallace Dodd Fard, preacher of the Allah Temple of Islam in Detroit, Michigan. Fard's message was that it was time for blacks to return to the religion of Islam and work for the social, economic, and spiritual betterment of African Americans. Muhammad, formerly known as Elijah Poole and later named Elijah Muhammad by Fard, embraced the faith and convinced his family, which included eight children, to do so as well. Fard, who founded the Nation of Islam in 1930, taught that blacks were on Earth before whites but had been tricked and subjugated by whites. Fard's words continued to influence the teachings of the

Nation of Islam, which Muhammad would lead when his mentor disappeared in 1934.

Future Black Muslim leader Malcolm X, formerly Malcolm Little, first encountered Elijah Muhammad's teachings while in prison during the early 1940's. He became a convert to the church, changed his name to signify his new allegiance, and was befriended by Muhammad, who also became his mentor. Eventually, Malcolm X became second in command in the Nation of Islam leadership. The dynamic young leader worshiped Muhammad unquestioningly at first, believing his mentor had been chosen by God to lead the Nation of Islam.

During the mid-1950's, Muhammad came under suspicion for adultery. During the next dozen years, several of his underage and unmarried secretaries became pregnant. During the early 1960's, speculation began about who had been getting the girls pregnant. Many believed that Malcolm X was the father. One of the girls was notified that she must face "trial" for her violation of the principles of the Nation of Islam. Malcolm X remained unaware of his reputed part in her pregnancy. Worried about the young woman's lost reputation and thinking she had been seduced by an outsider, Malcolm X was shocked to find out that rumors held him to be the father.

Malcolm X began an investigation. Many Nation of Islam secretaries were friends of his, and he had recommended them for their jobs. He even found that his wife was offered a secretarial job by Muhammad two days before she and Malcolm X eloped. He was horrified to think of the number of girls and young women he had exposed to an adulterer—he even considered himself little better than a procurer for Muhammad. He confronted Muhammad, suggesting that the congregation be told about the pregnancies so that faults could be acknowledged and addressed. Muhammad was sympathetic to Malcolm X's suggestions but said that he was



Elijah Muhammad. (AP/Wide World Photos)

conforming to prophecies that allowed for sexual transgressions, such as those of the biblical figures David, Noah, and Lot. Muhammad declared that he was following in the path of other biblical prophets. In the end, Muhammad did nothing to calm the rumors, continuing to visit two of his mistresses and former secretaries regularly.

Malcolm X found that the more he discovered about the rumors, the more complicated the problems became. The Federal Bureau of Investigation (FBI), which had a strong interest in investigating and discrediting Muhammad, had been conducting its own investigation of Muhammad since early 1960. FBI agents visited Lucille Rosary, one of Muhammad's former secretaries, who had had more than one child with her employer, to attempt to get more information on Muhammad. Rosary told Malcolm X of the visit, and Malcolm grew alarmed, rightly fearing that the FBI intended to use Muhammad's transgressions as a chance to discredit the Nation of Islam as a whole.

In April, 1963, Warith Deen Muhammad, one of Muhammad's sons, told Malcolm X that his father

had made six of his secretaries pregnant and that two were filing paternity suits against him. The two women, whose lawsuits were filed in a Los Angeles court on July 2, 1963, told Malcolm X later that Muhammad had frequently derided and spoken against him in their presence.

Heartbroken at the betrayal, Malcolm X believed he had no choice but to acknowledge the scandal, before the congregation as well as the press, and to withdraw from the daily happenings of the church. When Muhammad heard of Malcolm X's break from the church, he barred him from preaching for ninety days. On March 8, 1964, Malcolm X formally announced his resignation from the Nation of Islam. Days later he formed his own group,

Muslim Mosque, Incorporated, then formed the more secular Organization of Afro-American Unity, which stayed close to some of the tenets of the Nation of Islam but modified others, such as advocating the politics and economics of Black Nationalism.

Angered by Malcolm X's actions and words, Muhammad began to speak out against his former friend and colleague. A member of the Seventh Temple of the Nation of Islam then confirmed to Malcolm X what he already knew—that his life was in danger because of his break from Muhammad. FBI investigations continued to plague Malcolm X as well. In January, 1965, he visited the two young women who had filed paternity suits against Muhammad. The women eventually would drop their suits out of frustration; they had been unable to secure subpoenas on Muhammad.

On February 14, Malcolm X's house was fire-bombed. One week later, on February 21, he was shot to death by multiple assassins, all affiliated with the Nation of Islam. One of the assailants had rushed toward him at a gathering at the Audubon

Ballroom in Harlem and shot him in the chest with a sawed-off shotgun, and two others shot him with handguns. In all, he had been shot sixteen times and died by the time he arrived at New York's Columbia Presbyterian Hospital.

Malcolm X's funeral at the Faith Temple Church of God in Christ in Harlem, New York, on February 27 was attended by more than one thousand mourners. The rumor that Muhammad had ordered the assassination plagued him until his death in 1975. Perhaps exacerbating the rumor were his words to his congregation at its annual Saviours' Day convention, also in February. Muhammad said, "Malcolm X got just what he preached." Later testimony suggested, however, that an FBI agent named John Ali, who had infiltrated the Nation of Islam and acted as its secretary, also had played a part in arranging the assassination. Any direct connection between Muhammad and Malcolm X's assassination was never proved.

IMPACT

Muhammad was not a stranger to scandal. In 1942, he had been arrested under charges of sedition and violation of the Selective Services Act and sentenced to four years in a federal prison. It was in this prison that he met Malcolm X. In later life, one of Muhammad's sons was arrested and convicted on a drug charge while another, Wallace Muhammad, succeeded his father in running the organization. Louis Farrakhan, a member of the Nation of Islam who had initially called for Malcolm X's death, broke from the younger Muhammad when he instituted some of the reforms Malcolm X had suggested.

Even after Muhammad's death, scandal would continue to plague the Nation of Islam. Under the guidance of his son, Warith Deen Muhammad (who died in September, 2008), the Nation of Islam moved closer to the model of Sunni Islam and even accepted white people into its congregations, changing its name to the Muslim American Society. Numerous splinter groups, such as the Five Percenters, whose beliefs were even more radical

than those of the original group, arose as a result of the mainstream move of the Nation of Islam.

—Catherine Rambo

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August 14, 1963**MADAME NHU DERIDES SELF-IMMOLATION OF VIETNAMESE BUDDHISTS**

With rising American criticism of the war in Vietnam tied to the insensitivity of the South Vietnamese government to Buddhist protests against government repression, national assembly member Madame Nhu scandalized readers in the United States when she defiantly called the self-immolation of protesting Buddhist monks a “monk barbecue show.” Her words, published in a letter to the editor in The New York Times, contributed to U.S. support for a coup against President Ngo Dinh Diem, Madame Nhu’s brother-in-law.

LOCALES: New York, New York; Saigon, South Vietnam (now Ho Chi Minh City, Republic of Vietnam)

CATEGORIES: Publishing and journalism; politics; international relations; social issues and reform; government; violence

KEY FIGURES

Madame Ngo Dinh Nhu (Tran Le Xuan; b. 1924), member of the national assembly of South Vietnam, 1956-1963

Ngo Dinh Nhu (1906-1963), member of the national assembly of South Vietnam, 1956-1963, and key adviser to President Ngo Dinh Diem

Ngo Dinh Le Thuy (1945-1967), daughter of Madame Nhu

Ngo Dinh Diem (1901-1963), president of South Vietnam, 1955-1963

Henry Cabot Lodge, Jr. (1902-1985), U.S. ambassador to South Vietnam, 1963-1964, 1965-1967

David Halberstam (1934-2007), Saigon-based reporter for *The New York Times*

SUMMARY OF EVENT

Vietnam gained independence from France but was divided into a communist-ruled North Vietnam and

a republican South Vietnam in 1954. Since that time the United States supported South Vietnam and its Roman Catholic president, Ngo Dinh Diem. By early 1963, Diem faced increasing Communist Party aggression in his country. On May 8, in the South Vietnamese city of Hue, republican forces clashed with Buddhist protesters—six Buddhists and two Catholics were killed. The U.S. government, along with President John F. Kennedy, was displeased with Diem’s stubborn decision to blame the communists—who were likely not involved—for the violence, and by Diem’s ensuing lack of reconciliation with Buddhist protesters. U.S. diplomats feared that Diem was unnecessarily adding new enemies and fueling conflict between his country’s Catholic minority and Buddhist majority.

The most outspoken defender of the shaky thesis of a communist-Buddhist link was Madame Ngo Dinh Nhu, a national assembly member who was married to President Diem’s brother and senior adviser, Ngo Dinh Nhu. As self-styled First Lady of South Vietnam, the beautiful Madame Nhu, fluent in French and with serviceable English, was admired by fellow Vietnamese for speaking with Americans as her equals. Self-confident and blunt, Madame Nhu fascinated, exacerbated, and antagonized U.S. diplomats. She had the same effect on young American reporters such as David Halberstam of *The New York Times*. Indeed, Halberstam had developed a visceral hatred of Madame Nhu.

On June 8, Madame Nhu denounced the Buddhist protesters as dupes of the communists, leading Halberstam to call her comment a disastrous escalation of antagonism. A top U.S. diplomat, William Trueheart, complained to President Diem about Madame Nhu. The stage was set for Americans to now consider her the “dragon lady” of South Vietnam, an epithet also misogynistic and stereotypical. On June 11, Buddhist monk Thich Quang Duc, who was seventy-three years old, burned himself to death on a busy street in Saigon (now Ho Chi Minh

City). Americans began to look at Madame Nhu's hardline approach, shared by her husband, as a severe impediment to the war effort against the communists.

A second Buddhist monk burned himself to death on August 5. Around this time, Madame Nhu's eldest daughter, seventeen-year-old Ngo Dinh Le Thuy, who was fluent in English, overheard American reporters at a bar in Saigon referring to the immolations as "monk barbecues." Hearing about this from Le Thuy, Madame Nhu made the catastrophic decision, as she later told her American audiences on October 11 and 12 at Fordham and Columbia Universities, to use this same words as ridicule to stop the monk suicides.

In a letter to the editor of *The New York Times*, written August 11 and published August 14, Madame Nhu acknowledged that she had said, "I would clap hands at seeing another monk barbecue show." She defended her caustic words as necessary to "electroshock" the world so that it would "come better to understand the reality of the situation." Madame Nhu's letter had the opposite effect. Americans were infuriated, and *The New York Times* ran an editorial in the same issue that condemned her as "callous and self-defeating." *Newsweek* magazine included the quotation in its August 19 issue, and other American print media picked up on her caustic words, reporting, also, that she had said that the unpatriotic monks had used imported gasoline and that she would gladly provide gasoline if the monks wanted to hold another barbecue.

The repressive nature of the South Vietnamese government became even more clear to Americans when two more monks burned themselves to death, on August 13 and 18. After Ngo Dinh Nhu's special forces raided Buddhist pagodas on the night of August 21, the new U.S. ambassador, Henry Cabot Lodge, Jr., advised Diem to get rid of the Nhuses, Madame Nhu included. Adding to the scandal was the

August 22 resignation of her protesting father, Tran Van Chuong, as South Vietnam's ambassador to the United States. He subsequently lashed out in public against his daughter.

On September 9, Madame Nhu left Saigon for a tour abroad, ostensibly to attend the fifty-second Inter-Parliamentary Union meeting in Belgrade, Yugoslavia (now in Serbia). In a pattern that would repeat itself throughout her European and American goodwill tours, Madame Nhu was alternately contrite and infuriatingly outspoken.

In Belgrade on September 11, Madame Nhu angered Americans again by calling President Kennedy an appeaser of the political left. A day later, Madame Nhu showed how deeply wounded she

OBSERVATIONS ON SELF-IMMOLATION

On June 11, 1963, Buddhist monk Thich Quang Duc protested the Diem administration's killing of several South Vietnamese monks in May of that year by setting himself on fire. Reporter David Halberstam witnessed the scene, documenting it for The New York Times. Madame Nhu's crass commentary on the self-immolation follows.

Flames were coming from a human being; his body was slowly withering and shriveling up, his head blackening and charring. In the air was the smell of burning human flesh; human beings burn surprisingly quickly. Behind me I could hear the sobbing of the Vietnamese who were now gathering. I was too shocked to cry, too confused to take notes or ask questions, too bewildered to even think. . . . As he burned he never moved a muscle, never uttered a sound, his outward composure in sharp contrast to the wailing people around him.

Madame Nhu, in response:

What have the Buddhist leaders done comparatively . . . the only thing they have done, they have barbecued one of their monks whom they have intoxicated, whom they have abused the confidence, and even that barbecuing was done not even with self-sufficient means because they used imported gasoline.

Source: Halberstam, The Making of a Quagmire (New York: Random House, 1965). Madame Nhu quoted in "Vietnam: A Television History," on the PBS television series The American Experience (Boston: WGBH Educational Foundation, 1963).



Madame Nhu. (Hulton Archive/Getty Images)

was by the personal criticism leveled at her and how resentful she was of U.S. interference in her country. Asked later if she would visit the United States, she likened herself to a Vietnamese dragonfly who would only stay where she was happy.

It appeared that Madame Nhu was gaining some support in Belgrade. Upon the invitation of U.S. representative Katherine St. George, she had lunch with a group including U.S. senator Edward M. Kennedy. In Rome on September 22, however, she made another fateful public relations gaffe. Interviewed by the American Broadcasting Company, she referred to junior U.S. military officers in Vietnam as “little soldiers of fortune” who “don’t know what is going on.” This comment so infuriated Ambassador Lodge that he came to call it an incomprehensible, cruelly, shocking statement in light of the sacrifices, including deaths, made by Americans for South Vietnam. Somewhat chastened, Madame Nhu claimed she did not make the statement, which was caught on tape, and insisted she had been misinterpreted.

Madame Nhu attracted immense media attention when she arrived in New York City on October 7. Traveling from east to west, Madame Nhu and her daughter, Le Thuy, made the cover of the Octo-

ber 11 issue of *Life* magazine. When news of the November 1-2 coup in Saigon reached her in Los Angeles, she angrily denounced U.S. complicity in the coup. Grieving for her husband, Ngo, and her brother-in-law, Diem, who were killed in the coup, she nevertheless remained in a fighting spirit. She left the United States on November 13 and went into exile in Paris.

IMPACT

The scandal around the “monk barbecue” appellation by Madame Nhu took off so powerfully in the United States in part because she had picked a phrase coined by an American in a hotel bar in Saigon. She was publicly vilified precisely because she gave public utterance to American words that were taboo for the times. Meant to stop the immolations through ridicule, her words instead fueled the belief that she was a cruel and heartless Asian dictator.

Madame Nhu, considered a public liability in the U.S. effort to win the war in Vietnam, was so disliked that Americans became even more disillusioned with the government of her brother-in-law. Ironically, Madame Nhu was right when she lambasted covert U.S. support for plots in October, 1963, when Ambassador Lodge was doing exactly this.

Madame Nhu’s outspoken, misplaced, and scandalizing words helped bring down Diem’s government in 1963. However, U.S. relief at the coup was short-lived, and the Buddhist self-immolations continued. An imminent Communist Party victory persuaded U.S. president Lyndon B. Johnson to send U.S. combat troops to Vietnam in March, 1965. A bitter and ultimately lost war ensued, leading to the deaths of fifty-eight thousand Americans in battle. Historians continue to debate whether President Diem could have saved South Vietnam. His downfall, however, aided by the scandal aroused by his sister-in-law, Madame Nhu, was a prelude to Communist Party triumph in 1975.

—R. C. Lutz

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Johnson Aide Resigns over Crime Connections

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October 7, 1963

VICE PRESIDENT LYNDON B. JOHNSON AIDE RESIGNS OVER CRIME CONNECTIONS

Bobby Baker, a close associate of U.S. vice president Lyndon B. Johnson, was accused of using his personal and business contacts—which included organized crime figures—to make money illegally. He also provided Congress members and lobbyists with the companionship of young women. In 1967, Baker was convicted and sentenced to federal prison. The scandal, particularly Baker's ties to the mob, became a political embarrassment that tarnished Johnson's presidency.

LOCALE: Washington, D.C.

CATEGORIES: Organized crime and racketeering; corruption; government; politics; sex

KEY FIGURES

Bobby Baker (b. 1928), Johnson associate and former secretary to the U.S. Senate
Lyndon B. Johnson (1908-1973), vice president of the United States, 1961-1963
Robert S. Kerr (1896-1963), U.S. senator from Oklahoma, 1949-1963
Don Reynolds (fl. 1960's), insurance agent
Nancy Carole Tyler (1939-1965), Baker's secretary, who became his mistress
Edward Bennett Williams (1920-1988), Baker's lawyer

SUMMARY OF EVENT

Bobby Baker served as a page from the time he was fourteen years old and then became secretary to the

U.S. Senate, where he served until 1963. During his tenure with the Senate, he became close friends with a number of influential senators, including Lyndon B. Johnson and Robert S. Kerr. In his capacities in the Senate, Baker provided a number of services for the senators and lobbyists, ranging from writing the text of bills to procuring young women as companions.

Baker also used his position in the Senate to make deals, open a motel, obtain a vending-machine contract, and associate with a number of organized crime figures such as Ed Levenson and Benny Siegelbaum, both of whom had connections to controversial union leader Jimmy Hoffa. In the end, Baker's deals crashed down on him, and he was investigated by the Senate. He then was indicted by a federal grand jury, tried, found guilty, and sentenced to more than sixteen months in prison.

Born November 12, 1928, Baker was the eldest of eight children. His father, Ernest, started out as a mill hand and eventually became the postmaster of Pickens, South Carolina, where Baker grew up. The young Baker's first introduction to the Senate came in 1942, when he moved to Washington, D.C. to work as a Senate page. A few years later, in 1948, Baker met Johnson, with whom he would be associated the rest of his career. In the Senate, Baker climbed the ladder of success and eventually became secretary to the Senate. By his twenties, he was a well-known individual among congressmen and lobbyists.

Always hustling and looking for opportunities, Baker got involved in a number of projects, such as setting up a law firm with Ernest Tucker, who paid him fees for "referrals," even though Baker never did practice law. During the 1950's, he got involved in establishing casinos in the Dominican Republic



Bobby Baker (right) is seated with his attorney during Senate hearings. (AP/Wide World Photos)

through the InterContinental Hotels Group, and he brought Levenson and Siegelbaum to the deal. Baker also was closely involved with Senator Kerr of Oklahoma and his moneyed projects. Baker's other ventures included establishing the Serv-U-Corporation. Through this company, Baker and his cohorts secured a vending-machine contract for companies working on federally sponsored programs. Finally, Baker invested in the Mortgage Guaranty Insurance Company (MGIC) on the advice of its chairman. These investments contributed to Baker's downfall.

It was Baker's connections with the Quorum Club, however, that led to the most serious problems. The Quorum Club, located in a hotel across the street from the Senate office building, was an elite club, whose members included lobbyists and politicians. Baker was a club cofounder and served on its board. It was at the Quorum that he conducted many of his illegal dealings. Baker reportedly introduced John F. Kennedy to Ellen Rometsch, a host at the club, who was later accused of being a spy.

From this point on, Baker's troubles escalated. Through loans, favorable investments in MGIC, and other favors, he was able to set up his Carousel Motel. Many of the best known senatorial figures, such as Johnson, were invited to its grand opening. Few people realized that the Carousel was a financial drain on Baker, who obtained financial help for the venture from Senator Kerr.

Johnson, by the time of his vice presidency, had dealings with insurance agent Don Reynolds, whom Baker had introduced to Johnson. In 1955, Johnson had suffered a massive heart attack, which made it difficult for him to get health insurance. Reynolds put together a large life insurance policy for Johnson on two conditions: that Reynolds could buy air time on Johnson's television station in Austin, Texas, and that he would give Reynolds and his wife an expensive stereo set. Johnson later denied any wrongdoing and simply wrote off the transactions as gifts given and received.

Baker's troubles with federal investigators began because of his involvement with Reynolds and because of his associations with Senator Kerr. Ac-

cording to Baker, Kerr consistently demanded money from corporate executives of companies such as savings and loans as payoffs to avoid regulatory legislation or investigations. In many ways, Baker brought much of this attention upon himself, given that his senatorial job earnings did not match his millionaire lifestyle. Closely identified with Vice President Johnson, Baker failed to realize that this connection did not make him invincible. Baker already had run-ins with Republicans who seemed intent on "getting him." He even had strained relations with prominent Democrats, who blamed him for the problems President Kennedy had with Medicare. Baker decided it was time to leave the Senate. He resigned on October 7, 1963.

Baker described the beginning of the end for him as the time Ralph Hill, president of Capitol Vending Company, caused him trouble over his vending-machine contracts. Instead of settling a dispute with Hill, Baker ignored it until it was too late. Hill sued Baker in November, 1963, and told investigators that Baker demanded monthly payments of \$1,000 for any deal to go through for Hill. Hill actually did pay Baker some money, approximately \$600 per month for a short period of time.

To make matters worse, and despite his hiring of attorney Abe Fortas (later associate justice of the United States, who resigned his position after an unrelated scandal) to represent him, the bottom fell out for Baker. The floodgates were open for an investigation. Married with five children, Baker also was having an affair with his secretary, Nancy Carole Tyler. Nothing was left untouched by investigators, even the fact that Baker filled out the application form for Tyler's apartment. (Tyler was a roommate of Mary Jo Kopechne, who was killed in a crash of a car driven by Massachusetts senator Ted Kennedy in 1969.) Although U.S. attorney general Robert F. Kennedy reportedly told Baker that he did not start the investigation against him, Johnson believed otherwise.

IMPACT

The so-called Bobby Baker investigation bill went to the Senate Rules Committee, chaired by Everett Jordan of North Carolina. Baker's attorney, Fortas,

was replaced by Edward Bennett Williams. The hearings were devastating to Baker's reputation. In its final report, the Senate committee said that Baker had abused his position of trust. His problems worsened as he was the focus of investigations by the Federal Bureau of Investigation and the Internal Revenue Service. During this time, Baker did everything he could to raise money, even becoming a full-time innkeeper at the Carousel Hotel.

Baker soon faced the death of his mistress, Tyler, who was killed in a plane crash in May, 1965. On January 5, 1966, he was indicted by a federal grand jury in Washington, D.C., on nine counts of income tax evasion and fraud. His trial took place in January, 1967. Baker was found guilty and sentenced to one to three years in prison. He served more than sixteen months.

The Baker scandal was one of the most significant events of the Johnson vice presidency and his early presidential years. Although Baker was the target of the investigations and trial, Johnson figured prominently in the background. More important, the Baker scandal caused the already strained relationship between Johnson and the attorney general, Robert F. Kennedy, to deteriorate even further.

—Michael V. Namorato

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March 13, 1964**KITTY GENOVESE DIES AS HER CRIES FOR HELP ARE IGNORED**

The rape and murder of Kitty Genovese as several witnesses ignored her cries for help raised serious questions about public indifference, the psychology and ethics of responsibility, and the so-called bystander effect. The case also inspired the formation of the 9-1-1 emergency phone system and the successful Neighborhood Watch groups around the United States.

LOCALE: Queens, New York**CATEGORIES:** Murder and suicide; psychology and psychiatry; social issues and reform; women's issues**KEY FIGURES**

Kitty Genovese (1935-1964), sports-bar manager

Winston Moseley (b. 1935), business-machine operator

Karl Ross (b. 1933), witness who called police

SUMMARY OF EVENT

Kitty Genovese was a manager at a sports bar in the New York City borough of Queens. In the early hours of March 13, 1964, she left work and drove home to her apartment in the Kew Gardens neighborhood. As she was walking from the building's parking lot to the door of her apartment, she was approached by Winston Moseley, a young business-machine operator who, by his own subsequent sworn testimony, had decided to go on the "prowl" and kill an unaccompanied woman.

In his initial attack, Moseley stabbed Genovese several times with a knife. She cried out for help. According to later testimony, several of her neighbors turned on lights to see what was happening, and one person even opened his window and shouted for Moseley to leave Genovese alone. Moseley retreated to his car. One witness would later claim that his father had called the police to re-

port the attack, but the dispatcher considered the call of no import.

What is known for certain is that no one helped Genovese. Instead, she was left to stagger toward her own apartment, bleeding and rapidly becoming weaker. Her attempt to get to her own apartment took her out of view of people who might have otherwise been convinced that she was in need of assistance. Eventually, she got to a hallway, where she collapsed from blood loss.

In the meantime, Moseley, who had initially fled the scene in his car, returned to the parking lot after about ten minutes and made a thorough search of the area. He finally located Genovese, who was still alive but barely conscious. He stabbed her several more times before raping her and leaving her to die.

Shortly after the second attack, Karl Ross, a witness, called police, who finally responded to the plea for help. They arrived with medical personnel only minutes later. However, Genovese's wounds were too severe, and she died in the ambulance while on her way to a nearby hospital emergency room. Her family had her buried in Lakeview Cemetery in New Canaan, Connecticut, and to protect the family's privacy from curiosity seekers, they had to keep secret the location of her grave.

Moseley was found guilty of killing and raping Genovese, and two others, and was sentenced to death. However, because there was evidence of necrophilia (a sexual attraction to dying persons and corpses) and other mental instabilities presented in court, it was later ruled that he should have been allowed to plead insanity. As a result, his sentence was reduced to life imprisonment, but his parole hearings have been repeatedly denied.

Even as Genovese's body was being laid to rest, outrage began to mount that a woman could be killed not in some dark and hidden basement room but in a common passageway with several witnesses. Many of the witnesses, when confronted

about their inaction, answered that they did not want to get involved. These responses squared with the experiences of people in large cities, who carefully distance themselves from the crowds in which they move, avoiding eye contact with anyone except actual acquaintances, never meeting or becoming acquainted with neighbors, and otherwise moving anonymously through the masses of humanity around them.

Harlan Ellison, a science-fiction writer turned political commentator, wrote about the incident with particular fury. He claimed that one witness had even turned up a radio to avoid having to listen to Genovese's screams and, thus, to evade his own sense of responsibility to aid her. Ellison also was the first to settle upon the number thirty-eight for the number of witnesses who had refused to get involved. (The exact number of witnesses, and other facts in the case, remain disputed.) Even after his initial articles, he continued to discuss the subject. His book *The Other Glass Teat* (1972), a collection of essays, explores the social effects of television, most of which he considers to be negative.

However, later studies showed that simplistic earlier accounts of the witnesses' indifference were misleading. It turns out that no single person was able to see the entire sequence of events from the initial attack to Genovese's final collapse and death. A number of the witnesses saw or heard only portions of the attack and did not realize that they were witnessing a crime in progress rather than a particularly noisy domestic fight. As a result, claims about the deliberate inaction of witnesses become more understandable. It is likely that those who thought they were only hearing a couple quarreling did not want to intrude upon a dispute that was none of their business. Others have argued that it is just as likely that the witnesses were not indifferent or uncaring but instead, according to writer Jim Rasenberger, were feeling "confusion, fear, misapprehension, [and] uncertainty."

IMPACT

Genovese's brutal murder quickly became a symbol of the phenomenon by which people in a crowd feel a reduced responsibility to respond to an emer-

gency situation. A number of leading psychologists performed studies after the attack on Genovese in which various kinds of emergencies were staged in the presence of volunteers and their responses were analyzed. It was found that a person alone was far more likely to respond to an apparent emergency, whether by direct action or by summoning appropriate authorities, than was a person sitting in a room with two or three of the experimenter's assistants posing as other volunteers for the study. However, if even one of the assistants were to take initiative, the chance that the actual volunteer would act went up considerably. The phenomenon was given a formal name, the "bystander effect," leading to several major academic papers on the subject. Others have called it "bystander apathy" and "Genovese syndrome."

On a more practical level, New Yorkers and people in other large cities across the United States began taking action to change the type of situation that led to Genovese's death. Many neighborhoods organized neighborhood groups—precursors to the Neighborhood Watch system that began in 1972—in which residents pledged to consciously keep an eye on one another and on suspicious activities in their neighborhood. The New York Police Department reformed its telephone reporting system to ensure that early reports of a crime in progress would not be dismissed by careless or overworked dispatchers. Also, many agree that the Genovese case helped convince law enforcement and government officials to implement the national 9-1-1 emergency phone system in 1967.

Nearly eleven years later, however, on Christmas morning, 1974, twenty-five-year-old Sandra Zahler was attacked and beaten to death within a block of the apartment complex where Genovese had been killed in 1964. Again, neighbors had reported hearing her struggles and cries for help but had done nothing. Social commentators were particularly frustrated that despite hopes to the contrary, people did not learn; public outrage at one attack did not lead to long-term behavior change but, instead, to the old habit of indifference.

—*Leigh Husband Kimmel*

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October 7, 1964

PRESIDENT LYNDON JOHNSON'S AIDE IS ARRESTED IN GAY-SEX STING

President Lyndon B. Johnson was surprised to learn that Walter Jenkins—his friend, longtime aide, and confidant since 1939—was gay. Immediately after Johnson learned about Jenkins's 1964 arrest in a YMCA restroom known as a place for gay sex, he secured Jenkins's resignation because of his concern about the possible impact of the arrest on his campaign for the presidency.

LOCALE: Washington, D.C.

CATEGORIES: Sex; sex crimes; government; politics; public morals; law and the courts

KEY FIGURES

Walter Jenkins (1918-1985), long-time political aide and confidant of Johnson

Lyndon B. Johnson (1908-1973), president of the United States, 1963-1969

Abe Fortas (1910-1982), attorney and legal adviser to Johnson, associate justice of the United States, 1965-1969

Barry Goldwater (1909-1998), Republican presidential nominee, 1964, and U.S. senator from Arizona, 1953-1965, 1969-1987

SUMMARY OF EVENT

On the evening of October 7, 1964, Walter Jenkins attended a party at the new office building of *Newsweek* magazine. After drinking several martinis there, he walked to the YMCA near the White House. The YMCA men's room was well known to local police as a meeting place for men seeking sex with other men. Jenkins and Andy Choka were arrested by undercover police shortly after they entered a restroom stall. Jenkins pleaded guilty to a charge of disorderly conduct and paid a fifty dollar fine.

Jenkins, born in Jolly, Texas, on March 23, 1918, was raised in Wichita Falls, Texas. While attending the University of Texas, John Connally, a classmate and future governor of Texas, suggested that Jenkins work for Democratic congressman Lyndon B. Johnson. Except for his World War II service in the U.S. Army and a brief, unsuccessful congressional campaign in 1951, Jenkins worked for Johnson from 1939 until his resignation in 1964. Jenkins was known for his quiet and placid demeanor, long work hours, and complete devotion to Johnson.

Jenkins also managed Johnson's business interests. After Johnson became president, Jenkins received top security clearance to access national security documents. He also was authorized to attend all cabinet meetings and sign Johnson's name on letters.

Jenkins's arrest on October 7 did not become public knowledge and was not known to Johnson until October 14. Abe Fortas, a prestigious Washington attorney and also a confidant of Johnson, informed the president that Jenkins had just confessed his arrest to Fortas and seemed emotionally distraught. Fortas also informed Johnson that Jenkins had been arrested in 1959 in the same men's restroom for soliciting sex from an undercover police officer.

On the evening of October 14, news wire services reported Jenkins's arrest; George Reedy, White House press secretary, confirmed the story. Meanwhile, Jenkins checked himself into a local hospital, and Johnson had Fortas secure Jenkins's resignation. Against her husband's advice, Lady Bird Johnson issued a statement expressing concern

for Jenkins's health and family. The official White House message at this time was that Jenkins needed to be hospitalized and would resign because of overwork and nervous exhaustion. Privately, Johnson was surprised to learn that Jenkins was gay.

Johnson, however, suspected that Jenkins had been entrapped by local police as part of an unscrupulous Republican campaign trick a few weeks before the 1964 presidential election. The rhetoric and television commercials of Senator Barry Goldwater of Arizona, the Republican presidential nominee, emphasized the moral decline of American society and questioned Johnson's personal ethics. Dean Burch, the Republican national chairman, publicly implied that Johnson was trying to suppress the news of Jenkins's arrest because it affected national security. It was commonly assumed that homosexuals were security risks because they could be blackmailed into violating national security.

Goldwater, who had been the commanding officer of the Air Force Reserve unit in which Jenkins served, chose not to make Jenkins's arrest a campaign issue. Nevertheless, Johnson was determined to learn if Jenkins's arrest was a Republican campaign trick and if his sexuality ever threatened national security. Thus, on October 15, the U.S. Congress directed J. Edgar Hoover, director of the Federal Bureau of Investigation (FBI) to investigate Jenkins and issue a report. In less than two weeks, the FBI interviewed Jenkins and more than five hundred people. To the FBI, Jenkins admitted to earlier, occasional homosexual encounters. On October 22, the FBI issued its report, concluding that Jenkins did not violate or endanger national security and that there was no connection between Jenkins's arrest and the Republican presidential campaign.

Despite the favorable FBI report, Johnson remained concerned about how the scandal might affect the presidential election and the reputation of his presidency. Johnson made sure that while Jenkins was in the hospital, he remained heavily sedated, had no telephone, and had only White House-approved visitors. Besides praising Jenkins as a dedicated public servant who needed to be hospitalized and to resign because of overwork, White

House statements also implicitly reinforced a widespread public assumption that a married Roman Catholic man with a large family could not also be a homosexual.

Johnson's machinations and manipulation of the media and public opinion were soon overshadowed by major international events, minimizing the significance and public awareness of the Jenkins scandal. During the two weeks following the White House's confirmation of Jenkins's arrest, the attention of the media and public focused on China's detonation of a nuclear bomb, the election of a Labour Party government in Great Britain, and the forced retirement of Soviet premier Nikita S. Khrushchev.

After his release from the hospital, Jenkins moved to Texas and was quickly forgotten. He quietly worked as an accountant and management consultant. He died on November 23, 1985. Former White House press secretary Reedy, in his 1982 book on Johnson, claims that the president's political judgment during the remainder of his tenure was negatively affected by the absence of Jenkins from Johnson's staff.

IMPACT

Although polls showed that most Americans knew about Jenkins's arrest and resignation by the end of October, 1964, they also indicated that the Jenkins scandal had no measurable influence on voting behavior in the 1964 presidential election. Johnson easily won the election by a landslide, receiving more than 60 percent of the popular vote and carrying all states except Arizona and a few states in the South.

There were several reasons for this scandal's lack of impact on voting behavior, media coverage, and public opinion. First, many Americans, including those who voted for Johnson, already perceived Johnson as an ethically questionable politician and were accustomed to learning about actual or alleged scandals involving the president. Second, the media, especially the broadcast media, were reluctant to investigate and emphasize a scandal on homosexuality. Third, Goldwater refused to exploit the Jenkins's scandal as a campaign issue. Finally, the story of Jenkins's arrest was replaced by news of

major world events, including nuclear weapons, the continuing Cold War, and the effects of change in British politics.

—Sean J. Savage

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dency During Gay-Sex Scandal; Aug. 4, 1978: British Politician Jeremy Thorpe Is Charged with Attempted Murder; Sept. 3, 1980: Congressman Bauman Is Arrested for Liaison with Teenage Boy; Sept. 19, 2000: Ex-gay Leader John Paulk Is Photographed Leaving a Gay Bar;

Aug. 19, 2004: Blog "Outs" Antigay Congressman Edward Schrock; Dec. 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard.

October 29, 1965

MOROCCAN POLITICIAN MEHDI BEN BARKA DISAPPEARS IN PARIS

Mehdi Ben Barka was a Moroccan politician opposed to the dictatorial rule of Morocco's King Hassan II. He was a key leader in the movement for bettering the developing world and the major organizer of a conference of global revolutionary leaders and supporters. In 1965, he disappeared while in Paris. He was never again seen and was presumed to have been murdered. The French police, the French and Moroccan secret services, the CIA, and Mossad, the Israeli secret service, have all been implicated in the scandal.

LOCALE: Paris, France

CATEGORIES: Politics; murder and suicide; international relations; government

KEY FIGURES

Mehdi Ben Barka (1920-c. 1965), Moroccan politician and opponent of Hassan II

Hassan II (1929-1999), king of Morocco, 1961-1999

Mohammad Oufkir (1920-1972), adviser to Hassan II

SUMMARY OF EVENT

Mehdi Ben Barka, the son of a civil servant, was born in Rabat, Morocco, in 1920. He was an intelligent and studious individual who became involved in politics by the age of fourteen as a member of a group seeking Moroccan independence from France. In 1950, he received a degree in mathemat-

ics and served as tutor to Hassan II when Hassan was a child. Ben Barka was a member of the Istiqlal (freedom) Party during the period of French rule in Morocco and was one of the most dedicated of the Moroccans working to free the country from France. He hoped for freedom and openness in the newly independent country.

Morocco regained its independence in 1956. Ben Barka soon realized that King Mohammad V was intent on maintaining an absolute monarchy as the form of government in Morocco; Ben Barka responded by moving further to the left in politics. When Hassan II came to power as king in 1961, Ben Barka and the king drifted apart and were no longer friends or political allies.

Ben Barka had founded the National Union of Popular Forces in 1959 and led a strong opposition to the dictatorial Hassan. In 1962, he was accused of fomenting plots against Hassan and was exiled. The following year when Morocco invaded Algeria in what was known as the Sand Wars, Ben Barka supported Algeria and allegedly was involved in more plots against Hassan. Consequently, he was sentenced to death in absentia.

From the time of his exile in 1962, Ben Barka traveled from one country to another attempting to unite the various revolutionary movements of those countries. He met with revolutionary leaders Che Guevara, Amilcar Cabral, and Malcolm X. It was his goal to bring the revolutionary groups together at the Tricontinental Conference, scheduled for Ha-

vana, Cuba, in January of 1966. His objectives for the conference included support for all revolutionary movements; help for Cuba, which was under an embargo by the United States; and the elimination of military bases and apartheid in South Africa. On October 29, 1965, Ben Barka disappeared while in Paris. The case of his disappearance has never been concluded but it has instigated an enormous amount of investigation and speculation.

Ben Barka was in Paris to meet with a film director, identified by many as Georges Franju, a scriptwriter and journalist. The purpose of the meeting was to arrange for the making of a film, documenting national liberation movements in Asia, Africa, and Latin America. The film was to be shown at the Tricontinental Conference. The meeting was to take place at the Brasserie Lipp on the Boulevard Saint Germain. Investigations and interviews have revealed that the meeting was an apparent trap. As Ben Barka walked toward the restaurant, he was approached by two French police officers who identified themselves and asked him to get into their car. Ben Barka, accustomed to being followed by the police, apparently entered the car without hesitation. The car then drove to a villa in Fontenay-le-Vicomte that was owned by French gangster Georges Bouchseiche, who had connections with French intelligence, the Service de Documentation Extérieure et de Contre-Espionnage (SDECE). Ben Barka was never seen again, either alive or dead. He had simply disappeared.

Also in 1965, the family of Ben Barka filed a lawsuit in France for his kidnapping. In 1967, two French police officers were brought to trial, convicted of his kidnapping, and sent to prison. Georges Fignon, a known criminal, testified at the trial that he had seen General Mohammad Oufkir, Hassan's adviser and a former interior minister, kill Ben Barka by stabbing him. Fignon was later found



Mehdi Ben Barka in 1959. (Hulton Archive/Getty Images)

dead. Maurice Papon, the prefect of police at the time, was forced to resign.

In 1975, Ben Barka's family filed another lawsuit, this time for his murder. In 1982, Prime Minister Pierre Mauroy directed the SDECE to turn over its Ben Barka files to the investigating judge, but the judge was given access to only one-third of the files. In 2001, more files were released and still more in 2004, but Ben Barka's son, Bachir, insisted that critical files have yet to be made public.

Allegations about who was involved in the disappearance of Ben Barka and how he likely died reached far beyond the two French police officers and Oufkir. Some claim that Amhed Dlimi, deputy for intelligence operations for Oufkir, was in Paris when Ben Barka disappeared and that he had immediately notified Oufkir of Ben Barka's abduction. At this time, Oufkir made a sudden trip to visit his children in school in Switzerland.

Furthermore, unidentified sources reported the presence of two other Moroccan officials at the villa where Ben Barka was last seen. These individuals, along with Oufkir, allegedly argued with Ben Barka, reminded him that he had been sentenced to death in Morocco, and told him that they were serving King Hassan before Oufkir shot him. Dlimi

eventually was brought to trial in France and acquitted. Oufkir and a Moroccan intelligence agent were tried in absentia and convicted of illegal arrest and confinement. They received life sentences in absentia. Oufkir died in his failed coup against King Hassan in 1975. He either committed suicide or was shot by Hassan. Mystery surrounds his death as it does the death of Ben Barka.

The U.S. Central Intelligence Agency (CIA), the SDECE, and Mossad, the Israeli secret service, have all been implicated in Ben Barka's disappearance. In 1976, the U.S. government acknowledged that the CIA had approximately eighteen hundred documents relating to Ben Barka but refused to release them.

Ben Barka's body has never been found. A number of stories, some quite sordid, exist about what was done with his remains. In an article dated December 29, 1975, *Time* magazine reported that the body was first buried at Bouchseiche's villa, then later moved to the Île de la Grande Jatte by two Moroccan agents who returned to France expressly for the purpose of moving the body. A former member of the Moroccan secret service claimed that the body was taken to Morocco and destroyed in a vat of acid. A Moroccan French dissident recounts that while he was imprisoned in Morocco he heard a different account from a former agent. This account claims that Ben Barka's body was sealed in cement and buried outside Paris. The head was cut off, taken to King Hassan so that he could be sure Ben Barka was dead, and then buried on the prison grounds where the dissident was detained.

IMPACT

The disappearance of Ben Barka strongly impacted revolutionary movements throughout the world. Although the Tricontinental Conference took place in January of 1966, it did so without its key organizer. Ben Barka's dream of unity of all revolutionary movements ended with his disappearance. Forever unknown is the effect of his influence on the

rule of King Hassan. Ben Barka remains one of the important heroes for global movements for freedom and human rights. Ben Barka's mysterious, unsolved disappearance also led to increased attention to the intelligence activities of governments throughout the world. His fate has elicited questions of the morality and ethics of such intelligence activities.

—Shawncey Webb

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March 4, 1966**MUNSINGER SEX AND SPY SCANDAL ROCKS CANADA**

Gerda Munsinger, a call girl in Ottawa, Canada, was born in East Germany. She was a former Soviet spy and became involved with members of the Canadian government during the late 1950's, the most important of whom was Pierre Sévigny, associate minister of national defense. The affair was silent for a time but became a matter of public attention in 1966, when Justice Minister Lucien Cardin revealed the case in the House of Commons during debate.

ALSO KNOWN AS: Monseigneur affair**LOCALE:** Ottawa, Ontario, Canada**CATEGORIES:** Espionage; government; politics; prostitution; sex; publishing and journalism**KEY FIGURES**

Gerda Munsinger (1926-1998), East German prostitute

Pierre Sévigny (1917-2004), Canadian associate minister of national defense, 1958-1963

John G. Diefenbaker (1895-1979), Canadian prime minister, 1957-1963

Lucien Cardin (1919-1988), Canadian justice minister, 1965-1967

Lester B. Pearson (1897-1972), Canadian prime minister, 1963-1968

Robert Reguly (fl. 1960's), reporter for the *Toronto Daily Star*

Wishart Spence (1904-1998), Canadian supreme court justice, 1963-1978

SUMMARY OF EVENT

Gerda Munsinger, a German citizen, was investigated by the Royal Canadian Mounted Police (RCMP) when she applied for Canadian citizenship in 1960. In its routine background check, the RCMP discovered that Munsinger not only had a checkered past and questionable acquaintances in the Montreal underworld but also was closely connected to a number of Progressive Conservative (PC) cabinet ministers, most notably the associate

minister of national defense, Pierre Sévigny. Prime Minister John G. Diefenbaker took care of the affair quietly in early 1961, only to have it brought into public scrutiny in 1966.

Liberal justice minister Lucien Cardin brought the so-called 1960-1961 Monseigneur affair to the surface in the House of Commons. This led to great public interest in what was to become Canada's first sex scandal. Liberal prime minister Lester B. Pearson ordered a royal commission of inquiry into the affair. The affair was brought to the public's attention once again in 1992, when Brenda Longfellow produced a feature-length independent film on the subject called *Gerda*.

Munsinger had been refused immigration into Canada in 1952 because she was a spy in East Germany during the late 1940's. Her espionage work apparently consisted of seducing West German and U.S. soldiers and, while they slept, riffling their pockets and stealing items such as currency and transportation passes. She then gave those stolen items to Soviet intelligence agents. In 1952, after her application for Canadian citizenship was rejected, she married Michael Munsinger, a U.S. Army sergeant. Munsinger could not gain entry for his wife into the United States and divorced her in 1954.

Using her married name, Gerda Munsinger entered Canada in 1955, working as a secretary, host, and call girl in Montreal. She reapplied for Canadian citizenship in 1960. During this time, she socialized with a number of prominent Canadians, including Frank Petrulla, a well-known Montreal gangster. In February of 1961, Munsinger was arrested at Morgan's Department Store for passing bad checks. Upon her release, allegedly facilitated by an unnamed high-ranking Canadian politician, she left Canada permanently and returned to East Germany.

The RCMP interview with Munsinger led investigators to suspect that she was Sévigny's mistress and that, further, her prostitute friends were aware

of the affair. She claimed that she was socially acquainted with not only Sévigny but also two other members of the PC cabinet: the minister of transport and the minister of citizenship and immigration, each of whom apparently supported her application.

The RCMP's report on Munsinger identified three items that made her a danger to national security. First, she may have been in Canada on behalf of Russian intelligence. Second, if she was in Canada on her own, her previous connections with communist espionage put her at risk of being recruited again by Russian intelligence. Third, those associating with her, especially Sévigny, would be at risk of blackmail by her unsavory Montreal underworld associates. The RCMP report was released in December, 1960, to the minister of security, E. David Fulton, who set an immediate meeting with Prime Minister Diefenbaker. Diefenbaker called in Sévigny, who denied that Munsinger was his mistress; they agreed that Sévigny would not see her again, and the matter appeared to be resolved by Munsinger's voluntary departure from Canada a few months later.

On March 4, 1966, the Commons was debating the treatment of George Victor Spencer, a Vancouver postal clerk who was caught performing minor acts of espionage for the Soviets. The Liberal government now in power fired Spencer but did not prosecute him because he was dying of cancer. When attacked by Progressive Conservatives for this gentle treatment of an espionage agent, Justice Minister Cardin blurted out something surprising about Diefenbaker's mishandling of what he called the Monseigneur case. After a brief flurry of public speculation about a scandal in the Roman Catholic Church, Cardin explained in a press conference that high-placed members of the PC cabinet had been known to fraternize with "Olga" Munsinger five years earlier, and that this East German spy had been allowed to leave the country unchecked. Cardin characterized the affair not only as more scandalous than the Spencer case but also worse than the Profumo case, a 1963 spy scandal in which John Profumo, then secretary of state for war in Great Britain, had an affair with Christine Keeler,

who also had sexual relations with a high-ranking Soviet politician. Cardin also claimed in this press conference that Munsinger had since died of leukemia in East Germany.

Robert Reguly, a reporter for the *Toronto Daily Star*, found that Munsinger not only was alive and well in Munich but also willing to sell her story to the Canadian press. Reguly and other newspaper reporters from around the world, as well as a number of television news personalities, flooded the Canadian media with a plethora of reports, interviews, and cartoons about the affair throughout the spring of 1966. In response to public interest in the matter, Prime Minister Pearson called for the commission of inquiry.

The commission, headed by Canadian Supreme Court justice Wishart Spence, made its inquiry in the spring of 1966. Canadians lined up outside government stores for copies of the report when it was issued in September of the same year. The goal of this commission was to ensure that the case had been appropriately handled by government officials, given the classified nature of the information and the possible threat to national security. Spence found Sévigny's claim that she had not slept with Munsinger entirely lacking in credibility. Sévigny had asserted that Munsinger had been tired and ill throughout November, 1960 (during which he spent a night at her apartment), but statements from other witnesses indicate that Munsinger at the time traveled extensively with male friends and was able to meet her professional obligations as a prostitute. Nonetheless, the commission concluded that although Diefenbaker and Sévigny reacted poorly, there had been no breach of national security.

Sévigny reacted angrily to press questions about his relationship with Munsinger. He eventually admitted in the official inquiry that they had had a physical relationship. Shortly after the scandal broke in the spring of 1966, Sévigny and his friend Marcel Gagnon were approached by a camera crew while eating breakfast, a confrontation that led to an eight-minute brawl. In the fight, the Canadian Broadcasting Corporation (CBC) lost sound equipment during the fight, and one reporter's glasses

were smashed. Sévigny declared on air that this encounter should be considered a lesson to the media about respecting people's privacy.

In a 1973 CBC interview, Sévigny claimed that the Munsinger affair was a frame-up engineered to victimize him, but he was unwilling—or unable—to provide further details. He said the truth would be revealed, probably by historians. Sévigny left politics and taught public finance at Concordia University in Montreal for more than twenty years.

Munsinger lived the rest of her life in Europe and married twice more, dying in 1998 in Munich as Gerda Merkt. In a 1974 retrospective interview with CBC journalist Barbara Frum, Munsinger agreed that the scandal named after her had provided sex appeal to Canada's otherwise dour Parliament. She speculated that the events of the decade before would not have been allowed to turn into a scandal by the young and sophisticated Pierre Trudeau who followed Pearson as Canadian prime minister. This seems a likely analysis, given Trudeau's well-known belief that the state did not belong in the bedrooms, or the sexual affairs, of Canadians, politicians or otherwise.

IMPACT

The Munsinger affair was Canada's first and arguably most prominent political sex scandal. The Canadian media covered it extensively, with numerous analyses following each of Munsinger's interviews with the Canada press. Furthermore, Canada became the subject of international media scrutiny in 1966, perhaps because the Munsinger affair so closely resembled the Profumo case, which had attracted much attention a few years earlier to another seemingly dour institution: British parliament. The key players in the case remained of interest to the Canadian press until their deaths, with regular retrospectives on the affair airing on Canadian television for years following the scandal.

—*Pamela Bedore*

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March 1, 1967**ADAM CLAYTON POWELL, JR., IS EXCLUDED FROM CONGRESS**

In 1967, the U.S. House of Representative voted to exclude African American representative Adam Clayton Powell, Jr., for misuse of public funds. Two years later the U.S. Supreme Court held that the exclusion was unconstitutional in part because Congress had no authority to exclude an elected representative who met all qualifications for membership.

LOCALE: Washington, D.C.**CATEGORIES:** Government; politics; racism; law and the courts**KEY FIGURES**

Adam Clayton Powell, Jr. (1908-1972), U.S. representative from New York, 1945-1967, 1969-1971

Earl Warren (1891-1974), chief justice of the United States, 1953-1969

John W. McCormack (1891-1980), Speaker of the House

Emanuel Celler (1888-1981), chairman of the Select Committee of the House

SUMMARY OF EVENT

The Reverend Adam Clayton Powell, Jr., a handsome and charismatic personality, succeeded his father as pastor of the large Abyssinian Baptist Church in Harlem, New York, in 1937. In this influential position, Powell, Jr., was an important civil rights leader during the Great Depression. As chairman of the New York Coordinating Committee for Employment, he organized mass meetings and boycotts to increase African Americans' opportunities for jobs and housing. He was the first African American to serve on the New York City Council (he served two terms) and, in 1944, was elected to the U.S. House of Representatives, the first black congressperson from the state of New York. As one of only two African Americans in the U.S. Congress at the time (the other representative was William L.

Dawson from Illinois), he ignored the informal segregationist practices at the Capitol and frequently clashed with conservative Democratic representatives from the South on civil rights issues.

Powell was the first African American to rise to a position of high leadership in the U.S. Congress. In 1961, because of his seniority, he became chairman of the House's powerful Education and Labor Committee. In this position, he was instrumental in the passage of much of the legislation passed in President John F. Kennedy's New Frontier and President Lyndon B. Johnson's Great Society. Recognized as one of the most skillful legislators in U.S. history, Powell used a combination of moral persuasion, threats, and deal making. He played a key role in steering more than fifty bills through Congress.

Throughout his controversial career, however, Powell was often accused of financial corruption. In 1958, he was indicted for tax invasion, although two years later he was acquitted of the charges. In 1963, after a jury found him guilty of slandering a woman in Harlem, he ignored the judgment, and arrest warrants for contempt of court were issued against him. He often exchanged travel tickets and used taxpayers' money to make numerous trips to his personal retreat on the Bahamian island of Bimini. Newspapers reported that he had taken a tour of Europe with his twenty-one-year-old secretary, a former Miss Ohio. As he spent less and less time in Washington, D.C., his congressional colleagues grew to resent his record of absences. He kept a former wife on his office payroll, even though she lived in Latin America. In addition, his growing support for the radical Black Power movement of the 1960's drew criticisms. Democrats began to view him as a liability. In the summer of 1966, House investigators concluded that he had misused his committee's budget.

Later that year, despite much negative publicity in the press, Powell easily won reelection. Before the Ninetieth Congress met, however, House Dem-

ocratic leaders met in caucus and voted to take away his seniority and chairmanship. In February, 1967, a Select Committee of the House, chaired by Emanuel Celler, concluded that Powell was guilty of serious improprieties, including the misappropriation of funds for personal use. The committee recommended that he should be censored, fined forty thousand dollars, and deprived of his seniority. His political opponents—mostly Republicans and southern Democrats—insisted that the committee's recommendations were too lenient.

On March 1, when the full House debated the Celler committee's recommendations, Powell's critics introduced and passed an amendment to exclude him from the House and to declare his seat vacant. Speaker of the House John W. McCormack advised the House members that although the U.S. Constitution required a two-thirds vote to *expel* a member of Congress for misbehavior, the vote in this instance was simply to *exclude* Powell. Therefore, only a majority vote was needed. The House then voted 307-116 to approve the amended motion. In effect, the House had "rewritten" the qualifications for congressional membership by voting to exclude Powell, who had been duly elected and who met all qualifications for the job.

Despite his exclusion, Powell continued to be extremely popular in his district. Many African Americans and civil rights leaders, including Martin Luther King, Jr., alleged that the House's action was motivated by racial prejudice. In April, Powell won the special election to fill the vacancy left by his exclusion, but he did not attempt to take his seat. He then filed suit against the Speaker of the House in federal court. Powell's lawyers argued that the only constitutional qualifications for congressional membership were citizenship, age, and residency, which Powell met. They further asserted that his exclusion unfairly deprived voters of their right to choose a representative. In the election of 1968, Powell again was reelected by a large majority. The next year, he was permitted to take his seat while his legal case was pending, but he was stripped of his seniority and chairmanship.

On June 16, 1969, the U.S. Supreme Court, which now had the Powell case, issued a 7-1 deci-

sion in *Powell v. McCormack*, ruling that the exclusion violated the Constitution (Justice Abe Fortas did not vote on the case). Writing a complex opinion for the majority, Chief Justice Earl Warren agreed with Powell's contention that Congress had no power to add to the three constitutional qualifications for membership. The House could exclude him only if it found he failed to meet the standing requirements for membership. Warren also concluded that the vote to exclude rather than expel could not be considered equivalent to a vote explicitly for *expulsion*. Warren added that it did not matter that the two-thirds requirement for expulsion had been met on the vote for *exclusion*. Warren also said that House rules specified that a member should not be expelled for actions taken during a previous congressional session. Refuting the government's contention that the decision of exclusion was a "nonjusticiable political controversy," or an



Adam Clayton Powell, Jr. (Library of Congress)

EXPULSION OR EXCLUSION?

In its decision supporting Representative Adam Clayton Powell, Jr., the U.S. Supreme Court made clear that the House of Representatives erred by insisting that “exclusion” was the same as “expulsion” in cases of reprimanding House members. Two justices, Earl Warren and William O. Douglas, elaborated on the distinction.

Although respondents repeatedly urge this Court not to speculate as to the reasons for Powell’s exclusion, their attempt to equate exclusion with expulsion would require a similar speculation that the House would have voted to expel Powell had it been faced with that question. Powell had not been seated at the time House Resolution No. 278 [on Clayton’s exclusion] was debated and passed. After a motion to bring the Select Committee’s proposed resolution to an immediate vote had been defeated, an amendment was offered which mandated Powell’s exclusion.

Mr. [Emanuel] Celler, chairman of the Select Committee, then posed a parliamentary inquiry to determine whether a two-thirds vote was necessary to pass the resolution if so amended “in the sense that it might amount to an expulsion.” The Speaker replied that “action by a majority vote would be in accordance with the rules.” Had the amendment been regarded as an attempt to expel Powell, a two-thirds vote would have been constitutionally required. The Speaker ruled that the House was voting to exclude Powell, and we will not speculate what the result might have been if Powell had been seated and expulsion proceedings subsequently instituted.

Justice Douglas, in his concurring opinion, added the following:

By Art. I, 5 [of the U.S. Constitution], the House may “expel a Member” by a vote of two-thirds. And if this were an expulsion case I would think that no justiciable controversy would be presented, the vote of the House being two-thirds or more. But it is not an expulsion case. Whether it could have been won as an expulsion case, no one knows. Expulsion for “misconduct” may well raise different questions, different considerations. Policing the conduct of members, a recurring problem in the Senate and House as well, is quite different from the initial decision whether an elected official should be seated. It well might be easier to bar admission than to expel one already seated.

issue outside the Court’s jurisdiction, Warren argued that the political controversy exemption applied only to congressional powers specifically delegated in the Constitution, and that the issues in this case were limited to interpretations of the Constitution.

Although Powell continued to represent his district, both his influence and popularity were greatly diminished. In the Democratic primary election of

1970, Charles Rangel barely defeated him by one hundred fifty votes. Powell tried but failed to prove voter fraud, and after failing to get on the ballot as an independent candidate, he resigned from his pulpit at the Abyssinian Baptist Church and moved to Bimini. In 1972, he became gravely ill from the reoccurrence of prostate cancer and was flown to Miami, Florida, for emergency surgery. Soon thereafter, on April 4, he died at the age of sixty-three.

IMPACT

African Americans and whites at the time of Powell’s exclusion from the House tended to disagree about the motivations for the action. African Americans commonly interpreted the House’s action as blatant racism. They argued that white politicians misused their budgets without facing disciplinary action, and many even charged that whites would try to destroy any African American who reached a position of power and influence. In contrast, most whites assumed that the exclusion was justified and that it had nothing to do with race. Nevertheless, the vote of exclusion only increased the public’s interest in Powell’s colorful life and career. He was the subject of the 2002 Showtime film *Keep the Faith, Baby*,

starring Harry Lennix and Vanessa Williams, a film that won numerous awards.

As a consequence of the House’s vote to exclude Powell, the Supreme Court’s landmark decision in *Powell v. McCormack* placed significant limits on the longstanding rule that the courts should not intervene in political disputes. The opinion made it appear that the Court encouraged greater judicial intrusion into the internal processes of the other two

branches of government. In subsequent decisions, however, the Court has been cautious about such interventions. Indeed, Justice Warren's opinion did not directly answer the question of whether the Court would have reviewed the case if the House had formally voted to expel, instead of exclude, Powell for misconduct, although Justice William O. Douglas suggested in a footnote that the Court would consider such a vote to be a political dispute outside its authority.

—Thomas Tandy Lewis

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June 23, 1967

SENATOR THOMAS J. DODD IS CENSURED FOR MISAPPROPRIATING FUNDS

U.S. senator Thomas J. Dodd was censured by his colleagues for misappropriating more than \$100,000 in campaign funds and for double billing the government for travel expenses, all for personal use. In the year after Dodd's censure, the Senate strengthened its rules governing the conduct of public officials.

LOCALE: Washington, D.C.

CATEGORIES: Government; corruption; politics

KEY FIGURES

Thomas J. Dodd (1907-1971), U.S. senator from Connecticut, 1963-1971

James Boyd (b. 1929), Dodd's long-time aide

Drew Pearson (1897-1969), investigative reporter and syndicated columnist

Jack Anderson (1922-2005), investigative reporter and syndicated columnist

SUMMARY OF EVENT

On June 23, 1967, the U.S. Senate, for only the seventh time in its existence, censured one of its members. Thomas J. Dodd, a second term senator from Connecticut and a prosecutor at the Nuremberg Trials following World War II, was the first U.S. senator to be censured specifically for financial wrongdoing. He was accused of using more than \$100,000 in campaign contributions for personal expenditures and double billing the government for travel expenses already reimbursed by organizations that paid him for speaking engagements.

After more than one year of dealing with the accusations against Dodd, the Senate Committee on Standards and Conduct, through its chairman, John Stennis of Mississippi, announced its findings and placed the matter before the Senate for a vote. The Senate committee had been reluctant to tamper with the reputation of a fellow senator, but as substantial documented evidence against Dodd accumulated, the senator himself called for the investigation, per-

haps hoping to succeed in minimizing his misdeeds by acting as a victim betrayed by his staff.

On June 23, the full Senate voted on whether to accept the committee's recommendations for censure. On the first charge, misappropriating campaign contributions for personal use, the vote was 92-5 in favor of censure. One of the five votes favoring Dodd was his own, with dissenting votes cast by Senators John Tower of Texas, Strom Thurmond of South Carolina, Abraham A. Ribicoff of Connecticut, and Russell Long of Louisiana. Long had supported Dodd throughout the proceedings. The vote on the second charge, double-billing, failed to find Dodd guilty, but the vote of 51-45 proved controversial. The press and the public suspected that Dodd was not the only senator who double-billed for travel expenses, and that his fellow senators voted in his favor so that the matter would not be further scrutinized.

The censure did not threaten Dodd's remaining two and a half years as a senator. He had been duly elected by the voters of Connecticut and only his constituents could unseat him; they did so in 1970 by failing to reelect him. He had entered the Senate race as an independent and split the Democratic vote, which put Lowell Weicker, a Republican, in Dodd's vacant Senate seat.

An articulate anticommunist, Dodd was a hard-working politician who was devoted to his constituents. As he gained power, however, he increasingly became involved in questionable activities, many inappropriate and some patently illegal. He accepted large cash payments from lobbyists and other representatives of special interests, making it clear that he preferred cash contributions to checks or other traceable financial vehicles. Fund-raising activities in support of Dodd's political campaigns were held regularly, but there was little documentation of how much money was raised and how these funds were distributed and spent. Furthermore, Dodd kept on his payroll a number of people who

MODERN SCANDALS

did no work and seldom, if ever, appeared in his offices. He accepted the use of a new automobile every year from an affluent and powerful constituent, David Dunbar, in whose name the automobiles were registered. The Dodd family had exclusive use of these cars, for which Dunbar also paid insurance.

Dodd had constructed a fragile network of deceptive practices, presumably to conceal his misappropriation of funds. These deceptions troubled four of Dodd's conscientious aides. He dismissed James Boyd, an aide who had served him for twelve years, on a trumped-up charge of sexual improprieties with another staff member, Marjorie Carpenter, who was Dodd's secretary for a number of years. The senator fired both of them, although he later tried to rehire them.

Michael O'Hare, Dodd's bookkeeper, was troubled by many of the senator's duplicitous financial practices as well. O'Hare could contest them only at his own risk. In the end, Dodd blamed him for the double billing, falsely claiming that O'Hare's accounting practices were sloppy. A fourth aide, Terry Golden—O'Hare's girlfriend—cooperated with the other dismissed aides to document their claims that Dodd had engaged in many unethical or illegal activities, or both, for his personal enrichment.

The four former aides gained access to Dodd's files by raiding his office clandestinely on a weekend, removing damaging files of documents and photocopying thousands of pages to build the case against Dodd. Before the weekend ended, the four had returned the files but they shared what they had photocopied with newspaper columnist Jack Anderson. Anderson, in collaboration with Drew Pearson, wrote the well-known syndicated column *Washington Merry-Go-Round*.

Anderson and Pearson wrote a series of shattering columns that revealed a laundry list of infractions allegedly committed by Dodd. All of the revelations were supported by solid evidence. Fearing lawsuits, *The Washington Post*, the local newspaper of record, initially declined to publish the accusatory columns, but they were published nonetheless in other papers that syndicated *Washington Merry-Go-Round*. Dodd did what he could to control the

Dodd Is Censured for Misappropriating Funds

situation and tried to discredit the aides who had turned against him. In the end, however, public outcry forced the Senate to act.

Dodd declared his innocence and completed his term, serving actively on some key committees—ironically on those committees investigating crime and delinquency—in his final Senate years. His health began to fail, and his financial infractions were brought to the attention of the Internal Revenue Service, which subsequently investigated his finances extensively. Initially, Dodd did not anticipate running for a third term in the Senate, but well into the campaign, he declared his candidacy as an independent. He received about one-quarter of the popular vote and his Senate seat was ceded to the Republican candidate, Weicker. Dodd died in 1971, six months after the election.

IMPACT

The repercussions of the Dodd hearing and censure were profound. Voting on his censure was unsettling to the senators who had engaged in similar unethical practices, and many became suspicious of their aides. Furthermore, had all the facts documented in the photocopies made by Dodd's former aides been made public, the effects would have been even more devastating.

Some senators were unsullied by the Dodd affair because they had been meticulously honest in managing their political affairs and thus had little to fear. However, even these senators realized that materials stored in their offices were not sacrosanct, and no person in government was off limits to possible investigation and prosecution. Dodd's censure led the Senate to strengthen its rules governing the conduct of public officials. More rigorous standards for senators and their employees went into effect as well. The violation of senatorial offices and official files became a high federal crime and a substantial breach of ethics.

—R. Baird Shuman

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September 5, 1967

SOCIALITE NANCY WAKEMAN SHOOTS HER POLITICIAN-HUSBAND

William T. Wakeman, an influential Florida Republican Party politician, was shot by his socialite wife, Nancy Wakeman, reportedly because of his extramarital affairs. He spent the rest of his life in a wheelchair and she got five years probation. After he died from complications of an operation in 1969, she married another millionaire.

LOCALE: Palm Beach, Florida

CATEGORIES: Murder and suicide; sex

KEY FIGURES

Nancy Wakeman (1942-1996), heir and socialite

William T. Wakeman (1932-1969), Florida

Republican committee chair

SUMMARY OF EVENT

Nancy Wakeman was born an heir to the fortune of her grandfather, John Deere, who had invented the

steel plow. Her father, Dwight Deere Wiman, was a successful producer of Broadway shows. Early in her life, she married an actor, but she soon divorced him. She cited his adultery with women, some of them unknown and identified only as Jane Doe.

After she divorced, Nancy attracted the eye of William T. Wakeman, a former model who had grown rich in the oil industry. The two were luminaries in the Palm Beach, Florida, social scene, and they lived to be seen and to throw lavish parties. William also participated in the local political scene and was particularly active in the presidential campaign of Republican senator Barry Goldwater. Goldwater, an Arizona senator, was a right-wing politician whose platform depended heavily on abolishing social-service programs. He was easily defeated by Lyndon B. Johnson, who had come to office after John F. Kennedy's assassination and made the most of his association with Kennedy. William was dispirited by his candidate's defeat.

Both of the Wakemans were socially prominent. William had originally been a social fixture during his career as a model, but as he built his wealth, his social circle had shifted to the monied and socially prominent. This circle was one where Nancy was prominent—her family and fortune established her as one of Palm Beach’s notables. Similarly, both were prone to drinking and public fights, in which details of their love life were aired before friends and neighbors. At times the fights got physical to the point of pushing and shoving, but no one felt the handsome couple would ever really hurt each other. The certainty of their friends and neighbors would be shattered with a well-publicized act of violence and subsequent legal matters.

On September 5, 1967, during a fight at their mansion on El Brillo Way, a drunken Nancy accused William of having an affair with a model. Their tumultuous love life had been complicated for some time by William’s infidelities, and his habit of trolling for new lovers among his contacts in the fashion world infuriated Nancy. Although apparently guilty of the infidelity he was being accused of, William denied the claims. An angry Nancy took out a .22 revolver when she felt that he had moved to attack her. The gun, usually kept in a bedside night stand, was William’s, and was intended for emergencies. Equally angry as well as drunk, William sneeringly told his furious wife that she did not “have the guts” to shoot him. In the face of such a challenge, there was little else that the stubborn and strong-spirited Nancy could do. She proceeded to prove him wrong, shooting him once before putting the gun down and calling for emergency assistance.

When medical assistance and the police arrived on the scene of the crime, Nancy freely admitted to them what she had done and surrendered to them the gun that she had used to shoot her husband. The bloody and injured William was rushed to the emergency room for treatment while the apparently calm and unshaken Nancy was taken into police custody. Upon examination and treatment by medical personnel, it was discovered that the bullet Nancy had fired had injured William’s spine as it passed through him. The severe injury left him a paraplegic, and he was told that even after full recovery, he

would be unable to move about without the assistance of a wheelchair. Nancy continued to freely admit to the police and media that she had shot him, but William steadfastly refused to testify against her, taking the Fifth Amendment whenever he was asked about her actions of the night of the shooting. Nancy was permitted to visit him daily in the hospital, and she did so, sitting by his bed for hours while a fascinated media struggled for glimpses of the socialite shooter.

In the course of the trial, Nancy was defended by Joseph D. Farish, Jr., a West Palm Beach lawyer who was no stranger to celebrity trials. He later served in the Herbert and Roxanne Pulitzer divorce. Farish struggled in vain to keep his client out of the public eye, but the heat of the scandal, coupled with Nancy’s patrician good looks and connections to Palm Beach’s wealthiest and most notable families, kept the media focus on the trial, making it one of the most high-profile cases of the year. In court, however, William continued to refuse to testify against his wife despite the obvious frustration of the prosecution.

Despite this refusal to testify to his wife’s guilt, William was despondent at the loss of his lower limbs and worried what his life as a disabled person would involve. When Michael DeBakey, a cardiologist and specialist in spinal injuries, offered William the chance to restore his mobility with a risky spinal operation, it took him only moments to make the choice—the benefits were worth the risk. The operation progressed normally, and all seemed well on the operating table. However, moments after the operation, William’s heart gave out, unable to cope with the trauma of the operation. He died that evening in his bed with Nancy beside him, holding his hand.

A six-person jury found Nancy guilty of aggravated assault and she was sentenced to five years of probation, a sentence that was light because she had no criminal record. Even though the sentence was relatively light, her conviction was reversed a few years later on appeal by Judge David McCain; she served no prison time at all. She returned to the Palm Beach social scene but steadfastly refused to speak of William or the manner in which he had died.

Nancy continued to act as a philanthropist and social leader. In 1972, she established the Wakeman Award for Research in the Neurosciences, presented biennially at Duke University and focused on research on spinal cord injuries. Other donations to medical institutions reflected her concern over the injuries suffered by her former husband, the one whose death she refused to discuss throughout her later years.

IMPACT

During the mid-1970's, the upholding of Nancy's appeal by Judge McCain would come into question when scandals boiled over surrounding the ways in which the justice had used his influence and power. Nancy had made a financial contribution of one thousand dollars to McCain at the suggestion of her lawyer, Farish. Embroiled in turmoil and media attention, McCain ended up resigning.

Evidence of further corruption was uncovered when Nancy testified that in 1970 she had been approached by two men who identified themselves as top aides to Claude Kirk, the governor of Florida at the time. They told her that if she paid them thirty thousand dollars, they would ensure that her earlier court conviction would be overturned. Again, media attention erupted when Nancy attempted to drop out of sight to avoid controversy. She left for the Bahamas, but she was found by the media after a private investigator had tracked her there to serve notice of a ten-million-dollar lawsuit against her in a case involving her testimony against Governor Kirk and his aides.

Nancy's legal troubles continued to surface from time to time. After William's death, she married

Winthrop J. Gardiner. Their later divorce would make headlines when Gardiner was one of the first divorced husband's to ask for substantial alimony from a wealthy former wife.

—Catherine Rambo

FURTHER READING

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November 28, 1967

INVESTOR LOUIS WOLFSON IS CONVICTED OF SELLING STOCK ILLEGALLY

Louis Wolfson was a risk-taking businessman and one of Wall Street's most successful investors when he was convicted of conspiring to sell shares of stock in Continental Enterprise, a company he controlled. These shares had not been registered with the Securities and Exchange Commission as required by the Securities Act of 1933. The case also led to the resignation of U.S. Supreme Court associate justice Abe Fortas.

LOCALE: New York, New York

CATEGORIES: Law and the courts; corruption; banking and finance; business; trade and commerce

KEY FIGURES

Louis Wolfson (1912-2007), financier and businessman

Elkin B. Gerbert (fl. 1960's), Wolfson's business partner

John J. Morley (fl. 1960's), Wolfson's broker

Abe Fortas (1910-1982), associate justice of the United States, 1965-1969

SUMMARY OF EVENT

On November 28, 1967, after a short trial, Louis Wolfson, Elkin B. Gerbert, and two others, were convicted of violating section 5 of the Securities Act of 1933, which prohibits the sale of unregistered shares of stock to the public. Wolfson was convicted largely on the basis of testimony provided by his broker, John J. Morley. All parties agreed that Wolfson sold shares in Continental Enterprises, a company he controlled. These shares had not been registered with the U.S. Securities and Exchange Commission as required by federal law.

Wolfson claimed that he was unaware of the legal requirement to register shares before selling them to investors. Morley testified that he had informed Wolfson of the requirement and that Wolf-

son had chosen to disregard his advice. Both Wolfson and Gerbert were convicted of securities fraud. Wolfson served ten months in a federal minimum-security facility at Elgin Air Force Base in Florida. He also paid a substantial fine.

Wolfson had always been a risk-taking businessman who preferred to play by his own set of rules. Even while attending the University of Georgia, he had demanded and received money to play on the university's football team, a direct violation of rules pertaining to amateur athletes. He left the university before earning a degree.

Quick to spot and act on lucrative opportunities, Wolfson raised \$10,000 and entered the business world. He made his first million dollars by the age of twenty-eight, when he purchased deeply discounted plumbing supplies and fixtures from the son of J. C. Penney, the department-store magnate. Wolfson then sold those fixtures at full price, earning a hefty profit. Such entrepreneurial talent allowed him to grow his small plumbing supply company, Florida Pipe and Supply, into shipyards in Jacksonville and Tampa, Florida.

Wolfson's early financial success inspired him to acquire or take controlling interest in other companies, including Merritt-Chapman & Scott, a huge bridge-building company, and Universal Marion Company, which owned newspapers throughout Florida, as well as a film production unit. He tried but failed to gain control of the mail-order company and later department-store chain Montgomery Ward. Ward's chief executive officer, Sewell Avery, accused Wolfson of making the move to enrich himself and his associates at the expense of all other shareholders.

Wolfson's legal problems involving Continental Enterprises might have had their beginnings years beforehand, when he and a number of associates bought Capital Transit Company of Washington, D.C., the sole provider of bus and streetcar trans-

portation into and within the city. When Wolfson took over control of Capital Transit in 1950, the company had a \$6 million surplus, stable earnings, and a 50-cents-per-share annual dividend. Wolfson raised the annual dividend to \$2 per share, which meant a \$480,000 payment to himself, even though the company showed a net profit for the year of only \$332,000. The following year, 1951, Wolfson raised the annual dividend to \$4 per share. The D.C. Public Utilities Commission denied Wolfson's request for a fourth rate increase to generate additional funds. Wolfson then denied his employees a 25-cent-per-hour pay raise. The workers went on strike as a result of his refusal.

The congressional committee responsible for overseeing public transportation in Washington, D.C., responding to vocal criticism from people forced to walk to work for several weeks, issued Wolfson a subpoena, to which he declined to respond. Enraged members of the U.S. Congress called Wolfson an "economic carpetbagger" and threatened to force him to relinquish the city's public transportation franchise. Wolfson eventually complied with the subpoena, but he had made powerful enemies in Congress as a result of his initial refusal.

When Wolfson was indicted on securities fraud charges, some of these same angry members of Congress applied pressure to have Wolfson prosecuted to the fullest extent possible. Wolfson repeatedly claimed the securities law was misapplied in his case and that his prison sentence was unduly harsh for a first-time offense. His accusations may have had some validity.

Wolfson's sale of unregistered shares of Continental Enterprises was not his only securities-related crime. Also in 1966, he was charged, along with others, with fraud in the purchase of stock in Merritt-Chapman & Scott and for perjury in filing false reports to the SEC (about this stock purchase). Just prior to the beginning of the two criminal cases against him, Wolfson had started a charitable foundation and hired Abe Fortas, a U.S. Supreme Court associate justice, as a consultant, for which he was paid \$20,000 annually.

The legal proceedings did not end favorably for

Wolfson, and he was sent to prison. Upon his release from prison, Wolfson appealed his convictions on a number of counts. One appeal reached as high as the Supreme Court. It was at this time that Justice Fortas's business arrangement with Wolfson was discovered. Although the Court declined to hear Wolfson's appeal and even though Fortas returned the money he received from Wolfson, public outcry over the retainer fee eventually led Fortas to resign from the Court in disgrace, the only Supreme Court justice in modern history to have done so.

Wolfson also reportedly tried to bribe President Richard Nixon's attorney general, John Mitchell, to get him to review his conviction by giving radio personality (and now television talk-show host) Larry King \$48,500 to pass on to Mitchell. As late as 1994, Wolfson continued to appeal his conviction. He unsuccessfully sued his former broker, Morley, in 1975, and sued to have documents from his original trial unsealed. Wolfson wanted his biographer to have access to all the court documents so he could write an accurate account of Wolfson's life. The biography, official or otherwise, was never written. Wolfson was unsuccessful in getting these court documents unsealed and also was unsuccessful in having his conviction overturned.

Part of Wolfson's sentence was a prohibition against working in the securities industry. Instead of securities, he became involved in horse racing through Harbor View Farm, his estate in Marion County, Florida. In 1978, one of his horses, Affirmed, won the elite Triple Crown. In 1985, Wolfson offered to buy Churchill Downs in Louisville, Kentucky, for \$46 million, but his offer was declined.

Wolfson died on December 30, 2007, due to complications from Alzheimer's disease and colon cancer. He was ninety-five years old. His philanthropic legacy includes the Wolfson Children's Hospital and the Wolfson Student Center, as well as various community health facilities in Jacksonville, Florida.

IMPACT

While neither the courts nor the SEC agreed to unseal documents related to Wolfson's trials on secu-

rities fraud charges, the SEC did eventually change its classification policies to make some legal documents more accessible to defendants. A defendant facing trial no longer had to sue to obtain access to documents to be used for his or her defense.

Despite being sentenced to a minimum-security facility and serving less than one year, Wolfson found the experience of incarceration horrible and humiliating. He began public advocacy for prison reform upon his release.

—Victoria Erhart

FURTHER READING

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May 9, 1969

SUPREME COURT JUSTICE ABE FORTAS IS ACCUSED OF BRIBERY

Abe Fortas had been appointed associate justice of the United States by President Lyndon B. Johnson in 1965 and in 1968 was nominated for chief justice. The following year, a Life magazine article accused him of questionable associations with financier Louis Wolfson, who was under investigation for stock manipulation. Days later, the liberal Fortas resigned, opening the door to a conservative-leaning Court, which dominated Court rulings into the twenty-first century.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; law and the courts; publishing and journalism; government; politics

KEY FIGURES

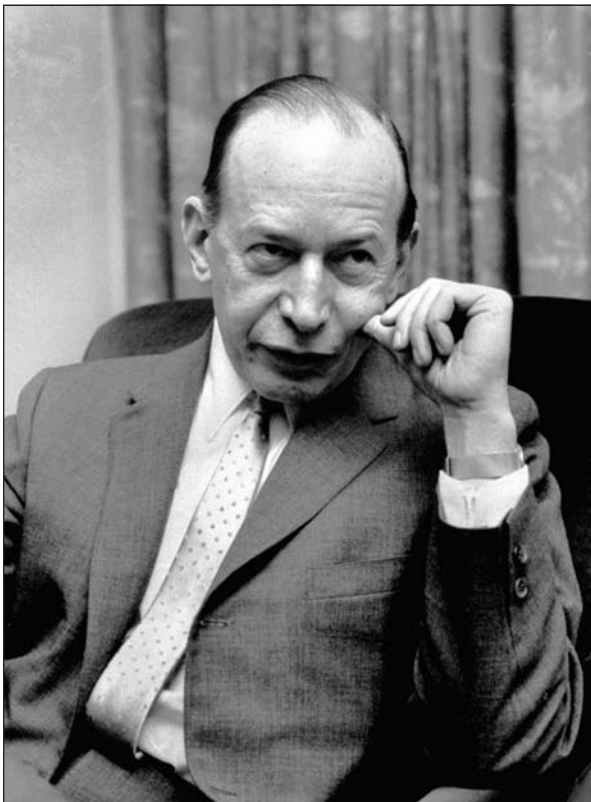
Abe Fortas (1910-1982), associate justice of the United States, 1965-1969
Louis Wolfson (1912-2007), American financier
William G. Lambert (1920-1998), reporter
John Mitchell (1913-1988), U.S. attorney general

SUMMARY OF EVENT

On May 9, 1969, *Life* magazine, a leading American periodical of the time, published the article “The Justice . . . and the Stock Manipulator” by Pulitzer Prize-winning reporter William G. Lambert. Lambert revealed that a relationship had developed between the controversial financier Louis Wolfson and Abe Fortas, an associate justice of the United

States. Lambert wrote that their dealings began after Fortas was selected for the U.S. Supreme Court. In 1966, under signed contract between Wolfson and Fortas, Wolfson was to pay Fortas twenty thousand dollars per year, ostensibly to serve as a consultant to a foundation established by Wolfson.

Lambert said that Wolfson and Fortas had conversed even after Wolfson was facing federal charges of illegal stock manipulation. Furthermore, Wolfson had been dropping Fortas's name in certain circles, implying that his relationship with the justice would lead to the cessation of charges (it did not). The article did note that after Wolfson's indictment (and eleven months after receiving payment), Fortas returned the money and withdrew from his position as adviser. Lambert added that *Life* had uncovered no evidence that Fortas had intervened in Wolfson's criminal case. Indeed, Fortas had recused himself from the Court's consideration of whether to accept an appeal of Wolfson's conviction.



Abe Fortas. (Hulton Archive/Getty Images)

tion. Caveats aside, Lambert wrote that their relationship was "questionable."

The article's impact may not have been as serious had it not been for other concerns that would magnify its importance. In the previous year, Fortas, a sitting justice at the time, was nominated for the position of chief justice by U.S. president Lyndon B. Johnson. Because Johnson was a lame duck president, and because many senators were hopeful that the next president would be more conservative, hearings surrounding the nomination of the liberal Fortas were extensive. Moreover, the hearings uncovered evidence that could raise questions about Fortas's judgment and character. While still a justice, Fortas continued to serve as a behind-the-scenes adviser to President Johnson on many issues, including the very unpopular Vietnam War. Many considered this a violation of the separation of powers doctrine, and indeed it was, regardless of Fortas and Johnson being long-time friends and political allies. In addition, while on the Court, Fortas had conducted a seminar at American University Law School for fifteen thousand dollars, a sizeable sum that had been raised from former clients through a partner in his former law firm. Both of these activities suggested to many that Fortas, who had been a powerful Washington, D.C., attorney and political insider, did not have the purity of character associated with a Supreme Court justice.

A number of conservative senators also used these hearings to attack many of the rulings (only some of which Fortas had joined) made by the Warren Court. Fortas's nomination for chief justice stalled on the floor of the U.S. Senate, and he ultimately asked that this nomination be withdrawn. However, he still retained his position on the Court as an associate justice.

After Richard Nixon had become president—with John Mitchell as Nixon's attorney general—the Department of Justice (DOJ) stepped up its investigation of Wolfson and his relationship with Fortas. According to a leak from Mitchell to the press, the DOJ also investigated Fortas's wife, Carolyn Agger, a distinguished Washington tax attorney. That investigation uncovered the original contract between Wolfson and Fortas, showing a clause

that the twenty thousand dollars would be paid to Fortas over his lifetime and to Agger in case of her husband's death, a fact unknown to *Life* reporter Lambert. After obtaining this information and after conferring with top DOJ advisers, Mitchell made an appointment with Chief Justice Earl Warren and informed him, in early May, of the damaging allegations and evidence against Fortas. Warren was appalled by the revelations.

In no time news of the secret meeting between the chief justice and the attorney general became public. In what appeared to be a concerted effort by the Nixon administration to increase the pressure on Fortas, hints of further questionable dealings also were leaked to the media. Soon, many in the press were calling for Fortas's resignation, as were a number of elected officials, including many prominent Democratic senators. Fortas conferred with friends and colleagues, including Justice Hugo L. Black, who suggested to Fortas he resign, for his own good and for the good of the Court. Another person who apparently had a strong impact on Fortas was Clark Clifford, a friend, fellow Johnson intimate, and fellow Washington insider. Clifford, according to one source, told Fortas the attacks would continue and that it would be in his best interest to resign.

On May 14, Fortas submitted a four-page letter of resignation to Warren, detailing the nature of his relationship with Wolfson but admitting no wrongdoing. He was resigning, he asserted, because he wanted to protect the image of the Court. His letter of resignation to Nixon, in stark contrast, was only two sentences long.

After resigning, Fortas reentered private law practice, though he did not rejoin the prestigious firm of Arnold, Fortas, & Porter, which he co-founded. In March, 1982, he argued a case before the very Court from which he had resigned. Shortly thereafter, on April 5, he suffered a severe heart attack and died.

IMPACT

Fortas's resignation created a vacancy on the Court that was filled by a conservative jurist. In the

FORTAS RESIGNS

In his May 14, 1969, letter of resignation to Chief Justice Earl Warren, Abe Fortas, in this excerpt from the letter, reveals his concern that the controversy involving his dealings with Louis Wolfson will continue if he does not resign, but he also says that he has done nothing wrong.

It is my opinion, however, that the public controversy relating to my association with the [Wolfson] Foundation is likely to continue and adversely affect the work and position of the Court, absent my resignation. In these circumstances, it seems clear to me that it is not my duty to remain on the Court, but rather to resign in the hope that this will enable the Court to proceed with its vital work free from extraneous stress.

There has been no wrongdoing on my part. There has been no default in the performance of my judicial duties in accordance with the high standards of the office I hold.

closely divided Court of 1969, this change in its ideological makeup affected its later decisions. President Nixon sought to fill the vacancy by nominating Clement F. Haynsworth, a relative conservative from South Carolina, who at the time was serving as a judge on the Fourth Circuit Court of Appeals. Haynsworth's nomination was turned down by the Democrat-controlled Senate, ostensibly because of his participation in a case where he had a conflict of interest. After his defeat, the president nominated another southerner, G. Harold Carswell, who also was not confirmed. These battles over the nominations added to an already low trust in government held by the American people at the time and increased the high levels of rancor existing in the nation's capital.

It was Nixon's third nominee, Harry A. Blackmun of Minnesota, who was confirmed, and he served from 1970 to 1994. Although considered a moderate, it is likely that Blackmun had more conservative rulings than Fortas would have if he had remained on the Court. Blackmun's tenure, along with that of Warren E. Burger, who served as chief justice from 1969 to 1986 and took the position that Johnson hoped would go to his friend, Fortas, marked the beginning of a more conservative trend in Court rulings, one that extended into the twenty-

first century. Fortas's resignation opened the door to this trend.

—David M. Jones

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July 18, 1969

SENATOR EDWARD KENNEDY'S DRIVING ACCIDENT KILLS MARY JO KOPECHNE

Following a party on Chappaquiddick Island, Massachusetts, U.S. senator Edward M. Kennedy accidentally drove his vehicle off a narrow bridge and into several feet of water. The car overturned and trapped passenger Mary Jo Kopechne underwater. She drowned, and Kennedy failed to report the accident immediately to police. The accident not only ended the life of a young woman but also raised questions about Kennedy's character and judgment, thus defeating any hopes he could become president of the United States.

ALSO KNOWN AS: Chappaquiddick incident

LOCALE: Chappaquiddick Island, Martha's Vineyard, Massachusetts

CATEGORIES: Public morals; law and the courts; government; politics

KEY FIGURES

Edward (Ted) Kennedy (b. 1932), U.S. senator from Massachusetts, 1962-

Mary Jo Kopechne (1940-1969), former administrative assistant to Senator Robert F. Kennedy

Joseph F. Gargan (b. 1930), Kennedy cousin and an attorney

Paul F. Markham (fl. 1960's), U.S. attorney
Dominick James Arena (fl. 1960's), police chief
 of Edgartown, Massachusetts
Edmund S. Dinis (b. 1924), district attorney,
 southern district of Massachusetts

SUMMARY OF EVENT

The annual Edgartown Yacht Club Regatta has been an event eagerly awaited by sailors and sailing enthusiasts since 1924. U.S. senator Ted Kennedy had missed the regatta in 1968 because of the assassination of his brother, Senator Robert F. Kennedy, in June. The regatta features racing for different classes of boats and also social events, and it has many long-term participants, including the Kennedys, who have sailed in the regatta for years.

In the Wianno senior division, Kennedy would be racing the *Victura*, which had been sailed over from Hyannis Port by Joseph F. Gargan, Kennedy's cousin and an attorney, and Paul F. Markham, a U.S. attorney. On August 18, Kennedy was picked up at the Martha's Vineyard airport by his chauffeur, John Crimmins. Crimmins brought Kennedy's 1967 car, an Oldsmobile Delmont 88, to the island on the ferry. Along with racing, the weekend was marked as a celebration of thanks for a group of young women who had worked for Robert Kennedy. For the Friday evening cookout, Gargan had rented a cottage on the small island of Chappaquiddick, one hundred fifty yards across the channel from Edgartown.

The Wianno senior division started mid-afternoon, and Kennedy came in ninth. Following a small party to congratulate the winner, Kennedy returned to his room at the Shiretown Inn. After changing from sailing togs, he took the two-car ferry, the *On Time*, for the four-minute crossing to Chappaquiddick. There he joined the party. At approximately 11:15 p.m., Kennedy left the party with Mary Jo Kopechne, Robert's former administrative assistant, in his car. He had hoped to catch the ferry before it closed for the evening, but he took a wrong turn after leaving the drive to the cottage. Instead of heading toward the ferry, he found himself on Dike Road, a dirt road leading to Dike Bridge over Poucha Pond. Kennedy drove off the narrow bridge

into six to eight feet of water and blacked out briefly but was able to swim to the surface. According to his testimony, he dove down into the water repeatedly to try to rescue Kopechne, who was trapped in the overturned car. The water's current, though, kept him from reaching her. Some time later, he walked back to the cottage to get help, inexplicably passing cottages that were obviously occupied.

When Kennedy reached the cottage where the party had been held that night, he asked Gargan and Markham to help him attempt another search for Kopechne; they tried but failed to find her. Subsequently, Gargan and Markham advised Kennedy to immediately contact the police; Kennedy said he would do so from Edgartown. Because the ferry was no longer running, he dove into the channel and swam to Edgartown. He spent the rest of the night at the Shiretown Inn.

The following morning, Kennedy's demeanor made it seem that nothing unusual had happened. He took the ferry to Chappaquiddick, found a telephone, and made a series of calls. Again urged by Gargan and Markham, he crossed back to Edgartown to report the accident at police headquarters, almost ten hours after he drove off the bridge with Kopechne. Police Chief Dominick James Arena was not at the station: He was at Dyke Bridge, investigating a car (Kennedy's) spotted in the water by two fishermen. Arena tried but could not inspect the car's interior because of the water's powerful current, so he contacted John Farrar, a skin diver, who found Kopechne's body in the car. Her hands had been gripping the car seat and her body had been arched as if trying to get air. Deputy medical examiner David R. Mills would later determine that she had died from drowning.

Arena contacted the state vehicle registry to find the car's owner. After learning the owner was Ted Kennedy, he tried to find the senator and was surprised to discover him in his office at police headquarters. Kennedy informed Arena that he was the driver of the car and that the only other occupant was Kopechne. With Markham's help, Kennedy prepared a statement, but by this time, rumors had been circulating and the press was beginning to gather.



Officials pull Senator Ted Kennedy's car out of the water off Chappaquiddick Island. Mary Jo Kopechne drowned in the accident. (AP/Wide World Photos)

Kennedy called Kopechne's parents, Joseph and Gwen Kopechne, and told them of the accident, failing to mention that he was the one who had been driving the car. He gave instructions to Gargen and Markham to recover Kopechne's body. It was then embalmed and flown off the island on July 20. Kopechne's friends were told about her death and encouraged to return home. Kennedy relocated to Hyannis Port and went into seclusion. On July 22, with his wife, Joan, his sister-in-law, Ethel Kennedy, and others, he flew to Pennsylvania to attend Kopechne's burial service at St. Vincent's Church in Plymouth. In Edgartown, on July 25, he pleaded guilty to the charge of leaving the scene of an accident.

Following Kennedy's initial statement, Arena continued his investigation of the accident and consulted Walter Steele, special prosecutor for Dukes County District Court, concerning the appropriate charge. Unable to prove that Kennedy had been

driving to endanger or driving drunk, Steele could not justify a charge of manslaughter; consequently, Kennedy was charged with leaving the scene of an accident. At the hearing, Steele suggested Kennedy be incarcerated for two months and that this sentence be suspended. Edgartown District Court judge James A. Boyle, unaware of Kennedy's three previous driving convictions, followed Steele's suggestion but added one year of probation, citing Kennedy's supposed unblemished record. The hearing lasted seven minutes.

The following evening, on national television, Kennedy addressed the citizens of Massachusetts and explained the circumstances of the accident, his actions, and his inexplicable failure to immediately report the accident. He also asked the people of Massachusetts whether he should remain their senator or step down. The fourteen-minute speech, written by John F. Kennedy's speech writer, Ted Sorenson, led to much support from Massachusetts

voters. The voters would support Kennedy, even though there remained several unanswered questions. Why did Kennedy delay in reporting the accident? Why did he not mention the party on Chappaquiddick in his initial statement? Why was an autopsy not ordered?

The state's Southern District attorney Edmund S. Dinis requested an inquest into Kopechne's death and petitioned for the exhumation and autopsy of her body. However, the Kopechne family, with the spiritual guidance of Cardinal Richard Cushing of Boston, filed their own petition to bar the autopsy. Judge Bernard C. Brominski of Wilkes-Barre, Pennsylvania, upheld their petition. Between January 5 and 8, 1970, the inquest, barred to the public, was held in Edgartown, with Judge Boyle presiding. Kennedy and twenty-six witnesses testified. Boyle found no reason to issue an arrest warrant or recommend further action. In March, Leslie H. Leland, the foreman for the Edgartown grand jury, requested that a special session be convened to investigate Kopechne's death. At this session on April 6-7, four witnesses were called. No indictments were issued, however, and Dinis declared the case closed.

IMPACT

The accident and its aftermath put the media into a frenzy. At one point, more than four hundred fifty journalists had arrived on the overcrowded island, demanding information. Although Kennedy pleaded guilty to leaving the scene of an accident and then addressed the people of Massachusetts to explain his behavior, many felt the whole truth was not being told. Some were astounded that Kennedy's only penalty was the loss of his driver license for six months. Others were sure various authorities had been paid off to keep silent about the matter.

Voters of Massachusetts continued to support Kennedy and the mystique he represented. Some of his advisers felt time would lessen the impact of his failure to report the accident and that the incident would fade from the public consciousness. This did not happen. An important figure in the Democratic Party, Kennedy had been slated to be the next brother of the family to seek the Oval Office. How-

Kennedy's Driving Accident Kills Mary Jo Kopechne

ever, each time he came close to getting the Democratic nomination for the presidency (such as in 1976 and 1980), Chappaquiddick awakened. The American public could not forget that Kennedy had left a young woman in his car. Kopechne would die alone, in the darkness.

—Marcia B. Dinneen

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Jimmy Carter Admits Committing Adultery in His Heart; Jan. 26, 1979: Former Vice President Nelson Rockefeller Dies Mysteriously; Mar. 30, 1991: William Kennedy Smith Is Accused of

Rape; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Dec. 5, 2002: Senator Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign.

Fall, 1969-Winter, 1971

JAPANESE BASEBALL PLAYERS ARE IMPLICATED IN GAME FIXING

A number of Japanese baseball players were found to have been taking money from organized crime figures in Japan to intentionally lose baseball games. Those involved, many in the prime of their careers, faced pay cuts, long-term suspensions, and, in some cases, lifetime bans from the sport.

ALSO KNOWN AS: Black Mist scandal

LOCALE: Japan

CATEGORIES: Corruption; gambling; organized crime and racketeering; sports

KEY FIGURES

Masayuki Nagayasu (b. 1942), pitcher for the Toei Flyers and Nishitetsu Lions

Masaaki Ikenaga (b. 1946), pitcher for the Nishitetsu Lions

Kentaro Ogawa, (1934-1995), pitcher for the Chunichi Dragons

Tsutomu Tanaka (b. 1939), pitcher for the Nishitetsu Lions and Chunichi Dragons

SUMMARY OF EVENT

In October, 1969, late in the Japanese baseball season, Masayuki Nagayasu, a pitcher for the Nishitetsu Lions, was sent to the minor leagues. Nagayasu was not a star but he was having a solid, successful year. A puzzled journalist asked a Lions official why the apparently uninjured, reasonably effective Nagayasu was sent to the minor leagues during the season. The official told him that Nagayasu was suspected of associating with gam-

blers in a game-fixing scheme. It is likely the team official did not try to hide the suspicion, despite its potential for embarrassing the Lions, because he believed that the reporter already was aware of the rumors and would do as most Japanese sports reporters did in those times: hold the story and possibly publish later. However, this would not be the case with the Nagayasu story.

Traditionally, in Japan, sports reporters needed the cooperation of team officials to do their job, so they seldom reported embarrassing news about the teams or their players. However, in the case of Nagayasu, protocol was broken, and the newspaper published news of the pitcher's gambling connection. Reporters began probing for other culprits. However, some believe the story was published not to report on the gambling but to compromise the integrity of the Lions so that the Yomiuri Giants, owned by the newspaper for which the reporter worked, could annex the Lions' home ground.

The Lions claimed Nagayasu was the only team member involved with gambling, and later that fall, league officials banned him from the league for life. It appeared the saga was finished. However, in April, 1970, Nagayasu revealed the names of several other Lions players who had taken money in the scheme. Game throwing for money in Japan was not new. An official with the Kintetsu Buffaloes admitted that he had unwillingly participated in game fixing as a player during the early 1960's.

Sports gamblers tend to concentrate their efforts on the players with greatest control of a game's outcome, so they deal primarily with pitchers. Several

MODERN SCANDALS

Lions pitchers were under suspicion, including Nagayasu, Masaaki Ikenaga, and Tsutomu Tanaka. A Lions catcher and two infielders also were questioned. The investigation did not stop with the Lions; two Toei Flyers pitchers were questioned as well.

Ikenaga, one of the league's best pitchers, who was looking forward to a bright future in baseball, was the premier player involved in the scandal. He was the league's rookie of the year in 1965 and, at the age of twenty-three, had already won twenty or more games in three different years. At the time he was banned from the sport, his career record was one hundred three wins and sixty-five losses.

In the spring of 1970, a race-car driver who had been under investigation for fixing races turned informant and exposed the participation of baseball players in fixing car races. Other pitchers were apprehended, including Tanaka of the Lions and Kentaro Ogawa of the Dragons. In 1967, Ogawa won the Sawamura Award, the Cy Young Award of Japanese baseball, given to the best starting pitcher in Nippon Professional Baseball (NPB) each year. The award was named for Eiji Sawamura. As a teenage amateur player facing a team of major leaguers from the United States in 1934, Sawamura struck out four future Hall of Fame players (Charley Gehring, Babe Ruth, Jimmy Foxx, and Lou Gehrig) in succession. Ogawa won twenty-nine games, lost twelve, and had an earned run average of 2.51 the year he won the award. At the time of the scandal, he was well established as one of the NPB's best pitchers.

A Hanshin Tiger infielder also was suspected of having a role in race fixing. The gambling schemes all had a central criminal element, the *yakuza*, or Japanese mafia, and became so widespread that they were given the same collective name as the post-World War II Japanese political scandal called Black Mist.

Into February, 1971, the convicted ballplayers received varying degrees of punishment. Punishments depended on the depth of a player's involvement in game fixing. Some received severe warnings, others were suspended for a season, and at least six were suspended from NPB for life. The life

Japanese Players Are Implicated in Game Fixing

suspensions may have followed the example set by American baseball commissioner Kenesaw Mountain Landis, who punished the eight Chicago White Sox players accused of throwing the 1919 World Series. They were banned for life even though they were not criminally convicted.

Other interesting similarities exist between the game-fixing scandals in Japan in 1969 and the United States in 1919. First, in Japan, Ikenaga and Ogawa were among the group banned for life, and their suspensions were perhaps the most tragic. Ikenaga's expected great career came to an abrupt end, paralleling the fate of Shoeless Joe Jackson, one of the best players in the history of American baseball. Jackson's career was truncated near its peak by his part in the Black Sox scandal.

Ikenaga appealed the decision to ban him for life, declaring that he never played to lose. In his defense, it should be noted that he won eighteen games in 1969, an excellent achievement for one season. However, he kept the one million yen given to him by Tanaka to participate in the scheme. For that reason he was banned from Japanese baseball. In the 1919 scandal, Jackson had sworn that he played his best in the 1919 World Series, in which he batted .375, an exceptionally high average. However, like Ikenaga, he kept the money he was given to participate in the fix, and he was held accountable for doing so.

In 2005, the rules of professional baseball in Japan were amended to make lifetime bans revocable for players who showed remorse and exemplary behavior for a minimum of fifteen years. Also in 2005, thirty-five years after his banishment from the sport, Ikenaga was reinstated. Long past his playing prime, Ikenaga planned to use his reinstatement to coach college baseball.

IMPACT

The scandal was far reaching, affecting players, teams, and the whole of Japanese baseball. The financial loss to the players who were banned for life, though appreciable, probably came second in a society that considers the loss of one's reputation and losing the respect of others far more significant than the loss of money.

After the scandal came to light, a number of teams were sold and relocated. The Nishitetsu Lions moved and became the Seibu Lions and the Toei Flyers became the Hokkaido Nippon Ham Fighters. Also, many fans stayed away from baseball altogether, leading to plummeting attendance after the disclosures. However, baseball in Japan eventually recovered. Just as Babe Ruth and his home runs are credited with bringing American baseball fans back to the game after the Black Sox scandal, Sadaharu Oh's pursuit of professional baseball's home-run record through the 1970's helped draw fans back to Japanese ballparks.

One anticipated outcome of the scandal, learning from the mistakes of others, failed to materialize. In 1990, several Yomiuri Giant coaches and players were convicted of accepting inappropriate gifts, some from persons with gambling connections. The team was fined the equivalent of \$125,000 for the infractions. American player Pete Rose, who had 4,256 career base hits, a record, was found to have bet on baseball games and was banned from baseball in 1989 for life and excluded from Hall of Fame consideration.

—Carl W. Hoagstrom

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November 13, 1969

AMERICAN MASSACRE OF VIETNAMESE CIVILIANS AT MY LAI IS REVEALED

In 1968, U.S. Army soldiers, led by Second Lieutenant William Calley, marched into the small Vietnamese hamlet of My Lai in search of Viet Cong guerrilla fighters and summarily killed hundreds of civilian men, women, and children. Word of the massacre quickly spread in the U.S. media and led to an intense public scandal. Calley was tried for the killings. Because he was a junior officer, many claimed he was used as a scapegoat.

ALSO KNOWN AS: Song My massacre

LOCALES: My Lai and My Khe hamlets, South Vietnam (now in Vietnam)

CATEGORIES: Military; atrocities and war crimes; violence; publishing and journalism; government

KEY FIGURES

William Calley (b. 1943), U.S. Army second lieutenant commanding first platoon, Charlie Company

Ernest Medina (b. 1936), U.S. Army captain commanding Charlie Company

Frank A. Barker (1928-1968), U.S. Army lieutenant colonel, who ordered assault on My Lai village

Hugh Thompson, Jr. (1943-2006), U.S. Navy warrant officer and combat helicopter pilot

Ronald Ridenhour (1946-1998), U.S. Army soldier who alerted military and political leaders about the massacre

Seymour Hersh (b. 1937), newspaper reporter who broke the story

SUMMARY OF EVENT

The My Lai Massacre occurred on March 16, 1968, as three companies of the first battalion, Twenty-third Infantry Division, marched into the small Vietnamese hamlet of My Lai on a search-and-destroy mission. The soldiers were looking for

guerrillas, referred to as Viet Cong, associated with the National Front for Liberation of South Vietnam.

The company of twenty-five soldiers, led by Second Lieutenant William Calley, was on a mission coordinated by Lieutenant Colonel Frank A. Barker with instructions from their commanding officer to aggressively seek out Viet Cong and engage the enemy. The battalion-sized U.S. Army unit was code-named Task Force Barker and comprised three infantry companies (A, B, and C). Barker ordered commanders of the first battalion to burn houses, kill livestock, and destroy foodstuffs to keep supplies out of enemy hands.

Charlie Company moved first through the hamlet's south section; Lieutenant Stephen K. Brooks's second platoon went through the north. Lieutenant Larry LaCroix's third platoon remained in reserve close by. The soldiers of Charlie Company expected to encounter two armed Viet Cong companies. Captain Ernest Medina, commander of Charlie Company, had instructed his officers to burn the houses and destroy the livestock, crops, and foodstuffs in My Lai. Several men from Company C later testified that Medina had instructed them to kill civilians found in the hamlets. Medina later denied such statements.

Soldiers from first platoon, Charlie Company, entered the village after a barrage of artillery and helicopter gunfire but could not find any Viet Cong or other enemy combatants. The U.S. soldiers suspected Viet Cong guerrillas were hiding in the village homes or storehouses. The U.S. soldiers began a brutal spree of violence against the unarmed villagers that included murder, gang rape, sexual molestation, mutilation, and beatings. In what remains perhaps the most remembered atrocity at My Lai, soldiers herded villagers into an irrigation ditch and then shot and killed them. According to reports, first platoon leader Calley took a weapon from one of his subordinates—a soldier who had refused further involvement in the killing spree—and shot a



William Calley at his court-martial at Fort Benning, Georgia. (AP/Wide World Photos)

group of approximately seventy to eighty people in the center of the village.

As the first platoon made its way through the village, soldiers of second platoon were just beginning their sweep through the northern portions of My Lai and the small hamlet of My Khe. Here too, U.S. soldiers raped, shot, and burned their way through the area. The villagers who survived the massacre by hiding beneath dead bodies later testified that they saw the American soldiers rape women, kill women who were pregnant, shoot small children and babies, and mutilate villagers. These accounts were later supported with images snapped by American war photographers.

The third platoon, led by Lieutenant Larry LaCroix, was charged with managing any remaining resistance by enemy combatants. The American soldiers killed civilians who had been wounded and all remaining livestock. Evidence would later show that third platoon massacred a group of seven to twelve women and children who had been hiding in the village.

The massacres in My Lai and My Khe were halted after a U.S. Navy helicopter pilot, Warrant Officer Hugh Thompson, Jr., noticed a large number of dead and dying civilians as he flew over the villages. He landed his aircraft by a ditch full of bodies and asked a nearby soldier to assist with retrieving the survivors from the ditch. Thompson returned to his helicopter and took off to continue his scouting assignment. He would later recount that as he took off he saw soldiers firing into the ditch to kill off the survivors.

After a few flyovers of the village, Thompson saw a group of civilians, comprising old men, women, and children, being approached by soldiers. He landed his helicopter, instructing his men to open fire on any soldier firing at the villagers, and proceeded to coax the villagers into his helicopter. Thompson rescued more than one dozen people and flew them to safety. He returned and rescued a small girl from a ditch full of dead bodies. His testimony would later be supported by other pilots and crew.

The Army chose not to conduct a definitive body count. Most eyewitnesses estimate the body count to have been between 350 and 500. The memorial currently standing at the site of the massacre is engraved with the names of 504 persons, ranging in age from one to eighty-two years. The official death count by the U.S. Army is 347.

Initial investigations into the My Lai massacre were brief, despite letters and complaints by soldiers that brutality against Vietnamese civilians was common. Critics claimed incidents had been whitewashed to avoid public outcry. However, the atrocities at My Lai would first come to light outside the military through a March, 1969, letter written by Ronald Ridenhour—a veteran of Charlie Company—to U.S. president Richard Nixon, the Pentagon, the U.S. State Department, the Joint Chiefs of Staff, and several U.S. Congress members. Most authorities who received Ridenhour's letter, which stated that "something very black indeed" had occurred at My Lai, chose to ignore the note. One person who paid attention was investigative reporter Seymour Hersh. He broke the story of My Lai in a three-part news report that began on November 13, 1969, in the *St. Louis Post-Dispatch*

MODERN SCANDALS

with the article “Lieutenant Accused of Murdering 109 Civilians.” Hersh was awarded the Pulitzer Prize in 1970 for the investigative series.

After numerous assertions that the atrocities were covered up, the U.S. Army began court-martial proceedings against thirty—mostly enlisted—soldiers, including two generals and three colonels. Ultimately, charges were dropped for those who already had been discharged from military service. The remaining nine enlisted soldiers and four officers faced courts-martial on March 17, 1970, in an inquiry headed by Lieutenant General William R. Peers.

Initially, seven enlisted soldiers from Charlie Company were charged by the Army with crimes including murder, rape, and assault. Charges against five were dropped and two soldiers were tried; Calley was one of them. On March 29, 1971, he was found guilty on three counts of murder and sentenced to life imprisonment, but President Nixon intervened and released the officer pending appeal. In August, the Army reduced Calley’s sentence to twenty years, and in April, 1974, further reduced it to ten years. He was paroled in the fall of 1974.

IMPACT

The massacre at My Lai raised serious questions both within and beyond the armed services. First, at the social and cultural level, the massacre reinvigorated the antiwar movement. Many antiwar activists seized upon this single event to increase their demands for the removal of U.S. troops from Vietnam. Also, there was an increase in filings for conscientious-objector status by potential draftees.

Second, at the military level, some experts maintained that the My Lai massacre demonstrated that there was a need for better recruits and stronger leadership. The military had been experiencing a dearth of bright, intelligent recruits during the Vietnam War, as many young men were able to avoid the draft through attending college or a university. The massacre, they argued, showed a system gone wrong because of recruitment concerns and a lack of conscientious soldiering.

The massacre also led to debate over the military’s insistence on unconditional obedience to or-

Massacre of Vietnamese Civilians at My Lai

ders. Most of the soldiers tried for their deeds at My Lai testified that they simply had been following orders and were, therefore, not guilty of any wrongdoing. The massacre also led to debate over the military’s emphasis on kill ratios and body counts. Soldiers and their commanders were routinely rewarded for having high kill ratios, or body counts, in combat zones. Finally, the cover-up of evidence and witness reports from the massacre prompted critics to call for a change of official policy on handling complaints that allege brutality against civilian noncombatants.

—Wendy L. Hicks

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1963: Madame Nhu Derides Self-Immolation of Vietnamese Buddhists; May 4, 1970: National Guardsmen Kill Protesting Kent State Students; June 13, 1971: *New York Times* Publishes the Pentagon Papers; July 8-22, 1972: Jane Fonda's

Visit to North Vietnam Outrages Many Americans; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Apr. 28, 2004: CBS Broadcasts Photos of Abused and Tortured Prisoners at Abu Ghraib.

December 30, 1969

UNITED MINE WORKERS LEADER JOSEPH YABLONSKI IS MURDERED

Joseph Yablonski, an activist with the United Mine Workers of America, ran against UMWA president W. A. Boyle in the 1969 union election but was defeated. Yablonski challenged the election results and shortly thereafter was murdered, along with his wife and daughter. The murders provoked outrage and a federal investigation, leading to Boyle's imprisonment and to union reform.

LOCALE: Clarksville, Pennsylvania

CATEGORIES: Murder and suicide; labor; organized crime and racketeering

KEY FIGURES

Joseph Yablonski (1910-1969), reform activist with United Mine Workers of America (UMWA)

W. A. Boyle (1904-1985), president of UMWA

Joseph L. Rauh, Jr. (1911-1999), lawyer and labor activist

Albert Pass (fl. 1960's), UMWA official and leader of murder plot

Silous Huddleston (fl. 1960's), UMWA official and assassin

Richard Sprague (fl. 1960's), assistant district attorney in Philadelphia

SUMMARY OF EVENT

On the night of December 30, 1969, United Mine Workers of America (UMWA) reform activist Joseph Yablonski, along with his wife, Margaret, and

their daughter, Charlotte, were shot to death in their beds in their Clarksville, Pennsylvania, home. Joseph Yablonski, who was born in Pittsburgh, Pennsylvania, on March 3, 1910, was part of a coal-mining family and had been a miner since the age of fifteen. From 1934 onward, he had been active with UMWA, serving on its executive board between 1934 and 1942 and as president of the union's Local 5 from 1955 to 1968.

As Yablonski rose in the ranks, he attracted the ire of UMWA president W. A. Boyle, who had forced him out of office in 1968 because Yablonski supported reform candidates for union office. Boyle, in contrast, led a corrupt and autocratic regime. In 1968, Yablonski sought to challenge Boyle for the UMWA presidency, but Boyle managed to defeat him through questionable electoral practices that included a lack of independent oversight of the election. Yablonski then attempted to challenge the results of the election, calling for an investigation by U.S. secretary of labor George P. Shultz. Shultz first chose to ignore the matter but intervened after the murders of Yablonski and his wife and daughter.

Boyle denied any involvement in the murders, either by himself or the union. He offered a reward for bringing the perpetrators to justice. However, the widespread publicity led to his arrest and conviction for having authorized the crime. As shocking as the premeditated murders had been in themselves (the perpetrators had previously broken into the Yablonski home to plan their crime), the crime

also exposed serious problems of corruption and lack of democracy within the UMWA.

Although corruption and authoritarian leadership had been present since the time of the renowned UMWA president John L. Lewis, the problems had become more pronounced and severe by the time Boyle, one of Lewis's handpicked successors who attempted to assume Lewis's mantle of power, took office. Additionally, when the UMWA began to shift its stance from labor militancy to business unionism and close cooperation with management during the 1960's, the union became less and less responsive to the needs of rank-and-file workers. Even Lewis, by the end of his life, had begun to support the management view that greater productivity would lead to more jobs, and so he failed to address health and safety concerns.

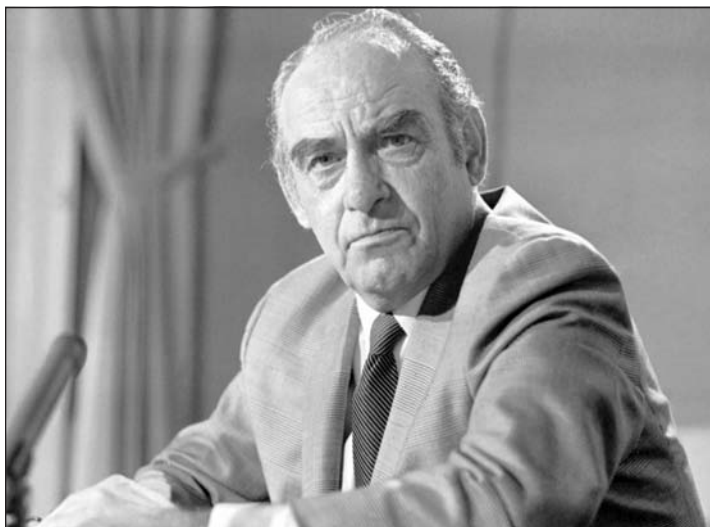
The growth of rank-and-file opposition to the unquestioned authority of the UMWA's leadership increased following Lewis's death, and opposition was spurred by the growing awareness of black-lung disease (pneumoconiosis), a debilitating and potentially deadly condition resulting from too much exposure to coal dust. There also was increasing anger over Boyle's reluctance to address the disease, which was first brought to public attention by activists such as Ralph Nader from outside the union. Opposition to Boyle further increased after he was exposed for mismanaging the miners' pension funds. His ineptitude led to retired miners having to pay additional dues money, and he was subsequently accused of embezzlement. Finally, Boyle's lack of public concern over a 1968 mine explosion that killed seventy-eight miners cost him further public support.

Yablonski was in many ways uniquely positioned to challenge Boyle for the national leadership of the union. As one of the few local presidents who had been elected by the membership, he enjoyed much popular support, especially among the growing movement for a democratic leadership. He also had the support of labor activists outside the union, including Nader and Joseph L. Rauh, Jr., a lawyer

with Americans for Democratic Action. However, Yablonski, who also had worked closely with labor's Non-Partisan League, was aware of the risks of opposing Boyle.

From the moment his campaign began, Yablonski found himself in physical danger and even suffered a blow to his neck on June 28, 1968, which nearly left him paralyzed. Additionally, he and his supporters struggled continuously against the Boyle machine, first to achieve his nomination and then to successfully campaign against Boyle. Yablonski and his supporters persisted, filing a lawsuit for the right to have the union distribute his campaign literature through the mail, following the provisions of the Landrum-Griffin Act (1959). Rauh also appealed on repeated occasions, but in vain, for Labor Secretary Shultz to investigate Boyle's campaign practices. Boyle won the election, largely through bribery, voter intimidation, and other illegal means, funding his campaign with union dues. Yablonski, Rauh, and Yablonski's two sons, Kenneth and Joseph, who were lawyers, attempted to challenge the legality of the election.

As the Department of Labor stalled and the suits wound their way through the courts, Silous Huddleston, a minor official with the UMWA, confessed in court that he had been seeking conspirators to murder Yablonski. The organizer of the



Joseph Yablonski. (AP/Wide World Photos)

murder plot was UMWA official Albert Pass. Huddleston testified that Boyle had plotted the murder even before the election, shortly after Yablonski announced his intentions to run against him. He added that the murder was delayed, however, to prevent accusations that Boyle arranged his opponent's death to ensure his own win.

By December 30, the day of the murders, Pass had become impatient with Huddleston, telling him to get the job done. That night, Huddleston, along with his hired hit men, cut local telephone wires, broke into the Yablonski home, and shot Yablonski and his wife and daughter, stealing money they found along the way. Kenneth Yablonski found the bodies of his mother, father, and sister three days later. The murders made headlines around the world. Huddleston, his henchmen, and the other known coconspirators were quickly caught and then brought to justice by noted prosecutor Richard Sprague, an assistant district attorney in Philadelphia. Boyle also became the focus of public scrutiny and suspicion as the authority behind the murders.

Amid the adverse publicity, Boyle lost his presidency in 1972. A rank-and-file dissident group, Miners for Union Democracy, unseated him in the election, one of the first in the union's history that had been run fairly, and replaced him with Yablonski supporter Arnold Miller. Boyle was arrested in 1973, following a coconspirator's confession, and convicted of illegal use of pension funds and, in 1974, was convicted for his role in the Yablonski murders. Boyle died in prison in 1985.

IMPACT

The Yablonski murders took on a legendary status, becoming the subject of books and a film, *Act of Vengeance* (1986). More than a particularly shocking crime, the murders underscored what can happen when union leadership becomes too powerful and forgets about democratic principles, which are vital to the continued relevance of any union. In particular, the case revealed how high a price the revered union leader Lewis had exacted from the union's rank and file to build a once-struggling organization and bring it to the position of power it achieved after World War II.

Although the publicity and investigation into the murders were harmful to the reputation of the UMWA and, by extension, the organized-labor movement, the publicity led to much needed reform and the revival of union democracy. Change began during Boyle's administration, but it moved at a faster pace under the leadership of Miller (president from 1972 to 1979) and, later, Richard Trumka, who served as union president from 1982 to 1985 and became secretary treasurer of the AFL-CIO. It is true that corruption led to the murders of the Yablonskis, but it is also the case that the murders served as the catalyst for significant and needed reform within the UMWA.

—Susan Roth Breitner

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1970

STUDY OF ANONYMOUS GAY SEX LEADS TO ETHICS SCANDAL

Laud Humphreys' book Tearroom Trade, a groundbreaking look at anonymous sex among men in public restrooms, led to scandal because Humphreys used questionable methods in conducting his study. Nevertheless, he found that men having sex with other men, including those who are married, have children, and are politically and socially conservative, often lead contradictory lives. Also, his study is used as a case example in the ethics of human-behavior research.

LOCALE: St. Louis, Missouri

CATEGORIES: Publishing and journalism; sex; education

KEY FIGURE

Laud Humphreys (1930-1988), American sociologist and Episcopalian minister

SUMMARY OF EVENT

Laud Humphreys, an Episcopalian minister and a sociologist, had been intrigued by his parishioners who sought counseling from him for their homosexuality. His interest led to his groundbreaking ethnographic study of anonymous gay sex (known as “tea-rooming”) in public restrooms. The topic—fellatio between men—was highly taboo. His research turned out to be taboo as well, requiring that he observe what were criminal acts at the time. Still, he believed that the only way he could gain insight into the impersonal sex among married and unmarried men was to watch them having sex, that is, to participate as a “watchqueen,” or voyeur.

Humphreys' participant-observation, a common research method in field studies, would lead to scandal, in part because he watched as crimes were being committed but also because of the way he gathered information about his subjects. He defended his method of participant-observation because it was conducted in a public place, adding that the acts he observed were consensual. Therefore, he

also believed the participants should not be prosecuted for their encounters. However, he was heavily criticized for secretly recording the license-plate numbers of the cars driven by the men in his study, and he used that information to locate and interview them one year later. He had disguised himself as a survey researcher and deliberately misrepresented his identity (first at the study restroom and then at the residences of the subjects).

On October 16, 1930, Humphreys was born to Ira and Stella Humphreys. He graduated from college in 1952 and was ordained an Episcopalian priest in 1955. Beginning his new profession, Humphreys worked in a few parishes in Kansas and then entered graduate school at Washington University in Saint Louis, Missouri, in 1965. He completed his controversial doctoral dissertation in 1968 under the supervision of Lee Rainwater. The dissertation, published in 1970 as *Tearoom Trade: Impersonal Sex in Public Places*, won the C. Wright Mills Award for best work on a critical social issue. The annual award is presented by the Society for the Study of Social Problems. The chancellor of Washington University attempted to revoke Humphreys' doctorate.

Tearoom Trade reveals what had been a little-known subculture. The book details the ritualized steps and signals in tearoom transactions, where men not seeking sex do not have to worry about being mistaken for a tearoom participant. If one does not know tearoom “code,” then one apparently is not seeking sex there. In tearooms, men use specific techniques to determine how to approach another man, and they use subtle body language as a way to communicate their intentions. Tearoom code includes toe-tapping, waving and placement of the hands, and body positioning. Codes also help determine who will perform fellatio, who will receive it, and whether reciprocation is expected.

Humphreys also argues that many married men participate in tea-rooming because they are simply looking for a way to have casual sex without attach-

ments and obligations. Tearooms are places where an exchange is made between consenting adults, an exchange of impersonal sex in a public place with no strings attached.

Furthermore, through his research, Humphreys was able to discern why men chose a particular location and when the activities were most likely to occur. For example, he notes how ease of access to a rest-stop restroom, which is most often right off a highway, allows for tea-rooming during lunch hours or during the commute time home. (The tearoom is busiest between noon and 1:00 P.M. and again around 5:00 P.M.) Because the participants can stop by the tearoom for impersonal sex during their lunch hours, or after work, they can hide their behavior from their spouses. They can quickly get back on the highway and be home in time for dinner.

In 1972, Humphreys published another book, *Out of the Closets: The Sociology of Homosexual Liberation*, which failed to garner as much attention as *Tearoom Trade*. Although Humphreys taught at numerous colleges and universities around the United States, in 1975 he became a full professor at Pitzer College and a professor of criminal justice at Claremont Graduate School (now University), both in Claremont, California. In 1980, he left his wife and children to live with his protégé and lover, Brian Miller, almost thirty years his junior. Miller was a psychotherapist who coauthored with Humphreys the articles “Identities in the Emerging Gay Culture” (1980), “A Scholarly Taxi to the Toilets” (1982), and “Lifestyles and Violence: Homosexual Victims of Assault and Murder” (1980). Humphreys, who came out as gay in 1974 at the annual meeting of the American Sociological Association, died on August 23, 1988, after developing lung cancer.

IMPACT

Humphreys’ research was risky, and many claimed that the data he obtained was so sensitive that it could have been used to harm the participants

ANATOMY OF A TEAROOM

Laud Humphreys describes the ideal places for anonymous sex between men in this excerpt from the first chapter of his 1970 book Tearoom Trade.

Public restrooms are chosen by those who want homoerotic activity without commitment for a number of reasons. They are accessible, easily recognizable by the initiate, and provide little public visibility. Tearooms thus offer the advantages of both public and private settings. They are available and recognizable enough to attract a large volume of potential sexual partners, providing an opportunity for rapid action with a variety of men. When added to the relative privacy of these settings, such features enhance the impersonality of the sheltered interaction.

through blackmail. Others claimed that tea-rooming is criminal behavior. However, Humphreys argued in *Tearoom Trade* that the true harm comes from police crackdowns on tearoom sex; no harm comes from the “crime” of sex between men. “The only harmful effects of these encounters, either direct or indirect,” he wrote, “result from police activity. . . . Blackmail, payoffs, the destruction of reputations and families. . . .” *Tearoom Trade* placed great emphasis on the consensual nature of tearoom sex. Although Humphreys’ methods were unorthodox, and many argued that his means did not justify the ends to which he arrived, it cannot be denied that his work dispelled many myths about clandestine sexual behavior and revealed a subculture of escape and freedom for many.

Tearoom Trade is especially revealing for noting that most of the tearoom participants in his study were family men who were well-educated and well-respected members of their communities. About 50 percent of the participants claimed to be heterosexual, and many were politically and socially conservative as well. These findings led Humphreys to conclude that the men of the trade lived incongruous lives.

Finally, Humphreys’ controversial study intensified debate and discussion about the need for professional codes of ethics in the social sciences. His work also was a factor in the development of institutional review boards in academia. These campus

boards determine the appropriateness of proposed studies by scholars and graduate students that involve research with human subjects.

—Gina Robertiello

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May 4, 1970

NATIONAL GUARDSMEN KILL PROTESTING KENT STATE STUDENTS

After several days of protests against the Vietnam War on the campus of Kent State University, more than two dozen Ohio National Guard soldiers opened fire on students, killing four and wounding many others. The protest was followed by months of demonstrations at other campuses around the United States and included the killing of two students by police and the wounding of other students at Jackson State College in Mississippi ten days after Kent State.

ALSO KNOWN AS: Kent State massacre

LOCALE: Kent, Ohio

CATEGORIES: Murder and suicide; social issues and reform; military; education; civil rights and liberties

KEY FIGURES

Allison Krause (1951-1970), student protester

William Schroeder (1950-1970), ROTC cadet and bystander

Jeffrey Miller (1950-1970), student protester

Sandra Scheuer (1949-1970), student and bystander

James A. Rhodes (1901-2001), governor of Ohio, 1963-1971, 1975-1983

SUMMARY OF EVENT

In the spring of 1970, American universities were places of discontent with the U.S. government's policies in Vietnam. For the past decade, college and university students had been at the forefront of the movement to redress numerous social ills. Groups such as Students for a Democratic Society (SDS) had campaigned for civil rights in the South, often risking injury or even death at the hands of hardened racists who resented the perceived interference of outsiders in their communities. The earliest Freedom Riders who had canvassed the South to register African Americans to vote and to integrate public facilities had been clean-cut young people

not notably different in their dress and grooming from the young people of the 1950's.

As the 1960's progressed, student culture became increasingly radicalized. Although significant victories were won for African Americans, these victories made student activists increasingly aware of just how many injustices remained, some so deeply institutionalized they would defy any simple fixes. Worse, the increasing involvement of the United States in the Vietnam War was seen not as an effort to spread liberty and protect people from communist tyranny but as the United States acting as a bully in the international arena, imposing its will upon a small and helpless peasant country. This disaffection, combined with the development of a youth culture characterized by styles of dress and patterns of behavior markedly at variance with the majority culture, led to a widening gulf of misunderstanding and hostility between the generations.

The immediate flashpoint for the confrontations at Kent State University in Kent, Ohio, was the United States' invasion of Cambodia in an effort to cut off North Vietnamese supply lines. On May 1, angered at what they saw as an unwarranted act of aggression against a peaceable country, Kent State students held a mock funeral and buried a copy of the U.S. Constitution as a symbolic protest against its "murder." Subsequently, the crowd drifted onto Water Street, Kent's business district, and broke windows until police arrived. Kent's mayor regarded the events with alarm, considering them evidence of a sinister radical plot, and declared a state of emergency.

The following evening, a crowd surrounded the Reserve Officers' Training Corps (ROTC) barracks. Many protestors considered the ROTC a visible symbol of U.S. militarism, which was ironic because the ROTC program actually had the greatest likelihood of producing citizen-soldiers with a firm connection to the civilian populace. However, the service academies, with their distinctive military

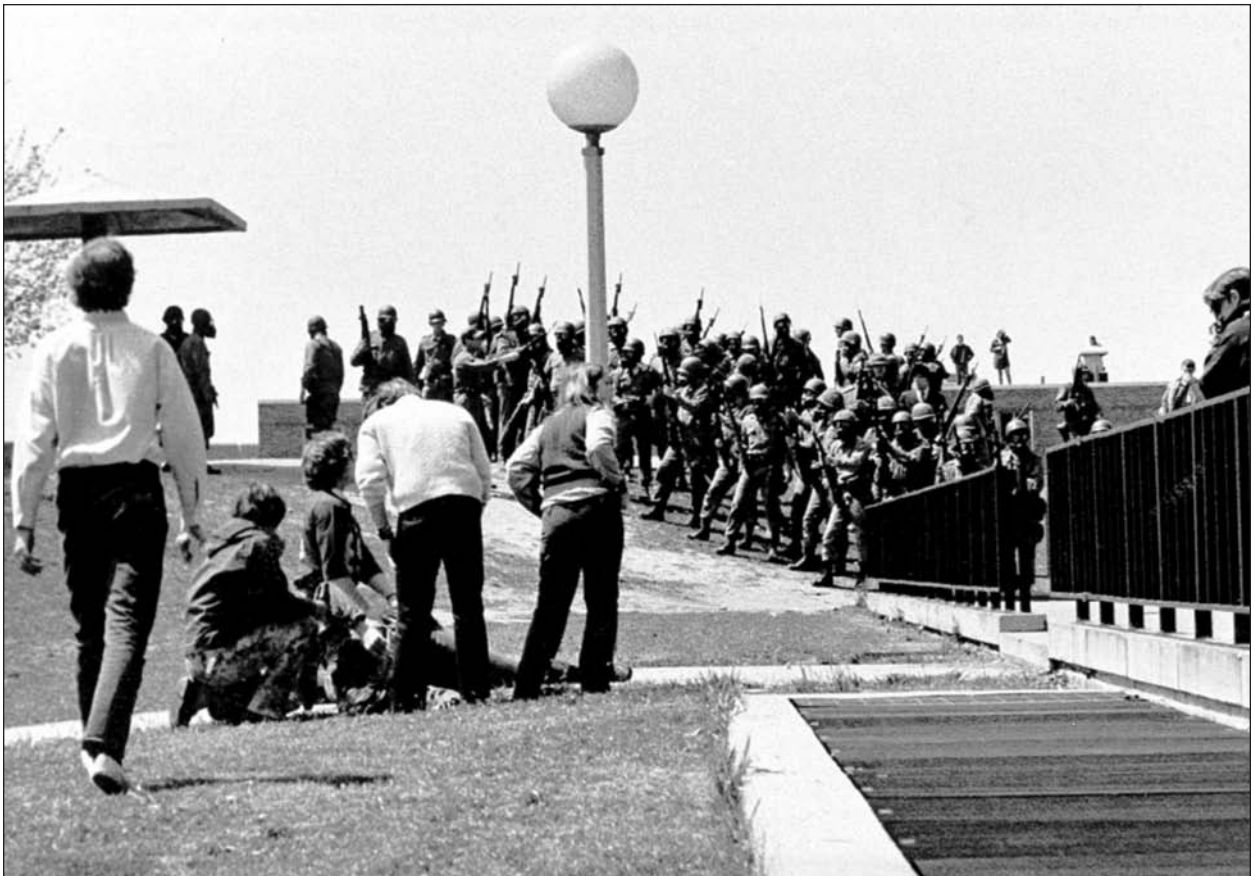
culture, were distant from protestors, while the ROTC program was a reachable target.

During the demonstration, the ROTC building, which had been boarded up and was slated for demolition, was set on fire. When firefighters arrived on the scene, protesters slit their hoses to prevent them from saving the building. After the firefighters abandoned efforts to fight the fire, Ohio National Guard troops, sent in by the governor, James A. Rhodes, forcibly cleared the campus and chased the students into the dormitories.

The following day began with apparent calm. In fact, there was a dangerous undercurrent of anger. Several meetings were held among state, local, and university officials, but the meetings were plagued by misunderstandings that would soon have deadly

results. Worse, the news of the destruction of the ROTC barracks brought a number of sightseers, who further confused the situation on campus.

In the evening, a crowd of student protesters gathered on the Commons, a large greensward often used for informal assemblies. When the students refused to disperse, they were told to disperse and tear gassed. Although the demonstrators fled the Commons, they subsequently reassembled at the intersection of East Main and Lincoln Streets, hoping to compel officials to respond to their demands. However, no one arrived, and by 11 P.M. the crowd had grown increasingly restless. At that point police warned the crowd once again and forcibly dispersed them with tear gas. In the confusion, several people, both National Guard and civilian, were injured, set-



Kent State University students tend to a wounded youth as Ohio National Guard soldiers gather with rifles in the background. Soldiers killed four students and injured many more during an antiwar demonstration on campus. (AP/World Wide Photos)

ting the stage for the final confrontation the next day.

On May 4, two thousand people gathered on the Commons, determined to hold their rally in the face of the prohibition. However, many students, particularly commuters who had not been on campus over the weekend, had no idea that public assemblies had been banned as part of the mayor's state of emergency declaration. The National Guard troops, numbering about one thousand by this time, were equally determined to disperse any demonstrations and restore order at all costs. Taunts and verbal abuse were exchanged, and the students began throwing rocks. The troops fired tear gas in an effort to force the students to disperse, but some of the bolder students grabbed the canisters and threw them back at the soldiers. Some soldiers eventually fired their weapons upon the students. More than sixty rounds were shot by twenty-eight soldiers in about thirteen seconds.

When the melee was over, four students—Allison Krause, Jeffrey Miller, William Schroeder, and Sandra Scheuer—were dead or near death. Krause and Miller had been active participants in the protest, and Schroeder and Scheuer were bystanders who were passing the edges of the demonstration area. Nine others had suffered less severe wounds, ranging from flesh wounds to permanent paralysis. The injured students were treated with disregard by emergency personnel, and at least two of the fatalities apparently reached the hospital alive but were not given life-saving aid. On campus, shock and grief quickly turned to anger at the brutality.

IMPACT

Kent State University was closed for the rest of the term. Shock waves rippled across the country as students at other universities called for their own schools to be closed so they could attend protests. At Jackson State College (now University) in Mississippi, a demonstration turned confrontational just ten days after the Kent State massacre, leading to the deaths of two students, shot by police, and injuries to more than a dozen others. This case did not make national headlines, however, largely because

the students were African American and from poor families. However, the specter of continued violence led many university administrations to end classes early for the term to defuse the anger and sorrow.

At the same time, there was a powerful backlash from adults, many of whom condemned the slain students as having brought about their own destruction. Rumors proliferated that the victims were disease-ridden drug addicts who nauseated medical personnel. Some parents even told their own children it would be fitting for them to be shot down if they failed to obey the orders of authorities.

The President's Commission on Campus Unrest, formed on June 13, 1970, by U.S. president Richard Nixon, condemned the shootings and the protestors, but concluded that "the indiscriminate firing of rifles into a crowd of students and the deaths that followed were unnecessary, unwarranted, and inexcusable." Its report, which included its findings on the shootings at Jackson State and the unrest at campuses around the United States, was released in October.

For a time there was a real possibility that many colleges and universities would be closed altogether, particularly if there had been renewed violence during the fall term. The event soon faded into a name, an annual memorialization of the four killed at Kent State, and a now-classic song, "Ohio," written by Neil Young.

—Leigh Husband Kimmel

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the future of America's university culture and higher education.

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SEE ALSO: July 28, 1932: U.S. Troops Drive World War I Veterans from Washington; Nov. 13, 1969: American Massacre of Vietnamese Civilians at My Lai Is Revealed; June 13, 1971: *New York Times* Publishes the Pentagon Papers; July 8-22, 1972: Jane Fonda's Visit to North Vietnam Outrages Many Americans.

May 28, 1970

IRISH POLITICIANS ARE TRIED FOR CONSPIRING TO IMPORT WEAPONS

Charles James Haughey and Neil Blaney were charged with attempting to import weapons to Northern Ireland for the use of the Irish Republican Army. Both ministers were acquitted and, although they were dismissed from their government posts, they later returned to politics.

LOCALE: Dublin, Ireland

CATEGORIES: Law and the courts; corruption; government; politics; atrocities and war crimes

KEY FIGURES

Charles James Haughey (1925-2006), Irish minister for finance, 1966-1970, and prime minister, 1979-1981, 1982, 1987-1992

Neil Blaney (1922-1995), Irish minister for agriculture and fisheries, 1966-1970

Jack Lynch (1917-1999), leader of Fianna Fáil Party and Irish prime minister, 1966-1973, 1977-1979

Kevin Boland (1917-2001), Irish minister for local government, 1965-1970

Michael O'Morain (1912-1983), Irish minister for justice, 1968-1970

John Kelly (1936-2007), leader in the Provisional Irish Republican Army

James Kelly (1929-2003), Irish army intelligence officer

Liam Cosgrave (b. 1920), leader of the Fine Gael party

SUMMARY OF EVENT

On April 28, 1969, the moderate reformist prime minister of Northern Ireland, Terence O'Neill, resigned under intense pressure, and the conflict in the Six Counties rapidly dissolved into open sectarian warfare between Roman Catholics and Protestants. Provocative commemorative marches by militant Protestants on July 12 through 16 and again from August 12 through 14 ignited a violent reaction in the Catholic Bogside neighborhood in Derry. The authorities were unable to contain the situation, and Irish Republic prime minister Jack Lynch, impassioned by militant elements within his

ruling Fianna Fáil party, delivered a stern, inflammatory speech during which he threatened to send the Irish army across the border to protect the North's Catholic minority. Shortly thereafter, however, the British army moved to attempt to restore order and soon faced a guerrilla war of their own against the newly revived IRA (Irish Republican Army).

Lynch, a moderate at heart, then backed down from his tough stance, particularly angering two influential politicians within his own cabinet: Finance Minister Charles James Haughey and Agriculture and Fisheries Minister Neil Blaney. Haughey and Blaney had each contended against Lynch in 1966 over the party leadership and considered him to be weak and vacillating, especially on the issue of Irish nationalism. Lynch, for his part, did nothing more dramatic than establish a cabinet subcommittee to organize and disburse relief funds for Catholic families who had been forced from their homes because of the Troubles (as the nearly thirty-year guerrilla struggle in Northern Ireland was later to be called). However, Lynch's supervision over the subcommittee was lax and he thus allowed effective control to pass to its two domineering members, his arch-rivals Blaney and Haughey.

On October 4, Irish intelligence officer James Kelly, a captain, attended a meeting in Baileboro, County Cavan, Ireland, at which he conferred with ranking members of the IRA. From talking to these IRA leaders, who may have included John Kelly, James Kelly then established contact between the IRA on one hand and with Blaney and Haughey on the other to formulate a plan to smuggle arms from Belgium into Dublin Airport. The sale was to be paid for by subcommittee funds, and the arms were to go to the North to provide the IRA with weapons for the defense of Catholic neighborhoods.

In its hazy and often tortuous outlines, a plot emerged through the winter and into the spring of 1969-1970. James Kelly, working with contacts in Germany and Belgium (one of whom may have been a Belgian-born businessman, Albert Luykx, who had taken residence in Ireland), was to procure the guns and have them shipped aboard the cargo vessel *City of Dublin* to Dublin in March of 1970.

Haughey had issued orders to Irish customs (which fell under his finance ministry portfolio) to let the shipment through. However, a glitch in the paperwork (a required end-user's certificate could not be as readily procured as expected) brought about a change in plans. Instead, James Kelly was to see that the arms were conveyed via Trieste, Italy, and Vienna, Austria, and thence by plane to Dublin. At the last minute, Haughey aborted the flight because he discovered that the justice ministry had ordered police to seize the cargo as soon as the plane landed.

The scheme rapidly unraveled. Justice Minister Michael O'Morain, acting primarily through his chief secretary and special branch head Peter Berry, was informed of most of the details of the shipment, details that were funneled up to Lynch. Likewise, Defense Minister Jim Gibbons gleaned information that he passed on to the prime minister. Apprehensive, perhaps, of the potential political fallout, Lynch was slow to act.

Two events, occurring in quick succession, forced Lynch's hand. First, with O'Morain becoming increasingly ill over the stress of events and increasingly escaping into alcohol abuse, Berry took the initiative of informing President Eamon de Valera and then letting Lynch know that he had done so. Second, Fine Gael opposition leader Liam Cosgrave found out about the scandal. After unsuccessfully trying to interest the Irish media in the story, he had a private interview with Lynch, wherein he threatened to make a public revelation unless the prime minister acted decisively.

Lynch asked Haughey and Blaney to resign their ministerial offices. When they refused, Lynch turned to De Valera, who on May 6, 1970, ordered their dismissals. Almost immediately, local government minister Kevin Boland and others resigned in protest. Two days earlier, O'Morain had tendered his resignation from his hospital sickbed. The Irish government brought charges against Haughey, Blaney, Luykx, James Kelly, and John Kelly, and the arms trial began on May 28 in Dublin.

Blaney was acquitted on July 2, when it became obvious that prosecutors did not have evidence indicating he had a direct link to and actual knowl-

edge of the arms importation plan. For the other defendants, proceedings went on until July 7. Then, after a pointed exchange between defense counsel and the judge, the cases were terminated in a mistrial. After a lengthy hiatus, the trial resumed on October 6 and ran until October 23, when the jury acquitted all of the accused. The crux of the defense's argument lay in doubts as to how much Defense Minister Gibbons knew of the affair, and whether or not he had given it his blessing. Because Haughey's testimony ran counter to that of Gibbons, and the evidence indicated ambiguity as to whether or not the ministry for defense had originally approved the arms importation, jury members concluded that the prosecution had not established the defendants' guilt.

IMPACT

In the fallout surrounding the arms crisis, the main beneficiary was Cosgrave. The trial had further weakened Lynch's leadership, splitting the Fianna Fáil party between those who adhered to the prime minister and supporters of Blaney, Haughey, and Boland. Cosgrave's Fine Gael party was able to draw political capital from this scandal and, in 1973, formed a coalition with the Irish Labour Party to oust Fianna Fáil from power; Cosgrave became prime minister and served until 1977.

Both Blaney and Haughey recovered from the scandal to serve in politics for the remainder of their lives. Haughey was prime minister three times. Luykx faded back into obscurity. John Kelly carved out a short-lived political career for himself in Northern Ireland as a member of the Sinn Féin party, but James Kelly had to retire from the army and devoted much of the remainder of his days trying to clear his reputation.

The arms crisis and its revelations did much to heighten suspicion among the Ulster Unionists and in British intelligence circles of the involvement of Lynch's government in the Nationalist movement, acting to sharpen attitudes on both sides in what was even then degenerating into a bloody, drawn-out conflict in Northern Ireland.

—Raymond Pierre Hylton

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SEE ALSO: Oct. 25, 1924: Forged Communist Letter Brings Down British Government; Nov. 13, 1986-May 4, 1989: Iran-Contra Weapons Scandal Taints Reagan's Administration; 2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering.

June 13, 1971**NEW YORK TIMES PUBLISHES THE PENTAGON PAPERS**

The publication of the Pentagon Papers, excerpts from classified documents outlining the history of U.S. involvement in the Vietnam War, scandalized the administration of U.S. president Richard Nixon and led to a series of court battles that challenged the rights of a free press to criticize the government.

LOCALE: New York, New York**CATEGORIES:** Publishing and journalism; espionage; government; politics; law and the courts; military; ethics**KEY FIGURES**

Daniel Ellsberg (b. 1931), RAND analyst
Neil Sheehan (b. 1936), reporter for *The New York Times*

Richard Nixon (1913-1994), president of the United States, 1969-1974

Robert McNamara (b. 1916), U.S. secretary of defense, 1961-1968

Mike Gravel (b. 1930), U.S. senator from Alaska, 1969-1981

SUMMARY OF EVENT

The publication of the Pentagon Papers was the culmination of a long-term effort by Daniel Ellsberg, an analyst at RAND, to expose the U.S. government's mishandling of the Vietnam War and efforts by a series of government officials to mislead the American public about the conduct of the war. Ellsberg was part of a team working on a top-secret report commissioned by U.S. secretary of defense Robert McNamara in 1967. The report would provide a historical record of U.S. involvement in Vietnam from the early 1950's through 1968. As Ellsberg read the various reports that exposed mismanagement, ineptitude, and outright deception on the part of federal officials and presidential administrations, he came to believe the course of the war might be changed if these documents became public.

During 1970 and 1971, Ellsberg and a friend, RAND employee Anthony J. Russo, smuggled most of the report's forty-seven volumes (about seven thousand pages) from top-secret safes at RAND and made photocopies of them. After several unsuccessful attempts to have congressional opponents of the war release the information, he convinced *New York Times* reporter Neil Sheehan, of the paper's Washington bureau, to take the papers to his editors in New York. Sheehan did this, and the paper decided to run a series of articles based on the report. *New York Times* editors planned a ten-part series and set up a secret operation to have reporters prepare the series before anyone in the Richard Nixon administration learned the documents, which came to be known as the Pentagon Papers, were outside government control.

The first article in the Pentagon Papers series, "The Covert War," ran on Sunday, June 13. The initial response by the national news media and the public was muted, however. President Nixon thought it might be best to ignore the matter but key aides thought otherwise. Both Henry Kissinger, his national security adviser, and Alexander Haig, Kissinger's chief assistant, recommended immediate action to stop publication of future installments. Haig, in particular, thought the publication of these documents was a criminal offense, claiming national security had been breached in a time of war. The two lobbied Nixon to have the U.S. Justice Department gain an injunction against the newspaper to stop further publication of the series.

Nixon also was encouraged to launch an investigation to determine who had provided the documents to the newspaper. Convinced that the series posed a threat to national security and to his administration's ability to continue the conduct of the war in secret, Nixon directed Attorney General John Mitchell to move aggressively against *The New York Times* and other news outlets that were already beginning their own series based on the same documents. Nixon also directed an immediate investiga-

tion to find the person responsible for leaking the information.

Nixon's reaction may seem to have been disproportionately harsh, but there were reasons he reacted as strongly as he did. Although the information in the Pentagon Papers did not reveal anything that could directly embarrass his administration, through their publication many Americans learned for the first time about the pattern of mismanagement and deception that placed the United States in an unwinnable conflict in Southeast Asia. By 1971, the Vietnam War was already unpopular, and although Nixon had run in 1968 on a platform promising to end the conflict, little had been done to de-escalate hostilities when the Pentagon Papers appeared. Their appearance simply confirmed what many Americans had suspected for some time: They had been systematically lied to by their elected officials, and the federal government that had for years been considered both trustworthy and honorable had squandered lives and resources in an effort to resolve an increasingly untenable political and military conflict. Although nothing in the Pentagon Papers pointed a finger at the present administration, Nixon's operation was equally discredited by implication. Unable to deal with such a blow to his reputation, the president was easily convinced that immediate and drastic action was necessary.

From Nixon's point of view, the situation began spiraling out of control almost immediately. Several days after the first article appeared in *The New York Times*, *The Washington Post* and other newspapers across the country began to report on the Pentagon Papers as well. Although the Justice Department was able to gain temporary injunctions to halt publication in several cities, it soon became clear that the damage to the administration's effort to manage the war in secret was already done. Federal

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judges in several jurisdictions delivered different rulings on the government's petitions for suppression. In these cases, the government insisted that national security was threatened by publication of the Pentagon Papers. Attorneys for the newspapers argued that their clients were protected from prior restraint of publication by the First Amendment. The matter quickly reached the U.S. Supreme Court, which agreed to expedite its deliberations by holding an emergency session beginning June 26.

U.S. senator Mike Gravel of Alaska, an outspoken critic of the war, obtained a copy of the Pentagon Papers from Ellsberg and read some of the papers at a congressional subcommittee meeting, thus entering forty-one hundred pages of the papers into the *Congressional Record* on June 29 because they were now public record. It was now almost impossible to claim the documents should—or could—remain secret. The Nixon administration lost its battle to have publication suppressed on June 30, when the Supreme Court, in *New York Times Co. v. United States*, ruled that prior restraint from publi-

1970's



Daniel Ellsberg (left), pictured here at a news conference during the U.S. Supreme Court case involving *The New York Times* and its publishing of the Pentagon Papers. (AP/Wide World Photos)

IN DEFENSE OF THE FIRST AMENDMENT

In his opinion in the case of New York Times Co. v. United States, Supreme Court justice Hugo L. Black expressed his unwavering view of First Amendment rights.

I adhere to the view that the Government's case against the *Washington Post* should have been dismissed and that the injunction against the *New York Times* should have been vacated without oral argument when the cases were first presented to this Court. I believe that every moment's continuance of the injunctions against these newspapers amounts to a flagrant, indefensible, and continuing violation of the First Amendment. . . . In my view it is unfortunate that some of my Brethren are apparently willing to hold that the publication of news may sometimes be enjoined. Such a holding would make a shambles of the First Amendment. . . .

In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censure the Government. The press was protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government. And paramount among the responsibilities of a free press is the duty to prevent any part of the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell. In my view, far from deserving condemnation for their courageous reporting, the *New York Times*, the *Washington Post*, and other newspapers should be commended for serving the purpose that the Founding Fathers saw so clearly. In revealing the workings of government that led to the Vietnam war, the newspapers nobly did precisely that which the Founders hoped and trusted they would do. . . .

To find that the President has "inherent power" to halt the publication of news by resort to the courts would wipe out the First Amendment and destroy the fundamental liberty and security of the very people the Government hopes to make "secure." No one can read the history of the adoption of the First Amendment without being convinced beyond any doubt that it was injunctions like those sought here that Madison and his collaborators intended to outlaw in this Nation for all time.

cation was not appropriate in this case. By this time public opinion, already concerned about the Nixon administration's policies on Vietnam, began to solidly turn against the president.

Although he could no longer keep information in the Pentagon Papers a secret, Nixon decided he could still pursue the individual responsible for

their release. Sources inside the government had quickly narrowed the list of individuals who might have carried out such an initiative, and Ellsberg was considered the most likely suspect. Ellsberg had gone into hiding when the first *New York Times* article appeared. When he finally surfaced at the end of June, 1971, he was arrested and charged with theft, conspiracy, and espionage. Russo, too, was arrested.

The Nixon administration moved aggressively to build a case against Ellsberg. After officials learned Ellsberg had been under the care of a psychiatrist, they organized a break-in at the doctor's office to steal documents they thought might be used to incriminate Ellsberg. For Nixon, these criminal activities came to light sometime later, when the U.S. Congress began investigating the administration's role in the break-in at the Watergate Hotel complex in 1972. As a result, the Pentagon Papers case was once again in the news, and the exposure of governmental misconduct led to the dropping of charges against Ellsberg.

IMPACT

The immediate impact of the publication of the Pentagon Papers, which would earn the paper a Pulitzer Prize in 1972, was to fuel the already growing sentiment of distrust felt by many Americans toward the federal government, especially with respect

to its handling of the war in Vietnam. Much more insidious and ultimately more devastating was the impact of the case on the Nixon administration and for the president personally.

Another significant impact of the case was a legal one. The Supreme Court's ruling in favor of *The New York Times* permitted American newspapers to

continue publishing information from the Pentagon Papers. Legally, the justices actually upheld the principle that prior restraint of publication is sometimes permissible, but by refusing to stop publication of the Pentagon Papers they set a high standard for the government to meet for requests of prior restraint.

One further impact was the effect of Nixon's attempt to gain information that could be used to discredit Ellsberg. The president authorized the creation of a special team of operatives who would work clandestinely to obtain damaging materials. The larger mission of this group was to find ways to stop leaks of information from the government. Within White House circles, the group became known as the Plumbers, and it staged a raid on the offices of Ellsberg's psychiatrist in 1971. A year later, working with the Committee to Re-Elect the President, the Plumbers conducted an infamous attempt to obtain materials from the Democratic National Committee's offices in the Watergate complex in Washington, D.C. The arrest of some of these intruders eventually exposed the dark underside of the Nixon administration's attempts to manipulate public opinion, discredit those who opposed the administration, and conduct illegal operations under the cloak of national security. The ultimate result of relentless congressional pressure on the White House led to Nixon's resignation from the presidency on August 8, 1974.

—Laurence W. Mazzeno

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August 20, 1971

ABUSIVE ROLE-PLAYING ENDS STANFORD PRISON EXPERIMENT

In an attempt to discover whether human nature is inherently good or evil, Philip Zimbardo and his team of researchers conducted an experiment in which two dozen young men played roles as prisoners and guards in a mock prison. The actions of the participants shocked not only researchers but also the participants themselves. The experiment, which was to last fourteen days, ended after only six days because of prisoner abuse and dehumanization.

LOCALE: Stanford, California

CATEGORIES: Psychology and psychiatry; ethics; violence; science and technology; education

KEY FIGURE

Philip Zimbardo (b. 1933), American psychologist and professor

SUMMARY OF EVENT

The Stanford prison experiment was a psychological study in role-playing that divided subject-volunteers into incarcerated prisoners and working guards in a mock prison. Within the first few days of the experiment, the guards became physically abusive, even sadistic, toward the prisoners. After a planned prison break and the emotional breakdown of more than one participant, the experiment was ended. Although originally designed to last two weeks, the research was terminated prematurely, after only six days.

Twenty-four healthy, middle-class young men were selected from those who responded to a newspaper advertisement asking for volunteers for a prison-simulation experiment. By a flip of a coin the twenty-four volunteers were divided into two groups, comprising twelve prisoners and twelve prison guards. Nine guards and nine prisoners started the experiment and the others were held on reserve in case their services were needed. Those

who were designated prisoners were “arrested” by real police officers, fingerprinted, booked, and then brought to a simulated prison built in the basement of the psychology building at Stanford University. They then were stripped, deloused, and issued a smock to wear as part of their prison uniform. Prisoners were given numbers in place of names and were forced to wear a ball and chain at all times to remind them they could not escape. To further add to the anonymity, the prisoners’ heads were covered with nylon-stocking caps to simulate shaven heads.

The prison guards were given a khaki uniform, a whistle, a nightstick, and a pair of mirrored sunglasses that prevented the prisoners from seeing his eyes. Guards were expected to work one of three eight-hour shifts throughout the day but were otherwise given very little guidance as to how to fulfill their roles. The warden and guards prepared a list of rules for their prison that included the decrees that prisoners were to address each other by their numbers only and that the guards were always to be referred to as Mr. Correctional Officer or Mr. Chief Correctional Officer. To help prisoners accept their situation as reality, they were forbidden to make reference to the experiment or simulation.

The guards were quick to tell the prisoners that they would be punished if they did not obey the rules. In no time, the guards learned to assert their authority over the prisoners. For example, they forced them to do push-ups, sometimes with the weight of other prisoners on their backs, and denied them basic privileges, such as using the toilet.

On the morning of the second day the prisoners had had enough of the experiment. They barricaded themselves in their cells, removed their stocking caps, and removed the numbers from their smocks. The guards responded by calling in the three reserve guards, ending the prisoner rebellion. They stripped the prisoners, removed their cots, and began to taunt them. To prevent future outbreaks the guards de-

cided to design a special-privilege cell, in which certain prisoners were allowed to eat while the others, temporarily denied food, watched. This privilege decreased the solidarity among the prisoners and increased the prison guards' bond for keeping control.

Hence, the experiment began to affect the prison guards as well, and the prisoners seemed more willing to submit to the guards' abuse. The guards started to believe that the prisoners were a threat to their authority. Throughout the six days of the experiment, the guards steadily became more aggressive in their punishment, dehumanization, and humiliation of the prisoners. One prisoner was released after only thirty-six hours because he began to suffer from an acute emotional disturbance, or breakdown.

The prisoners had responded to their situation in a variety of ways. Some tried to obey all the rules and do exactly as the guards told them. Others rebelled and fought the system. One prisoner acquired what he said was a rash after learning that his request for parole had been denied. More and more prisoners began to suffer emotionally, and some cried.

In a period of five days, the prison witnessed several other incidents, including the following: Prison guards had neutralized the threat of a prison break twice; all the prisoners had come before a parole board and were denied parole; the prison had a parents' visitation day; and a clergyman was brought in to talk to the prisoners. Guards who had never been late for a shift had become sadistic in their attempts to control the prisoners, and the prisoners themselves were withdrawing and experiencing mental and emotional trauma. It was on the fifth day that researchers were clear that the study had to end.

On the sixth and final day of the experiment, prisoners, guards, and staff met to discuss the simulation. Many said they were startled by how quickly prisoners were dehumanized, and the guards told researchers that their sense of human value was destroyed—if just temporarily. The power each guard was given transformed that guard from a benign Dr. Jekyll to an evil Mr. Hyde.

IMPACT

As might be expected, the volunteer prisoners expected to be harassed, receive a minimally adequate diet, and lose some of their rights. Indeed, the volunteers were informed of these consequences in the consent agreements they signed before the start of the experiment. However, no one could predict how rapidly and how considerably the guards and prisoners would adjust to the roles expected of them and to internalize their power, or lack thereof. Zimbardo would attribute three underlying conditions that led to the extreme internalization of those prescribed roles: indistinguishable prisoners, lack of accountability, and anonymity among guards.

In his later work, Zimbardo continued to study how good people become wicked when put in positions of authority. Although the Stanford prison experiment has never been replicated, by Zimbardo or any other researchers, parallels have been drawn between this study and real-life incidents of the abuse of power, such as in Nazi Germany or at Abu Ghraib prison in Iraq. Zimbardo has asserted that even though some students in his prison simulation showed symptoms of mental or emotional breakdown, none suffered any long-term harm.

The true impact of this study has been debated in academic circles. Some argued that the experiment proves human nature is not as benign as society wishes to believe. Others note the lack of an independent variable and believe that the experiment was fatally flawed. Similarly, the morality of this experiment has sparked controversy. Finally, modern consent laws and erring on the side of protecting research subjects in academic studies likely would prevent a replication of the Stanford experiment.

—Kathryn A. Cochran

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January 28, 1972

CLIFFORD IRVING ADMITS FAKING HOWARD HUGHES MEMOIRS

Author Clifford Irving sold the manuscript of a fabricated memoir of Howard Hughes to McGraw-Hill and Life magazine. Media frenzy followed announcement of the book’s publication, and Hughes reportedly came out of seclusion to refute the work. Irving, his wife, Edith, and author Richard Suskind were imprisoned for their roles in the fraud. Edith Irving served additional time in Switzerland for embezzlement and forgery.

ALSO KNOWN AS: Hughes-Irving hoax

LOCALE: New York, New York

CATEGORIES: Forgery; hoaxes, frauds, and charlatanism; publishing and journalism; literature; plagiarism

KEY FIGURES

Clifford Irving (b. 1930), American novelist
Edith Irving (fl. 1970’s), artist, married to Clifford Irving

Howard Hughes (1905-1976), industrialist, aviator, and film producer

Richard Suskind (1925-1999), children’s-book author and friend of the Irvings

SUMMARY OF EVENT

Howard Hughes, the infamous film producer, aviator, and billionaire industrialist, was an eccentric recluse by 1971. Clifford Irving, an American novelist, was eking out a living in Spain with his fourth wife, Edith. Irving had enjoyed some success writing *Fake* (1969), a book about Hungarian art forger Elmyr de Hory, when he got the idea to write a book about Hughes.

Calling upon his publisher McGraw-Hill, Irving claimed he had been in contact with Hughes and wanted permission to tell Hughes that McGraw-Hill was his publisher and that he would be interested in working with Hughes as his biographer. In his book about the experience, *Hoax* (1981), Irving noted that because Hughes was such a recluse, possibly even dead, he believed he would not come out of seclusion after the book’s publication. Furthermore, Irving thought that Hughes’s eccentricities would help him cover any of the more implausible aspects of his story. He further believed that if he were caught, he could simply give the money back.

Irving told Beverly Loo, his editor, and other executives at McGraw-Hill and *Life* magazine—who

had bought the serial rights to the book—that Hughes required total secrecy for the project. Irving provided McGraw-Hill and *Life* with letters he reportedly received from Hughes; however, Irving had forged the letters from copies of letters he had seen in a magazine article about Hughes. Knowing of Hughes's eccentricities, including that he had not been seen in public for more than a decade, McGraw-Hill and *Life* believed Irving and agreed to absolute secrecy. On March 23, 1971, Irving signed a contract with McGraw-Hill to write the autobiography. The publisher paid Irving a monetary advance, the bulk of which was to go to Hughes. Using an altered passport, Edith Irving would deposit the advances, in the form of checks, in the name of Helga R. Hughes (checks that were signed “H. R. Hughes”) in a Swiss bank account.

Irving claimed to have interviewed Hughes in Mexico, Puerto Rico, Florida, Los Angeles, and the Bahamas during meetings that were always arranged by Hughes. In his book, Irving notes that he wanted to have his first meeting with Hughes in the Bahamas, but all flights for the weekend in question were booked, so he and his lover, singer Nina van Pallandt, instead went to Oaxaca, Mexico, for the meeting. When the hoax unraveled, van Pallandt came out with her story about being with Irving in Mexico, which also led to a career boost for the singer.

Irving and Richard Suskind, who had been hired as Irving's researcher, were given access to the Hughes files of Time-Life (publisher of *Life* magazine). In addition, Irving and Suskind interviewed several people who knew Hughes, and in a stroke of luck, they were secretly given a manuscript of the ghostwritten memoirs of Noah Dietrich, a former business manager for Hughes. Irving and Suskind made a copy of this manuscript and used some of the details for their own fabricated autobiography.



Edith and Clifford Irving at their home in Ibiza, Spain, days before Clifford admitted his fraud. (Hulton Archive/Getty Images)

On September 12, 1971, Irving brought a manuscript of close to one thousand pages to the Elysee Hotel in New York City for executives from *Life* and McGraw-Hill to read. They were impressed with the material and convinced it was in Hughes's own words. McGraw-Hill went on to sell paperback rights to Dell and Book-of-the-Month Club, Inc., for a large profit. Irving added that Hughes had demanded one million dollars before he would authorize its publication. At this time, rumors had begun to circulate that another authorized Hughes biography was slated for publishing. Quickly, McGraw-Hill agreed to pay Hughes the extra money for permission to publish the work. On December 7, the company announced the book's March, 1972, release date; also, the story would be serialized in *Life* magazine. Representatives of Hughes Tool Company announced, in turn, that the soon-to-be-published book was a fraud.

On December 14, Hughes company attorney Chester Davis called a meeting at Time-Life with Irving, several executives, and reporter Frank McCulloch and then called Hughes on the phone. He put McCulloch on the line to speak with him.

(McCulloch reportedly was the last journalist to have spoken to Hughes before he went into seclusion.) McCulloch, who confirmed that Hughes was indeed on the phone, said that Hughes insisted the manuscript was a fake.

To refute the claims against him, Irving appeared on the CBS news show *60 Minutes* with Mike Wallace to say that the manuscript was authentic. McGraw-Hill representatives countered claims that the planned book was a fake by saying they had handwritten notes from Hughes, as well as a cashed check. Experts later indicated that the handwriting, including the signature on the check, was indeed that of Hughes. Hughes himself held a rare teleconference on January 9 with several reporters he knew. He said that he had never met Irving and reiterated that the book was a forgery. Davis filed suit against McGraw-Hill, *Life*, Dell, and Irving.

On January 19, 1972, investigators revealed that the H. R. Hughes who had been depositing the checks in Switzerland was not Howard Hughes but Edith Irving. On January 28, the Irvings admitted that the memoir was a hoax. The following day, McGraw-Hill announced that it was postponing the memoir's publication.

On March 13, Irving pleaded guilty to fraud and was sentenced to seventeen months in prison. Edith Irving received a light sentence in the United States, but in Switzerland, where she deposited the forged Hughes checks in a Swiss bank account, she was found guilty of forgery and embezzlement and was sentenced to two years in prison. Suskind, for his role in the scam, served five months of a six-month sentence. The Irvings later divorced, and *The Autobiography of Howard Hughes* was published in a private edition in 1999. In 2008, the work was released as *Howard Hughes: My Story* by British publisher John Blake.

IMPACT

The Irvings succeeded in creating one of the greatest hoaxes in American history. Although the Hughes autobiography was never formally published as authentic, the scandal surrounding its near publication, as well as the extent to which the Irvings duped publishing executives, editors, and

others, made it one of the first fake memoirs to be exposed in the press. Indeed, the *International Herald Tribune* called the book "the most famous unpublished book of the 20th century."

In the immediate aftermath of the hoax, journalists began looking for similar fakes, and unluckily for McGraw-Hill, they found them: One plagiarized work was *The Memoirs of Chief Red Fox* (1971). McGraw-Hill announced that it would be more careful in its fact-checking. Modern publishing is now more cautious, but while it is likely that no one could produce an autobiography of another living person in today's more skeptical publishing climate, people still write their own fabricated memoirs, which continue to appear in print. The popular memoirs of James Frey and J. T. LeRoy (Laura Albert), to take just two examples, were revealed to be fabrications after they were published. Some credit the Irving hoax for inspiring those fakes.

—Julie Elliott

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SEE ALSO: June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Dec. 3, 1989: Martin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed; Mar. 12, 1997: Prize-Winning Aborigine Novelist Revealed as a Fraud; Apr., 1998: Scottish Historian Is Charged with Plagiarism; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; June 18, 2001:

Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

June 17, 1972-August 9, 1974

WATERGATE BREAK-IN LEADS TO PRESIDENT NIXON'S RESIGNATION

A burglary of the Democratic Party's national headquarters in Washington, D.C., was directly linked to the reelection campaign of Republican U.S. president Richard Nixon. The president tried to cover up the linkage, thereby making him an accessory to a crime. Nixon resigned in 1974, the first U.S. president to have done so, and several others were sent to prison for their roles in the scandal.

LOCALE: Washington, D.C.

CATEGORIES: Espionage; corruption; government; politics; organized crime and racketeering; publishing and journalism

KEY FIGURES

Richard Nixon (1913-1994), president of the United States, 1969-1974

John Mitchell (1913-1988), U.S. attorney general, 1969-1972, and chairman of the Committee to Re-Elect the President

James W. McCord, Jr. (b. 1924), head of security for the Committee to Re-Elect the President

John W. Dean (b. 1938), counsel to the president, 1969-1974

Carl Bernstein (b. 1944), reporter for *The Washington Post*

Bob Woodward (b. 1943), reporter for *The Washington Post*

E. Howard Hunt (1918-2007), White House employee, 1971-1973

G. Gordon Liddy (b. 1930), White House employee, 1969-1971, and member of the Committee to Re-Elect the President

W. Mark Felt (1913-2008), associate director, Federal Bureau of Investigation, 1971-1973

Frank Wills (1948-2000), Watergate Hotel security officer

SUMMARY OF EVENT

U.S. president Richard Nixon, a Republican, was running for reelection in 1972. His opponent, Democrat George McGovern, favored a rapid withdrawal of U.S. military forces in Vietnam. Believing that McGovern's election would have catastrophic consequences for the United States, Nixon urged his staff of the Committee to Re-Elect the President (CRP) to discredit his opponent. Often upset that information was leaked to the press to discredit him, Nixon had authorized the establishment of a "plumbers" unit, called the Special Investigations Unit, not only to fix the "leaks" but also obtain derogatory information about McGovern and others.

Accordingly, on May 28, 1972, James McCord, Jr., head of security for CRP, broke into the Democratic National Committee (DNC) headquarters at the Watergate Hotel to plant electronic eavesdrop-

ping devices. Two more break-ins occurred at the DNC offices.

During the early morning hours of June 17, after a briefing by CRP member G. Gordon Liddy, five persons broke into the DNC headquarters to photograph and steal documents. McCord, in command, was assisted by Bernard Barker, Virgilio Gonzales, Eugenio Martínez, and Frank Sturgis, all of whom were from Miami, Florida, and were connected in one way or another with the Central Intelligence Agency. Also, all were committed to the overthrow of the Cuban government of Fidel Castro. Most acted under the assumption that they were trying to prove that Castro gave money to the Democratic Party. Afterward, they burglarized the McGovern campaign headquarters as well.

Hotel security officer Frank Wills found and then removed tape on interior doors leading to the base-

ment garage that morning (June 17). The door was then retaped by one of the burglars, who had returned to the hotel complex. Wills, in turn, found the retaped doors ten minutes later and summoned District of Columbia police. Three plainclothes officers, who arrived in an unmarked car that failed to catch the attention of a lookout on the street outside the hotel, caught the five burglars in the act of breaking into the headquarters. In their arraignment the following afternoon, the accused pleaded not guilty to charges of attempted burglary and attempted interception of telephone and other communications. The prosecutor then obtained a warrant to search the rooms of the burglars who had been staying at the hotel; the search uncovered bugging equipment, tools, and forty-two hundred dollars in one hundred dollar bills.

Bob Woodward, a reporter for *The Washington*



Carl Bernstein, left, and Bob Woodward in 1973. The two Washington Post reporters broke the story of the Watergate break-in and conspiracy in the summer of 1972. (AP/Wide World Photos)

Post who covered the break-in story from the time of the first arraignment, checked out the names of the five accused burglars and discovered that one of them, McCord, was CRP's top security expert. With *Washington Post* veteran reporter Carl Bernstein, Woodward reported McCord's affiliation along with a denial by CRP chairman John Mitchell, later proved false, that he had any connection with the break-in. Bernstein and Woodward had a hunch, supported by *Washington Post* city editor Barry Sussman, that several persons would not have committed such a crime without a more sinister motive, so they began asking questions around town. So did other reporters.

Next, Bernstein flew to Miami, where the Dade County district attorney had launched its own investigation of the break-in. Martin Dardis, investigator on the case, had obtained a twenty-five thousand dollar cashier's check written on the CRP bank account to Kenneth Dahlberg, top CRP Midwest fund-raiser, which had been deposited into the real estate firm of one of the accused burglars, Barker. (During World War II, Dardis rescued Dahlberg during a battle, so they remained close friends.) The check was an anonymous donation to CRP by a Midwest business executive who was not connected to Watergate. Dahlberg had exchanged the check for cash, leaving the uncashed check at CRP headquarters in Washington, D.C. The check was a payment to Barker for his role in "dirty tricks" operations.

On August 1, Woodward and Bernstein elevated the break-in from a mere burglary to a conspiracy when they reported the link between the CRP check and one of the burglars. They had identified a money-laundering scheme for illegal operations, in which the Watergate burglary was only one operation.

As a reporter for local District of Columbia news, Woodward had established few contacts inside government. Bernstein also lacked relevant contacts. When their further inquiries led nowhere, the associate director of the Federal Bureau of Investigation (FBI), W. Mark Felt, volunteered information on Nixon but only on condition of anonymity and through clandestine meetings in a basement

garage. Felt was labeled Deep Throat by *Washington Post* managing editor Howard Simons. The identity of Deep Throat, although much speculated on, was not revealed until 2005.

Rather than placing the five on trial as ordinary burglars, prosecutors probed deeper and referred the matter to a federal grand jury to determine who had ordered them to commit the crime. As a result, the five were indicted on September 15 with CRP employees Liddy and E. Howard Hunt, Jr., for conspiracy, burglary, and violation of federal wiretapping laws.

On September 29, Bernstein and Woodward reported that CRP chairman Mitchell, while attorney general, controlled a secret fund to conduct intelligence-gathering activities against the Democrats. The FBI also was investigating, and it corroborated the reporters' suspicion that the break-in was part of CRP spying. The two reporters, on October 10, published their news story, linking the break-in to CRP and making a connection to Nixon.

The trial of the seven conspirators was delayed until after the 1972 election, when Nixon defeated McGovern by a landslide. On January 11, 1973, three days after the trial began, Hunt pleaded guilty, as did four of the original burglars on January 15. On January 30, in the court of Judge John J. Sirica, Liddy and McCord were convicted of burglary, conspiracy to commit burglary, and illegal wiretapping. Sentencing was delayed while Sirica sought additional information from those found guilty.

On February 7, based mostly on the August 1, 1972, news story, the U.S. Senate voted 77-0 to authorize a special committee to investigate the matter, which appeared to involve high-ranking officials of the Nixon administration. The committee chairman, Senator Sam Ervin, then issued subpoenas to various officials in preparation for hearings.

On March 19, McCord, one of the original five burglars, responded to various questions from Sirica. He intimated that efforts had been undertaken to cover up the connection between the burglars and those who hired them, who were much higher up in CRP and even in the White House. He said that perjury had been committed during the trial and that those who pleaded guilty had been

pressured to do so. On April 17, the White House denied prior knowledge of the Watergate break-in. Nixon, however, did know and had discussed how to cover up his role in discussions with his White House lawyer, John W. Dean III. Meanwhile, Dean privately informed the Senate committee of Nixon's culpability. On April 30, Nixon announced the firing of Dean and the resignations of White House advisers Bob Haldeman and John Ehrlichman. His aim was to appear to punish those implicated in the Watergate affair and thereby to suggest that he had no connection with or prior knowledge of the break-in or the cover-up.

Senate hearings began May 17. What eventually emerged from testimony before the Senate was the knowledge that Nixon was intimately involved in

the Watergate break-in, the cover-up, and a domestic espionage program beyond the Watergate affair. There were many calls for an investigation by the Department of Justice (DOJ), but there also were suspicions that an independent inquiry by subordinates of Nixon could not be objective. On May 19, accordingly, Attorney General Elliot Richardson named Archibald Cox as a special prosecutor for the DOJ to investigate.

During testimony before Senator Ervin's committee on July 16, the deputy assistant to the president, Alexander Butterfield, confirmed that Nixon had been taping his conversations. Cox, Ervin, and Sirica subpoenaed the tapes. Nixon initially refused, but district and appeals courts ordered him to hand over the tapes; he agreed to release some.

NIXON TAPES

On Friday, June 23, 1972, White House chief of staff Bob Haldeman and President Richard M. Nixon discussed the progress of the FBI's investigation into the Watergate break-in, in particular the tracing of the source of the money found on the burglars. Nixon and Haldeman proposed having the CIA tell the FBI to halt its investigation by claiming that the break-in was a national security operation. The following is an excerpt from the transcript of the recorded conversation:

HALDEMAN: Now, on the investigation, you know, the Democratic break-in thing, we're back to the . . . problem area because the FBI is not under control, because [FBI director L. Patrick] Gray doesn't exactly know how to control them, and . . . their investigation is now leading into some productive areas, because they've been able to trace the money, not through the money itself, but through the bank, you know, sources—the banker himself. And, and it goes in some directions we don't want it to go. Ah, also there have been some things, like an informant came in off the street to the FBI in Miami, who was a photographer or has a friend who is a photographer who developed some films through this guy, Barker, and the films had pictures of Democratic National Committee letterhead documents and things. So I guess, so it's things like that that are gonna, that are filtering in. . . .

PRESIDENT: Right.

HALDEMAN: That the way to handle this now is for us to have Walters call Pat Gray and just say, "Stay the hell out of this . . . this is ah, business here we don't want you to go any further on it." That's not an unusual development . . .

PRESIDENT: Um huh.

HALDEMAN: . . . and, uh, that would take care of it.

PRESIDENT: What about Pat Gray, ah, you mean he doesn't want to?

HALDEMAN: Pat does want to. He doesn't know how to, and he doesn't have, he doesn't have any basis for doing it. Given this, he will then have the basis. He'll call Mark Felt in, and the two of them . . . and Mark Felt wants to cooperate because . . .

PRESIDENT: Yeah.

HALDEMAN: He's ambitious . . .

PRESIDENT: Yeah.

HALDEMAN: Ah, he'll call him in and say, "We've got the signal from across the river to, to put the hold on this." And that will fit rather well because the FBI agents who are working the case, at this point, feel that's what it is. This is CIA.

PRESIDENT: But they've traced the money to 'em.

HALDEMAN: Well they have, they've traced to a name, but they haven't gotten to the guy yet.

PRESIDENT: Would it be somebody here?

However, eighteen and one-half minutes of one tape had been erased on five separate occasions, suggesting yet another effort by Nixon to cover up his role. Nixon then tried to avoid handing over the rest of the tapes, instead offering to release edited transcripts. The transcripts, released in installments up to April 30, 1974, revealed a Machiavellian president using foul language. The U.S. Supreme Court, by a vote of 8-0, ordered the tapes released on July 24.

Meanwhile, the House Judiciary Committee began impeachment hearings against the president on May 9. By the end of July, the committee adopted three articles of impeachment (for obstruction of justice, abuse of power, and refusal to abide by lawful congressional subpoenas). On August 5, Nixon released tapes proving that he ordered the cover-up of the break-in, whereupon Republican Party members of Congress who had been loyal to him indicated that they would vote to remove him from office. On August 8, Nixon announced his resignation, effective at noon the following day. Vice President Gerald R. Ford was sworn in as the next U.S. president.

IMPACT

Nixon's misconduct remained under investigation after his resignation. On September 8, Ford issued a "full free and absolute" pardon of Nixon for "all offenses against the United States" committed from January 20, 1969, to August 9, 1974. Forty senior government officials were indicted for various crimes. Eighteen, including Dean, Ehrlichman, Haldeman, Hunt, Liddy, McCord, and Mitchell, served time in prison.

Subsequently, Congress and reporters probed more deeply into government operations, finding scandals of various sorts. Congress passed many laws, including the Privacy Act of 1974 and the Government in the Sunshine Act of 1976 (both amendments to the Freedom of Information Act of 1966), to restrict presidential power and to make executive operations more accountable and transparent.



Richard Nixon leaves the White House on August 9, 1974, his final day as president of the United States. (AP/Wide World Photos)

Nixon later tried to redeem his reputation by writing insightful books about politics, appearing as an elder statesman providing wisdom to those in power. However, more than two hundred hours of additional tapes were released as late as 1996 and 1997, revealing Nixon as an anti-Semite who had an intense desire to demonstrate that his "enemies" were disreputable by informing the press of real or manufactured derogatory information. His many accomplishments as president remain overshadowed by an unflattering image in some quarters that he was manipulative, paranoid, and vindictive, while his defenders still believe that he was unjustifiably persecuted.

As a result of the Watergate scandal, a pattern emerged among public officials inside U.S. government. Those who disagree with policy are now

more inclined to leak secrets to the press to sabotage unpopular policy making. The scandal also led to public cynicism in government, producing a distrust that remains a part of the political environment in the United States. Finally, later scandals—notably Irangate, Koreagate, and Monicagate—have been ascribed the suffix “gate,” which testifies to the legacy of Watergate.

—Michael Haas

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cused of Bribery; June 13, 1971: *New York Times* Publishes the Pentagon Papers; July 31, 1972: Thomas F. Eagleton Withdraws from Vice Presidential Race; Oct. 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace; May 14, 1974: *Washington Post* Reveals That the Nixons Received Jewelry Gifts; Oct. 7, 1974: Congress-

man Wilbur D. Mills's Stripper Affair Leads to His Downfall; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; Aug. 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern.

June 22, 1972

POLICE ARREST ARCHITECT JOHN POULSON FOR BRIBERY AND FRAUD

John Poulson, a third-rate modernist architect, bribed public officials to gain business contracts in the United Kingdom and around the globe. When his empire collapsed, his bankruptcy case revealed massive corruption that involved politicians from both political parties and at all levels of government.

LOCALES: Leeds and London, England

CATEGORIES: Business; law and the courts; corruption; government

KEY FIGURES

John Poulson (1910-1993), British architect

Thomas Daniel Smith (1915-1993), Labour Party politician who helped Poulson by bribing officials

Sir Herbert Butcher (1901-1966), friend and adviser to Poulson

George Pottinger (1916-1997), Scottish civil servant

Reginald Maudling (1917-1979), former Chancellor of the Exchequer who directed several Poulson-owned companies

Frank Thomas (fl. 1970's), head of Poulson's London office

SUMMARY OF EVENT

John Poulson was not a gifted architect, but he had drive and the ability to recognize talent, seek out the weaknesses of others, and exploit them fully to his

benefit. Shortly after he left school as a youth in 1927, his father obtained a job for him with the architectural firm of Garside and Pennington in his hometown of Pontefract. The firm sent him to Leeds University to take classes part-time, but after three years he failed his exams. This did not impress the new owner of the business, and Poulson was fired.

In 1932, Poulson's father gave him £50 and with it he established his own firm, eking out a living until World War II. Timing became the key to his success. If he had attempted to establish himself as an architect without credentials a few years later, the Royal Institute of British Architects (RIBA) would have required him to pass his examinations to become a licensed architect. A medical deferment meant that he had less competition during the war, which in turn helped his business grow and allowed him to secure government contacts. His lack of skill led him to embrace the International Style of architecture, which used industrial and prefabricated materials. After 1945, traditional architecture was whole-heartedly rejected in favor of this new type of design.

Following World War II, the new Labour Party government sought to direct Great Britain's limited resources to rebuilding, particularly in areas of high unemployment. Poulson began to make friends with members of the Labour Party and, through them, government officials. He had an uncanny ability to "invest" in individuals. George Pottinger

was a good example of such an individual. A civil servant, he rose quickly through the ranks to become private secretary to the secretary of state of Scotland. Poulson lavished him with money, a home, suits, and multiple vacations. Graham Tunbridge was another contact. A surveyor for the eastern division of the new British Rail, he gave Poulson a few contracts for railwaymen's cottages. Ten years later, Tunbridge oversaw 270,000 acres of land in the southern region and was more than willing to help the Yorkshire architect get railway contracts. While some of these schemes were never realized, Poulson still profited through commissions.

During the 1950's, Poulson turned to the lucrative fields of town planning and urban revitalization. With the help of Thomas Daniel Smith, a Labour Party power broker, Poulson was able to bribe local politicians to secure contracts for schools, public housing, and town centers. Poulson earned a reputation for delivering on time and under budget. To do this, he worked his staff beyond reasonable limits, micromanaged each job site, and when he could, used the cheapest materials. In 1958, on the advice of his friend, Sir Herbert Butcher, Poulson established a servicing company to reduce his taxes and created an inclusive firm that covered every aspect of construction.

While Poulson's power only seemed to grow, a series of events during the mid-1960's led to his ruin. Every time the Yorkshire architect began a new venture, he seemed to start a new company. By the middle of the decade, he had more than six hundred employees, and it became increasingly impossible to keep track of quality control. He also was working with too many other firms at once, and on several occasions found two of his allies competing for the same project. While Poulson still won the bid, it did not endear him to others. Smith helped get him on a short list to redo the city center of Belfast, but the architect's brusque manner cost him the contract. Afterward, Smith began to distance himself from Poulson. That same year, Labour won the general election and Butcher encouraged his friend to start building overseas. Unfortunately for Poulson, his mentor died in 1965, so he turned to former

Chancellor of the Exchequer Reginald Maudling as a replacement.

In 1966, Poulson became obsessed with building a hospital on Gozo, an island belonging to Malta. Many of his contacts were losing their usefulness, but he used this problem to attract new attention to himself. The RIBA, already concerned by Poulson's business ethics, tried to prevent the deal, so the architect turned to Maudling. The Conservative member of Parliament (MP) succeeded in pressing his benefactor's case, but it cost Poulson more than £30,000. He was now spending more than his profits just to win contracts. He had invested in a prefabricated design, the Open System Building, with Smith, which cost more than its competitors to construct.

In 1967, a civil war in Nigeria cost Poulson his most lucrative overseas contract. The next year, he lost roughly £150,000 in a failed hospital deal in Mexico. At this stage, Britain's tax agency began to demand £234,000 in back taxes. Poulson was all but bankrupt, and by the end of 1969 the chief shareholders in his firms forced him out in a reorganization plan.

Poulson might have disappeared into obscurity if it had not been for £1,300. Frank Thomas had run Poulson's London office and, like many others, sued his former employer. Poulson had kept meticulous files. He could have blackmailed all those he bribed. Instead, to avoid paying Thomas, Poulson decided in January, 1972, to seek bankruptcy for £1,300. It took six months to go through his papers. He survived the first hearing in June intact, but midway through the second hearing on July 3, he implicated Smith, Pottinger, and Maudling, who was now the British home secretary.

In the fall of 1972, Granada TV began an investigative piece about Poulson for its series *World in Action*. The episode, "Friends and Influence of John L. Poulson," was scheduled to air January 29, 1973, but the Independent Broadcasting Authority pulled the program for fear of a libel suit. The episode was rescheduled for February 5 but was pulled again. Out of frustration, the staff at Granada showed a blank screen in its place. Under mounting pressure from all sides, the show finally aired as "The Rise

and Fall of John Poulson” on April 30. Two months later, on June 22, the architect was arrested and charged with corruption.

IMPACT

Poulson was convicted on February 11, 1974. The case had taken fifty-two days, relied on the testimony of one hundred witnesses, and led to the conviction of twenty other individuals (nine councilors, four officials in national industries, three civil servants, two local government officers, a journalist, and a builder). Poulson received a sentence of seven years in prison; Smith got six years and Pottinger five.

For two years, Maudling succeeded in distancing himself from Poulson. Finally, the House of Commons launched an investigation in 1976. Maudling kept his seat but lost his position within the Conservative hierarchy. Until his death in 1979, he fought in the courts to prevent anything about the case or his involvement appearing in book form. Smith, Labour’s deputy prime minister, also lost his position. MP Albert Roberts successfully defended himself before the house, but another MP, John Cordle, chose to avoid more publicity and thus resigned. With Poulson, Smith, and Maudling dead by 1993, Peter Flannery wrote a fictionalized version of the architect’s career, which aired on British television as a nine-episode series in 1996.

—Edmund D. Potter

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July 8-22, 1972

JANE FONDA'S VISIT TO NORTH VIETNAM OUTRAGES MANY AMERICANS

American film star Jane Fonda became a political activist during the late 1960's. In 1972, she sparked great controversy when she visited Hanoi, North Vietnam, during the Vietnam War. Fonda's critics considered her visit and public actions in Hanoi to be a deep betrayal, even treasonous. Fonda, dubbed Hanoi Jane by her detractors, never could shake the controversy, which would follow her through her career.

LOCALE: Hanoi, North Vietnam (now in Vietnam)

CATEGORIES: Public morals; politics; social issues and reform

KEY FIGURES

Jane Fonda (b. 1937), American film star, social and political activist, and entrepreneur

Tom Hayden (b. 1939), American social and political activist, second husband of Fonda, California state politician

Nguyen Duy Trinh (1910-1985), foreign minister of the Democratic Republic of Vietnam, 1965-1975

SUMMARY OF EVENT

Jane Fonda, daughter of actor Henry Fonda, began her career as a model, began acting on the Broadway stage during the 1950's, and then moved into film. During the 1960's, she acted in seventeen movies, including the role of an erotic queen in the cult classic *Barbarella* (1968), which was directed by her first husband, Roger Vadim. In 1969, Fonda took on a new role as a political activist. She joined American Indian protestors in their occupation of Alcatraz Island in San Francisco Bay and was arrested. It was the first of many social and political stands for Fonda. In an era of social unrest and growing opposition to the Vietnam War, Fonda's onscreen and personal life became much more politically charged.

In 1972, Fonda received an invitation to visit Hanoi in North Vietnam (now Vietnam). Her activist friend and future husband, Tom Hayden, encouraged her to accept the offer and helped make arrangements for the visit. A strong opponent of war and of U.S. president Richard Nixon, Fonda hoped her presence in North Vietnam would intensify public debate and anger over the war and help refute Nixon's claim that U.S. involvement in the conflict was scaling back. Although other antiwar activists had visited North Vietnam without much ado, Fonda's trip provoked decades of controversy and affected her public image.

On July 8, Fonda journeyed from the United States to Paris, France, where her husband, Vadim, resided. She then flew to Moscow in the Soviet Union and then traveled via Aeroflot Russian Airlines to Hanoi. She journeyed incognito, simply dressed and alone, without companionship from Hayden, who could not travel at that time. Upon her arrival, Fonda was greeted by five uniformed North Vietnamese servicemen representing the Vietnam Committee for Solidarity with the American People. They welcomed the famous actor, who was now well known for voicing strong criticism of U.S. involvement in war in Southeast Asia. Accompanied by her hosts, Fonda began an escorted two-week tour of North Vietnam.

During her first few days in Hanoi, Fonda visited three hospitals: the Vietnam-Soviet Friendship Hospital, where she reported experiencing air raids while being treated for a foot injury; Bach Mai Hospital, where she noted damage from bombs; and Viet Duc Hospital, which allegedly had been doing research on babies with birth disorders attributed to chemicals used in warfare. Over the next few days, Fonda also visited schools, factories, towns, and dikes that the North Vietnamese had chosen as examples of sites reportedly bombed by Americans. She also toured Hanoi's War Crimes Museum, a collection of war relics apparently left in the coun-

try by American servicemembers. Fonda was horrified by the visible destruction of the region and by the artillery at the museum. The friendliness of the people she met during her tour confirmed what she already believed: It was wrong for the United States to be involved in North Vietnam. Her beliefs proved to be opportune for North Vietnam, but they stirred controversy in the United States, a controversy unabated into the twenty-first century.

Fonda soon agreed to produce ten Radio Hanoi propaganda broadcasts expressing her view of what she had been witnessing. These broadcasts, including both live and taped performances, were aired from July 14 to July 22 to U.S. military personnel, South Vietnamese soldiers, and local citizens. The broadcasts portrayed the people of North Vietnam as victims. They were described as simple folk who merely wished to return to their former calm lives and to run their own government. Fonda's radio broadcasts also criticized U.S. involvement in the conflict, lashed out at Nixon and U.S. military leaders, called American prisoners of war (POWs) "war criminals," and pleaded for U.S. pilots and servicemembers to return home. Fonda soon earned the nickname Hanoi Jane, and her radio addresses are now compared to those of Mildred Gillars, otherwise known as Axis Sally, who conducted German propaganda broadcasts during World War II.

Near the end of her stay in North Vietnam, Fonda was invited to a press conference with several American POWs. The meeting took place under the surveillance of North Vietnamese officials. During her interview, Fonda introduced herself as a war protestor and then asked the POWs about their health and feelings of safety. Because the POWs responded positively, Fonda considered all to be well with them and reported this when she returned to the United States. Her conviction that the POWs were treated humanely proved detrimental later in her career. After POWs returned home, many reported maltreatment, but Fonda insisted that what she saw was the only truth.

On her last day in Hanoi, Fonda's hosts guided her to a military site. Dressed in Vietnamese-made clothing and a military helmet, Fonda exchanged songs with the Vietnamese soldiers. Afterward she

Fonda's Visit to North Vietnam Outrages Americans

sat in the gunner's seat of a North Vietnamese anti-aircraft gun and, still smiling, viewed antiaircraft military shells. She posed and laughed while seated on an instrument used to destroy U.S. aircraft. On that same day, Fonda also met with several senior North Vietnamese officials, including Foreign Minister Nguyen Duy Trinh. She was allowed to leave the country carrying a twenty-minute film of her visit.

IMPACT

After returning from North Vietnam, Fonda joined Hayden and others in creating the national antiwar organization Indochina Peace Campaign (IPC), which included a two-month tour that raised funds for and supported their war protests. This campaign became the roots of IPC Productions, later known as Jane Fonda Films (which produced films such as

1970's



Jane Fonda speaks to reporters in New York City after her trip to North Vietnam. (AP/Wide World Photos)

Coming Home in 1978, *The China Syndrome* in 1979, *Nine to Five* in 1980, and *On Golden Pond* in 1982). Fonda continued her antiwar activities and returned to Vietnam in 1974 with Hayden. While there they created the documentary *Introduction to the Enemy* (1974).

Over the next sixteen years, Fonda was variously described as a poorly educated but talented actor caught up in the moment, a victim of circumstance, a seductress with a cause, and a traitor to the United States. While some people applauded her actions and honored her for her bravery, the vast majority of people believed that her dealings in Hanoi were inappropriate, even treasonous. The scandal followed Fonda wherever she went. In 1984, she was forced to cancel appearances scheduled to promote her new line of exercise products. Conservatives attempted to bar her from filming *Stanley & Iris* (1990) in Waterbury, Connecticut.

Under unyielding pressure, Fonda chose to make a public statement regarding her actions in Hanoi in 1972. On June 17, 1988, ABC's 20/20 broadcast Barbara Walter's interview "Healing Wounds," in which Fonda expressed some regrets. Some people consider this interview to mark the end of the Vietnam era for Fonda, but many veterans and military supporters believe that her acknowledgment of having some misgivings was too little, too late, and less than apologetic. Many felt betrayed by Fonda; in 1962, she had posed as Miss Army Recruiting for a military advertising campaign. On March 31, 2005, Fonda reiterated in an interview with Lesley Stahl for CBS's *60 Minutes* that she did have some regrets about her visit, and that the image of her sitting atop the antiaircraft gun was "a betrayal."

Through the years, Fonda continued to make films and oppose war. After the Vietnam War, she raised money to help rebuild the Bach Mai Hospital and became active with the Campaign for Economic Development, women's rights, and social justice issues.

—Cynthia J. W. Svoboda

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1904-2008

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Great Events from History

Modern Scandals

1904-2008

July 25, 1972

NEWSPAPER BREAKS STORY OF ABUSES IN TUSKEGEE SYPHILIS STUDY

Journalist Jean Heller reported that an agency of the U.S. government was still conducting a study, begun forty years earlier, to determine the effects of untreated syphilis in African American men without informing them about either their disease or the nature of the study. In response, the U.S. Congress enacted a law that mandated institutional review boards to supervise and approve all federally funded projects using human subjects. Also, all federal agencies established strict rules on informed consent.

ALSO KNOWN AS: Tuskegee experiment;
Tuskegee Study of Untreated Syphilis in the Male Negro

LOCALES: Washington, D.C.; Macon County, Alabama

CATEGORIES: Medicine and health care; racism; civil rights and liberties; human rights; publishing and journalism; government

KEY FIGURES

Jean Heller (fl. 1970's), reporter with the Associated Press

Taliaferro Clark (fl. 1970's), head of the venereal (sexually transmitted) diseases division of the U.S. Public Health Service

Eunice Rivers (fl. 1970's), African American nurse who worked on the project

Peter Buxton (fl. 1970's), lawyer, former researcher for the Public Health Service

Fred Gray (b. 1930), Alabama civil rights attorney

SUMMARY OF EVENT

The Tuskegee syphilis study had its beginnings in 1929, when the U.S. Public Health Service (PHS) was awarded a Julius Rosenwald Foundation grant to investigate the prevalence of syphilis among African Americans and to explore the possibilities of

mass treatment. Taliaferro Clark, head of the venereal (sexually transmitted) disease division of the PHS, was fascinated by a 1928 Norwegian study that included 473 patients with syphilis who had the disease for more than twenty years without treatment. The study found that 27.9 percent of the patients had undergone a "spontaneous cure." The director of the study, Emil Bruusgaard, estimated that 70 percent of all syphilitics would never suffer serious inconvenience from the disease, although he warned about the dangers of untreated syphilis for the other 30 percent.

Because the Norwegian study had used only white patients, Clark and his associates wanted to compare its results with a study using patients of African ancestry. Their initial goal was to determine whether the disease had different effects on the two racial groups. After conducting a survey of several Alabama counties, they chose Macon County because it had the largest concentration of syphilitics. No funds were available for treating the patients. Apparently researchers did not consider the lack of treatment to be unethical, in large part because the best treatments of the time, Salvarsan and other arsenic-derived drugs, were frequently ineffective and had extreme side effects. Also, the treatments were so expensive that they were unaffordable for an estimated 80 percent of the American people during the Great Depression. From the perspective of the PHS, the study would neither harm nor benefit the patients, and they hoped it would result in significant medical knowledge.

Beginning in 1932, the study examined the condition of 412 men who had the disease, as well as another 204 unaffected men who served as study controls. Physicians at the Tuskegee Institute at Tuskegee University in Alabama, and other local physicians, cooperated with the PHS in the study. An African American nurse, Eunice Rivers, was especially active in recruiting the men and transport-



A staffer with the U.S. Public Health Service draws blood from a participant in the Tuskegee Syphilis Study in this undated photograph. (NARA)

ing them to see the cooperating physicians. Most of the men were sharecroppers; all were quite poor and uneducated. To encourage participation, they were promised free meals, a \$50 death benefit, as well as experimental treatment for “bad blood,” which referred to a variety of medical conditions in the local dialect. At that time, the procedures used in the study did not directly violate any established ethical principles of informed consent, although most physicians recognized an obligation for truth-telling. PHS officials originally planned for the study to continue for a year or less, but they later decided to continue it to trace the long-term consequences of the disease.

Even after the antibiotic penicillin had become widely recognized as an effective cure for syphilis by 1945, the PHS continued its Tuskegee study without any major changes in policies. No evidence exists to show that any PHS physician considered the possibility of using the new treatment. Perhaps they assumed that penicillin would not benefit long-infected persons, especially those with latent syphilis. At least until the 1950’s, however, some of the men were young enough to be sexually active, and an uncertain percentage of them probably remained

contagious. Many critics of the study argue that had the patients been middle-class whites, it is highly likely the PHS would have informed them of their disease and recommended treatment. In 1965, a doctor in Detroit, Michigan, read a published report of the study. He became the first member of the medical profession to write to the PHS expressing concern about the study’s ethics. PHS officials did not respond to the letter.

Peter Buxton, a PHS researcher, was distraught when he read about the Tuskegee study. On November 6, 1966, he filed an official protest, asserting that the study was similar to the medical experiments of the Nazis that were con-

demned at the Nuremberg Trials after World War II. PHS physicians attempted but failed to convince Buxton that his concerns were unjustified. Two years later, Buxton, now a lawyer, wrote a stronger protest, warning about “the thinking of Negro militants that Negroes have long been used for medical experiments.” Responding to the second protest, the PHS in 1970 cooperated with the U.S. Centers for Disease Control and Prevention (CDC) in holding a blue-ribbon panel. Only one of the participants argued that the surviving patients should be given treatment. The majority of the panelists, however, concluded that treatment would not help the patients and that continuation of the study was warranted.

Angry about the panel’s decision, Buxton leaked information about the Tuskegee study to Edith Lederer, a journalist in San Francisco, California. Lederer’s supervisors insisted on research by a journalist in the East, so she contacted her friend, Associated Press (AP) reporter Jean Heller. Heller interviewed CDC officials, who provided her with frank and straightforward information. Her article, “Syphilis Patients Died Untreated,” was picked up by the Washington *Evening Star* and published on

July 25, revealing the study to the general public. The story broke nationally the following day.

IMPACT

Although overshadowed by events relating to that year's presidential election, Heller's story attracted nationwide attention. Merlin Duval, an assistant secretary at the U.S. Department of Health, Education, and Welfare (HEW; now Health and Human Services), was "shocked and horrified" to learn of the Tuskegee study, and he appointed an ad hoc panel to investigate the matter. Based on the panel's recommendation, HEW ordered an end to the study on November 16, 1972. A few months later, Democratic U.S. senator Edward M. Kennedy, chairman of the Senate committee on health, held hearings on the scandal. Participants in the study were brought to Washington, D.C., to tell of their experiences. Kennedy called the study "an outrageous and intolerable situation."

The federal government, however, did not voluntarily offer monetary compensation to the surviving patients. In July, 1973, African American lawyer Fred Gray filed a lawsuit for \$1.8 billion against the government. In his brief, Gray asserted that the government had failed to treat the men, had not informed them that they had syphilis, had led them to think they were receiving appropriate medical treatment, and had failed to obtain their consent to be part of a study. Two years later, Gray and the government agreed on an out-of-court settlement for \$10 million, including \$37,500 for each living syphilitic and \$16,000 for each person used as a control.

Reacting to the Tuskegee study, HEW reviewed its regulations on human experimentation and made fundamental changes in its procedures. The study was one of the major reasons that Congress enacted the National Research Act of 1974, which mandated institutional review boards to supervise and approve all federally funded projects using human subjects. Publicity about the study also was a major factor in leading all federal agencies to establish strict rules on informed consent by the late 1970's.

As early as 1965, the Tuskegee Institute became a national historic landmark. In 1997, U.S. presi-

Newspaper Breaks Story of Tuskegee Syphilis Study

dent Bill Clinton apologized on behalf of the government in a ceremony attended by Gray and eight survivors of the study. Clinton declared, "To our African American citizens, I am sorry that your federal government orchestrated a study so clearly racist. That can never be allowed to happen again."

—Thomas Tandy Lewis

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Jones, James H. *Bad Blood: The Tuskegee Syphilis Experiment*. 1981. New ed. New York: Free Press, 1993. A pioneering work that is highly critical of PHS doctors, based on exhaustive archival research that was utilized by Fred D. Gray for his book and by subsequent writers.

Marks, Harry M. *The Progress of Experiment: Science and Therapeutic Reform in the United States, 1900-1990*. New York: Cambridge University Press, 1997. Includes much information about the historical development of ethical standards in medicine and science and informed consent.

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Milgram Begins Obedience-to-Authority Experiments; Sept. 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Sept., 2000: American Scientists Are Accused of Starting a Measles Epidemic in the Amazon; Jan. 30, 2001: Liverpool Children's Hospital Collects Body Parts Without Authorization; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; May 12, 2006: Scientist Is Indicted for Faking His Research on Creating Stem Cells.

July 31, 1972

THOMAS F. EAGLETON WITHDRAWS FROM VICE PRESIDENTIAL RACE

The withdrawal of U.S. vice presidential candidate Thomas F. Eagleton from the 1972 Democratic ticket because of a history of mental illness was the controversial beginning of the end for Senator George McGovern's presidential campaign; he lost in a landslide against incumbent president Richard Nixon.

ALSO KNOWN AS: Eagleton affair

LOCALE: Washington, D.C.

CATEGORIES: Politics; government; psychology and psychiatry; social issues and reform

KEY FIGURES

Thomas F. Eagleton (1929-2007), U.S. senator from Missouri, 1968-1987

George McGovern (b. 1922), U.S. senator from South Dakota, 1963-1981

SUMMARY OF EVENT

"One rock in the landslide" is how U.S. senator Thomas F. Eagleton described his contribution to the overwhelming defeat of Senator George Mc-

Govern in the 1972 presidential race. This political episode was so momentous that Eagleton's later significant legislative achievements were overshadowed by his removal after eighteen days as the vice presidential nominee in 1972. He was removed by presidential nominee George McGovern after revelations that Eagleton had received psychiatric treatment, including electroshock therapy, for depression in 1960, 1964, and 1966.

The 1972 scandal had an inauspicious beginning. Eagleton was a last-minute selection for vice president on the Democratic ticket. As Eagleton would later reveal, he was so far down the list of potential candidates that even Theodore Hesburgh of the University of Notre Dame was considered a more viable choice. Although not unusual for its time, choosing a vice presidential candidate so late in a campaign was further exacerbated by the failed courting of the reluctant Senator Ted Kennedy of Massachusetts. After the Kennedy option was closed, McGovern's campaign staff had to scramble to find another choice.

Campaign staff sought the advice of several pro-



Democratic presidential candidate George McGovern, left, announces the withdrawal of his running mate Thomas Eagleton from the campaign. (AP/Wide World Photos)

spective candidates on the approved list, one being Gaylord Nelson, U.S. senator from Wisconsin. Nelson refused the offer but told McGovern's staff that there was no more attractive candidate than Eagleton of Missouri.

Initially, Eagleton was thought to be an unlikely choice for vice president. He was only forty-two years old and in his first term as senator. In addition, he was an early supporter of Senator Edmund Muskie of Maine in the Democratic primary and criticized McGovern for supporting "amnesty, abortion and the legalization of pot." There also were rumors of an alcohol problem, which were later found to be untrue. Eagleton posted sixth on the list of potential candidates.

After further consideration by the McGovern campaign staff, Eagleton was considered an attrac-

tive candidate—Irish Catholic, young, bright (Amherst College and Harvard Law School), witty, handsome, and, as shown during his tenure as attorney general of Missouri, firm on law and order. He was known as a Franklin D. Roosevelt liberal with the solid support of labor and was a staunch opponent of the Vietnam War.

During the late afternoon of July 13, McGovern called Eagleton and offered him the number two position on the ticket. Before McGovern could finish his sentence, Eagleton said, "George, before you change your mind, I accept." Campaign staffer Frank Mankiewicz then took the phone and asked Eagleton if there was anything in his background that might embarrass the campaign. Eagleton said there was nothing.

The media began investigating Eagleton's back-

ground, revealing that three times he had been hospitalized for depression and had twice received electroshock therapy. McGovern staffers, through anonymous tips, became aware of this issue shortly after the Miami Democratic convention but did not tell McGovern. Mankiewicz and Gary Hart, later U.S. senator from Colorado, met with Eagleton to discuss the problem and, after a frank and full airing of the affair, Eagleton offered to resign. Mankiewicz said no, that McGovern must be told and McGovern must decide.

On July 25, Eagleton was asked by reporters about rumors that he had a history of mental illness. In fact, the media began to report that he had a “nervous condition.” Eagleton responded that he had been treated for “nervous exhaustion” in the past and was frank and forthcoming when asked about specific treatments, acknowledging that they included psychiatric counseling and electroshock therapy. The treatments worked, he said, and his mental illness “was like a broken leg that healed.” Since those early episodes of depression he learned to pace himself and became successful in his political career, which included positions as St. Louis City solicitor, Missouri attorney general, lieutenant governor, and U.S. senator. Doctors had given him a clean bill of health, and his professional effectiveness was never questioned.

McGovern responded to these revelations by announcing that he was “1,000 percent for Tom Eagleton,” telling the press that Eagleton was “fully qualified” to be vice president and, if necessary, president. Critics, however, charged that in a nuclear age, the nation could not afford to have someone with a history of mental illness decide if and when to use nuclear weaponry. It certainly did not help that Eagleton’s depression was referred to as a “nervous condition” by the media. In addition, mental illness carried a heavy social stigma. Even supporters of Eagleton worried that the voting public would never accept him in such a leadership role. Pressure from within the campaign, especially from campaign manager Hart, according to Eagleton, as well as pressure from major donors, led McGovern to force Eagleton to withdraw from the ticket. Eagleton withdrew on July 31 and said he did so for

“party unity.” No later accusation would bother Eagleton more than the one claiming that he deceived the McGovern campaign.

Showing great grace and courage, Eagleton campaigned hard for the newly formed McGovern ticket with Sargent Shriver. His efforts were to no avail, as the Democratic ticket did not carry Missouri or any other state except Massachusetts. Richard Nixon won his second term in a landslide victory. McGovern supporters blamed the scandal for the magnitude of the loss. After leaving the ticket, Eagleton received sympathy and support from political colleagues as well as one prominent foe. On August 2, Nixon sent a personal, handwritten letter to Eagleton’s thirteen-year-old son, Terry. In the letter, Nixon praised the senior Eagleton’s “courage, poise and just plain grits he showed against overwhelming odds.”

McGovern’s handling of the Eagleton affair hurt his campaign; however, how much so is difficult to measure. That Eagleton’s personal background was not properly vetted led to charges of campaign incompetence. For some critics, McGovern’s decision to remove Eagleton smacked of insensitivity, at best, and called into question McGovern’s image as a person of decency. In an April, 2006, interview, McGovern said that if he had to do it over again, he would have kept Eagleton on the ticket. He admitted that little was known about mental illness in 1972, and that a lack of information and understanding about depression led to a mistake in his judgment.

Eagleton survived the controversy and went on to serve with distinction in the Senate for eighteen years. He was a leading sponsor of the original 1974 War Powers Act (although he ultimately voted against a watered-down compromise version), the first Clean Air and Clean Water Acts, and the 1973 Eagleton amendment halting the bombing of Cambodia, which effectively ended the Vietnam War. It is the latter he regarded as his top legislative achievement.

Upon his retirement from the Senate in 1987 he received the highest praises from both his Democratic and Republican peers, and was referred to often as “the conscience of the Senate.” He served the

remainder of his life as teacher and mentor to students at Washington University in St. Louis and as a partner in the St. Louis law firm of Thompson-Coburn.

IMPACT

The Eagleton episode led to microscopic vetting of potential running mates in U.S. politics. No longer are vice presidential candidates selected without a thorough background check. Personal, professional, social, and medical histories are now scrutinized by campaign staff long before the names of potential running mates are leaked to the press. It is also possible that the Eagleton affair put more focus on the vice presidency as a significant and powerful office, for no other reason than being “a heartbeat away” from the presidency. Vice presidential running mates are now chosen not simply for adding electoral appeal to a party’s ticket but also for the possibility that they might serve as president.

Mental illness, especially depression, received added attention after the Eagleton episode as well. At the time, mental illness still carried a heavy social stigma, leaving few sufferers, especially politicians, willing to talk about the disease. Mental illness is now more understood by the American public, discussed more in public, and revealed as a part of the life of celebrities and other public figures, which has had the effect of releasing some of the social stigma surrounding the disease.

Whether or not Eagleton or, for that matter, someone such as former U.S. president Abraham Lincoln, who also suffered mental illness, would be shunned as a potential running mate remains a question for debate. Some still argue that mental illness, unlike other diseases, uniquely disqualifies a person from holding the vice presidency or presidency. Others argue that given what is now known about mental illness and given medicine’s ability to treat and manage the disease, one should no longer be disqualified from high political office simply because they suffer from, or have suffered from, depression or other types of mental illness.

—Steven Richard Neiheisel

Eagleton Withdraws from Vice Presidential Race

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White, Theodore H. *The Making of the President, 1972*. New York: Atheneum, 1973. From the dean of political journalists, White offers insightful commentary on the political implications of the “buffoonery of the Eagleton affair.” White casts a generally sympathetic view of Eagleton, describing the McGovern campaign staff’s handling of the situation as confused, rushed, and incompetent.

SEE ALSO: Sept. 23, 1952: Richard Nixon Denies Taking Illegal Campaign Contributions; Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; June 13, 1971: *New York Times* Publishes the Pentagon Papers; June 17, 1972–Aug. 9, 1974: Watergate Break-in Leads to President Nixon’s Resignation; Oct. 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering.

August 19, 1973**CHEATING SCANDAL SHOCKS SOAP BOX DERBY**

Engineer Robert Brookings Lange, Sr., encouraged his fourteen-year-old nephew, Jimmy Gronen, to install an electromagnet and battery in his soap box derby car. The addition of such a device violated race regulations and provided Gronen, the derby's overall winner, with an unfair advantage. When questioned, Lange justified his actions by claiming that there had been extensive and consistent cheating by other derby participants in other races. Gronen's title was stripped and he lost a \$7,500 scholarship.

LOCALE: Akron, Ohio**CATEGORIES:** Corruption; sports; families and children; popular culture**KEY FIGURES**

Jimmy Gronen (b. 1959), soap box derby racer
Robert Brookings Lange, Sr. (1925-2000),
engineer, inventor of ski boots, and Jimmy
Gronen's uncle

Bobby Lange (b. 1958), Robert Lange's son and
1972 derby winner

SUMMARY OF EVENT

On August 19, 1973, 138 youths between the ages of eleven and fifteen years gathered to compete in the thirty-sixth annual All-American Soap Box Derby at Derby Downs in Akron, Ohio. The participants, all winners in local community races, were excited yet nervous about their performances in this major race. Regulations required the racers to have built their own vehicles, with some guidance from adults if necessary. The event was intended to instill in children a sense of pride and accomplishment in their craftsmanship, but this year's seemingly wholesome children's activity was fraught with scandal. The first-place winner quickly lost his standing, stories of cheating emerged, and the outrage that followed tarnished the event for years to come.

As with other sports, derby-racing rules existed for creating uniformity. Derby regulations required

that race cars not exceed specific dimensions, that the total weight of the car and driver not exceed 250 pounds, that cars use specific derby wheels and axles, and that welded material was not permitted in making the car. The policy, however, did not specify particular materials for the car body, which allowed for some flexibility in design. Throughout the years of racing, derby cars had become more sophisticated and the races more intense. With these advanced models came vague rumors of cheating, but the speculations had not been taken seriously—until after the race of 1973.

Racer Jimmy Gronen slid into his derby car, and the metal starting plaque was dropped. His car made a fast leap away from the starting line and down the course of 953.75 feet toward the finish line. Spectators immediately began to speculate about his unusually fast start. Because gravity was technically the only means of propulsion in a soap box derby race, Gronen's quick jump ahead of the other competitors raised questions. His finishing time in the heat also drew speculation: Gronen won by a large margin in derby racing, 20/100th's of a second.

Rumors began circulating that Gronen had buffed his wheels, a prohibited activity, which led authorities to replace his wheels. Officials also drilled into the car to remove excess weight. Later, after the final run of the day, onlookers puzzled over yet another phenomenon. They wondered why Gronen's race speed decreased in each of his three derby heats. Considering that race car tires normally heat up with each race, the expected result in successive runs was increased momentum, not reduced speed. It was odd that Gronen's pace decreased with each successive run. Despite the suspicions, Gronen was named the official champion of the 1973 derby. His winnings included a trophy, a championship jacket, and a \$7,500 scholarship. As Gronen received his first-place award, some spectators booed in protest.

Race officials then examined Gronen's car and noticed prohibited alterations. A physical inspec-

tion revealed a button or switch that could be activated by pressing it with a driver's helmet. Follow-up X rays conducted at Goodyear Aerospace proved that an electromagnet in the front of the car likely pulled Gronen's car forward as the metal starting plate was dropped at the beginning of each run. Locating this mechanism helped explain Gronen's quick lead at the start of the races and also showed that his decreasing running speed was the result of a draining battery caused by the electromagnet's use. Two days after the race, on August 21, Gronen was disqualified.

The sophistication of the device hidden in Gronen's car left no doubt that an adult helped in its design. Gronen's uncle and legal guardian, Robert

Brookings Lange, Sr., a former derby participant himself, admitted that he had encouraged his nephew to install the apparatus. Lange argued that other cheating had become commonplace at the derby and continued without repercussions, and he saw no reason why this case was different. A follow-up investigation by the district attorney's office in Boulder County, Colorado (Gronen's place of residence), revealed that at least thirty derby cars had, for example, illegal axles.

The race and subsequent scandal shocked derby fans and triggered questions about other possible cheating incidents. The grand marshal of the 1973 race, Gronen's cousin, Bobby Lange, had won the 1972 race with a similarly designed car. Some people thought that Bobby might have used the same device in his car, while others wondered if his car was the same used by Gronen for the 1973 race. Robert Lange denied claims that the apparatus had been used previously, but the suspicious disappearance of the 1972 racer left room for doubt. Deceit and unethical practices in an all-American children's sport were unconceivable to many. Just when the derby was seeking a new corporate sponsor, the scandal erupted, nearly ruining the event's future.

IMPACT

The 1973 soap box derby scandal affected the confidence level of participants, spectators, supporters, and sponsors. The derby was known for its fairness and justice, but the scandal destroyed this assumption. Already in 1972, the automaker Chevrolet had withdrawn as the derby sponsor (but it financed the 1973 winner's scholarship). Furthermore, the Akron Chamber of Commerce, which had sponsored the 1973 event, decided to end fiscal and managerial connections with the derby.

Robert Lange was charged with contributing to the delinquency of a minor. He was ordered to donate two thousand dollars to the local boys' club and to issue a formal apology, directed specifically at youth. He also was banned from the derby for two years. Gronen had already been disqualified from the race and stripped of his \$7,500 scholarship and championship coat.



Jimmy Gronen holds up his championship trophy for winning the national soap box derby on August 18, 1973. He lost the trophy the next day for cheating. (AP/Wide World Photos)

The derby scandal and Lange's rationale that cheating was ubiquitous at the derby brought the attention of the media. News reports compared the derby with the great political scandal of the time: Watergate.

Obtaining a new sponsor for the All-American Soap Box Derby was the main focus of derby organizers. The Akron Jaycees took up the challenge to rebuild enthusiasm for the event and immediately set out to tighten regulations. Racers were issued race-approved wheels and their cars were carefully scrutinized before the start of each derby. Drivers were asked questions to verify that they built their own cars. New starting blocks were created, too.

By 1974, the number of derby contests had dropped dramatically, but despite a general disillusionment with the sport, the competition was kept alive for the 1975 race by generous contributions from local businesses. Novar Electronics agreed to sponsor the derby officially in November, 1975, saving it from certain ruin. Novar remained the main sponsor until 1988. The All-American Soap Box Derby rebounded from its 1973 scandal, but the blemish remains.

—Cynthia J. W. Svoboda

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SEE ALSO: Aug. 27, 2001: Little League Baseball Star Danny Almonte Is Found to Be Overage; Feb. 11, 2002: French Judge Admits Favoring Russian Figure Skaters in Winter Olympics; Sept. 13, 2007: New England Patriots Football Team Is Fined for Spying on Other Teams.

October 10, 1973**SPIRO T. AGNEW RESIGNS VICE PRESIDENCY IN DISGRACE**

Spiro T. Agnew was indicted for accepting bribes from contractors while he was Baltimore County executive, governor of Maryland, and U.S. vice president. The specific charges included conspiracy, extortion, bribery, and tax fraud. To avoid a trial, he pleaded no contest to one charge of income tax evasion and resigned as vice president. Agnew's resignation set in motion, for the first time in U.S. history, the provisions of the Twenty-fifth Amendment to the U.S. Constitution.

LOCALE: Baltimore County, Maryland**CATEGORIES:** Corruption; government; politics; law and the courts**KEY FIGURES**

Spiro T. Agnew (1918-1996), vice president of the United States, 1969-1973

George Beall (b. 1937), U.S. attorney, district of Maryland

Elliot Richardson (1920-1999), U.S. attorney general

Richard Nixon (1913-1994), president of the United States, 1969-1974

SUMMARY OF EVENT

In 1973, the U.S. Attorney's Office in Maryland, headed by George Beall, began investigating political corruption in Baltimore County, which had been experiencing the serious problem since 1963. In 1963, A. Gordon Boone, Democratic speaker of the Maryland House of Delegates, had been convicted of mail fraud involving a savings and loan scandal. During the mid-1960's, several Baltimore County employees and asphalt suppliers were caught on payoff charges. In 1972, former U.S. senator Daniel Brewster was convicted of taking a bribe.

Beall's investigation initially targeted Democrats Marvin Mandel, Spiro T. Agnew's successor as governor of Maryland, and Dale Anderson, who followed Agnew as county executive. Beall assured U.S. Department of Justice (DOJ) officials

that the probe would not involve Agnew. Beall's attorneys interviewed numerous Baltimore County employees and contractors and subpoenaed many documents. Prosecutors learned that Baltimore County employees received kickbacks from contractors who provided public services. The contractors secured their work by paying cash to those county agencies, usually around 5 percent of the value of a job. The contractors concealed the cost of the bribes by recording phony bonuses to employees. Faced with certain prosecution for income tax evasion, bribery, and tax fraud, Maryland engineering and architectural executives began cooperating with Beall's office in exchange for leniency.

In May, 1973, the Attorney's Office discovered that Agnew had accepted substantial bribes while he was a Baltimore County executive, Maryland governor, and U.S. vice president. Agnew was not wealthy before assuming office and considered his salary too low. He believed that his public position required him to adopt a standard of living beyond his means and that his political ambitions compelled him to build a financially strong political organization.

I. H. Hammerman III, a Baltimore real estate developer and investment banker, and other witnesses, told prosecutors about Agnew's involvement. The Attorney's Office said it had evidence of cash arriving to Agnew under disguised names of "papers" and "information," of a representative's signal for payments by offering "congratulations," and of a kickback-splitting arrangement with two of his closest friends. One contractor delivered ten thousand dollars cash in a sealed white envelope to Vice President Agnew. Agnew received bribes from consulting engineers, including Allen Green and Lester Matz, in exchange for business contracts. A financial institution gave him lucrative state bond issues.

In June, Beall gave newly appointed attorney general Elliot Richardson a preliminary report of



Vice President Spiro T. Agnew, center, leaves court in Baltimore, just before resigning his office. (AP/Wide World Photos)

the allegations against Agnew. Richardson encouraged Beall to pursue the investigation regardless of politics, government position, personal concerns, or professional apprehension. He was dismayed by the investigation's implications after learning the amount of evidence the Baltimore prosecutors had against Agnew. They then told Richard Nixon what they had found. Nixon wanted Agnew confronted with all the evidence and at least twice asked the vice president to resign.

Beall hand-delivered to Agnew a confidential letter dated August 1, warning the vice president that he was under investigation for conspiracy, extortion, bribery, and tax fraud and gave him an opportunity to explain his actions to the U.S. attorney. The letter detailed how Agnew had collected graft from contractors as a county executive, governor, and vice president. Agnew refused to cooperate with Beall's office, denouncing the investigation

and proclaiming his innocence. He did not expect to be indicted and vowed not to resign.

Richardson, who assumed command of the probe, believed that Agnew's misconduct warranted a prison term and realized that Agnew stood only a heartbeat from the presidency. Richardson could have demanded prison time but opted to clear the line for the presidency. The Agnew scandal came amid numerous public charges of political misconduct against the Nixon administration. Nixon's own income tax returns were contested. The tide of the Watergate scandal surrounding Nixon rose amid public disclosures on national television before the Senate Judiciary Committee. Grave accusations of criminal misconduct dogged Nixon's former legal counsel. Some of Nixon's closest former aides were indicted, while two former cabinet members faced trials on criminal charges. The U.S. Supreme Court ordered Nixon to hand over the tapes of conversa-

tions dealing with many disputed points in the Watergate criminal scandal. After the tapes were released, Nixon resigned in August, 1974.

With Nixon's future clouded, Richardson pleaded bargain with Agnew to prevent him from becoming president. The DOJ and the Internal Revenue Service had gathered incontrovertible evidence that Agnew evaded paying \$13,551.47 in federal taxes in 1967. On October 10, Richardson released in federal district court a forty-page document citing overwhelming evidence that Agnew had accepted more than \$100,000 in bribes and kickbacks. Agnew's attorneys and DOJ officials worked out a plea agreement for Agnew's resignation. Agnew reluctantly accepted the terms and resigned as vice president the same day. His decision appeared based on personal rather than political or historical considerations. Nixon considered Agnew's plea bargain advisable "to prevent a protracted period of national division and uncertainty." Several of Agnew's coconspirators received prison sentences. Federal prosecutors later indicted and convicted Baltimore County executive Anderson, Anne Arundel County executive Joseph Alfino, and Maryland governor Mandel on related corruption charges.

Also on October 10, Agnew walked into a federal courtroom in Baltimore and pleaded guilty to income tax evasion. Judge Walter Hoffman fined Agnew ten thousand dollars and sentenced him to three years unsupervised probation. Agnew vehemently refuted the government's allegations, except income tax evasion, but wanted to avoid a prolonged struggle before the courts or U.S. Congress. He firmly believed that the public interest required swift resolution of the case. Agnew denied accepting cash kickbacks from contractors while serving as county executive, governor, and vice president, and he insisted that Maryland state contracts were issued only to those qualified to perform the work. He denied that payments influenced his official actions or that he had enriched himself at public expense.

On October 15, Agnew told a national television audience that he resigned to restore confidence and trust to the vice presidency and insisted that he had done no wrong. Agnew blamed Nixon for his down-

fall, claiming the president sacrificed him to appease his Watergate critics. Agnew's resignation set in motion, for the first time, the provisions of the Twenty-fifth Amendment to the U.S. Constitution, under which the president needed to nominate a successor subject to a confirmation by a majority vote of both houses of Congress. Nixon named Republican representative Gerald R. Ford of Michigan as Agnew's replacement.

Agnew withdrew from politics, resided in Rancho Mirage, California, and Ocean City, Maryland, and brokered business deals for an international clientele. He continued to live and travel in style, seemingly flaunting the plea bargain terms and exhibiting no remorse. In May, 1974, the Maryland Court of Appeals disbarred Agnew. Seven years later, he was ordered to pay the state of Maryland \$268,482 to cover the illegally earned kickbacks and interest. A civil court in 1981 determined that Agnew had solicited \$147,000 in bribes while county executive and state governor, \$17,500 of which he received as vice president.

IMPACT

Agnew became only the second U.S. vice president to resign and the only vice president forced out of office because of legal problems. John Calhoun had resigned the vice presidency in December, 1832, because of a political split with President Andrew Jackson. The Agnew case proved that no U.S. citizen, including the vice president, is above the law. It also added fuel to the fire that was the Nixon administration, ensuring, in a way, his boss's demise as well. The Nixon case, too, proved that no U.S. citizen is above the law.

—David L. Porter

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SEE ALSO: Jan. 23, 1904: Senator Joseph R. Burton Is Convicted of Bribery; Oct. 22, 1923: U.S. Senate Begins Hearings on Teapot Dome Oil Leases; May, 1930: Postmaster's Division of Airmail Routes Creates a Scandal; May 22, 1939: Kansas City's Boss Pendergast Pleads Guilty to Income Tax Evasion; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; June 17, 1972-Aug. 9, 1974: Watergate Break-in Leads to President Nixon's Resignation; July 31, 1972: Thomas F. Eagleton Withdraws from Vice Presidential Race; May 14, 1974: *Washington Post* Reveals That the Nixons Received Jewelry Gifts; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; Aug. 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation; July 1, 2005: Federal Agents Raid Congressman Randall Cunningham's Home.

April 15, 1974

KIDNAPPED HEIR PATTY HEARST HELPS ROB A BANK

Two months after her kidnapping by members of the Symbionese Liberation Army, Patty Hearst was photographed inside a bank holding a gun and helping her captors carry out the robbery. By all appearances, she seemed to have voluntarily joined the revolutionaries and was thereby considered to be "thumbing her nose" at the privileged echelons of society in which she was raised. The case also brought to light the Stockholm syndrome, a psychological phenomenon in which a hostage develops an affinity with his or her captors.

LOCALE: San Francisco, California

CATEGORIES: Violence; law and the courts; psychology and psychiatry; social issues and reform; politics

KEY FIGURES

Patricia Hearst (b. 1954), heir to Hearst fortune

Donald DeFreeze (1943-1974), leader of the Symbionese Liberation Army

Camilla Hall (1945-1974), member of the Symbionese Liberation Army

Patricia Soltysik (1950-1974), member of the Symbionese Liberation Army

Nancy Ling Perry (1947-1974), member of the Symbionese Liberation Army

SUMMARY OF EVENT

Patricia Hearst, heir to the fortune of the famous California newspaper magnate William Randolph Hearst, was kidnapped on February 4, 1974, from the Berkeley, California, apartment she shared with her fiancé, Steven Weed, who was beaten during



A security camera catches Patty Hearst robbing a bank in San Francisco, California. (AP/Wide World Photos)

the abduction. The kidnappers were members of the Symbionese Liberation Army (SLA), an urban terrorist group formed in 1973 with the goal of freeing a broad range of persons of the American “under-class” (including African Americans, prison convicts, women, military draftees, and others they believed victimized by corporate America).

Initially, after her abduction, Hearst was kept in a dark closet. After several weeks, however, it seems that she began to identify with her captors’ ideology, even to the point of releasing tapes that espoused some of their radical ideas.

The bank robbery itself was preceded by weeks of elaborate planning. According to Hearst, the “action,” as it was called by the group, had three distinct purposes: to obtain much-needed funds that would support future SLA revolutionary activities;

to demonstrate to the rest of the world that Tania (Hearst’s adopted nickname) had truly renounced her privileged upbringing and wholeheartedly joined the SLA, actively supporting and taking part in even its most violent activities; and to show the world that the SLA revolutionaries were strong, resolute, and unafraid. Hearst would later say that she believed she would die either in a shoot-out with police or at the hands of the SLA group leader himself, Donald DeFreeze, a convict who had escaped from prison in March, 1973.

In a tape-recorded message released to the media on April 3, 1974, Hearst said,

I have been given the choice of one: being released in a safe area, or two: joining the forces of the Symbionese Liberation Army and fighting for my freedom and the freedom of all oppressed people. I have chosen to stay and fight.

Hearst’s parents believed their daughter had been brainwashed by her captors.

At 9:45 A.M. on April 15, 1974, two cars arrived at the Hibernia Bank on Noriega Street in the Sunset district of San Francisco, California. (Ironically, this bank had been founded by the grandfather of one of Hearst’s closest childhood friends.) Four veteran SLA members, including DeFreeze, Camilla Hall, Patricia Soltysik, and Nancy Ling Perry, headed for the bank entrance, preceded by Hearst. Before entering, Hearst was knocked in the face by the front door released by a customer ahead of her. Now in the bank, the robbers took out rifles they had concealed beneath their coats and ordered everyone in the bank to drop to the floor. One of the bank guards later reported that Hearst did not appear nervous at this time. Rather, the guard said, she seemed to know what she was doing and appeared ready to use the gun if necessary. There are reports that she threatened to blow the head off anyone who moved, but Hearst herself remembers only pointing her gun at those on the floor in front of her.

The bank manager saw the entire operation from his office on an upper level. He set off a silent alarm that activated the bank cameras. The manager noted that all aspects of the robbery were carried out with great precision and that the SLA members seemed

to have a solid working knowledge of the bank's floor plan. He also said that Hearst directly threatened the customers with her rifle. The entire robbery lasted only four minutes. The robbers fled in the two cars with \$10,960, but not before two of them (excluding Hearst) shot their weapons and injured two passersby. Back at their apartment, the euphoric SLA members spread all the stolen bills on the floor in front of them. The robbery would generate an enormous amount of media coverage.

Using her nickname Tania, Hearst later released several tapes that indicated her sympathy with SLA goals and her commitment to the movement. She disappeared from public view and the law but was arrested on September 18, 1975, in San Francisco; she was tried and then convicted on March 16, 1976, for her role in the bank robbery. Her primary lawyer, F. Lee Bailey, unsuccessfully argued that his client had been brainwashed by the SLA. He also cited the effects of the Stockholm syndrome, a phenomenon in which a hostage not only develops a positive relationship with his or her captors but also becomes protective of them and actively identifies with their cause. The Stockholm syndrome is significant in this case because the Hearst abduction and her participation in the bank robbery would become synonymous with the syndrome.

The Stockholm syndrome was named after a hostage-taking incident in which a victim, held in a Stockholm bank, told rescuing police that he would not let them harm his captor. In the aftermath of another hostage incident, a flight attendant who had been held at gunpoint continued to visit and bring gifts to the incarcerated hijacker. One explanation for this phenomenon involves the hostage's rational calculation that if he or she develops a personal relationship with his or her captors, the latter may find it harder to follow through on threats to kill the hostage. Key to preserving a hostage's life is meeting the demands that the captors are making to authorities. On a more subtle, subconscious level, however, the Stockholm syndrome is also, in part, a reflection of the helplessness of a victim in the face of a hostage taker who may also be a killer, even if demands are met. The hostage is infantilized and, in response, unconsciously adopts the attitudes of the captor.

Many believe that Hearst's attorney did not bring out the infantilization aspects of this syndrome sufficiently at the trial. Hearst was sentenced to a seven-year prison term but actually served less than two years following a commutation by U.S. president Jimmy Carter in 1979. She received a full pardon from U.S. president Bill Clinton in 2001. She later married one of her bodyguards and moved to Connecticut.

IMPACT

The Hibernia Bank robbery was in many ways the quintessential act of social defiance on the part of the Symbionese Liberation Army. It was undertaken to establish each participant's identity as a confirmed and committed revolutionary "soldier," a stance from which, apparently, there was no return. That Hearst was featured so prominently in this robbery, photographed several times holding a rifle and using expletives in her orders to bank patrons, underlines the class differences the SLA wanted to highlight. The image of Hearst, heir to a fortune and a child of the privileged, robbing a bank is permanently etched in the American psyche. Hearst, in those four minutes, became at once a symbol of self-loathing and, from the SLA's viewpoint, an exemplar of how even America's most privileged elite can be inwardly disgusted with the class disparities in the United States.

Hearst's motivations and her state of mind during the bank robbery were the subject of detailed analyses during her trial. Debate continues over whether she was forced into joining her captors or whether she was a willing participant in the crime. Jurors in her trial concluded, however, that even after experiencing extreme situations (having been kidnapped) and even if affected by the Stockholm syndrome, people should be held accountable for their actions. If they violate the law, they must accept responsibility and pay the price. Ultimately, this episode in American criminal history serves as an affirmation of the basic moral principles and expectations as well as the integrity of the American legal system.

—Eric W. Metchik

FURTHER READING

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SEE ALSO: July 23, 1978: Utah Millionaire Is Murdered by His Grandson; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents.

May 14, 1974

WASHINGTON POST REVEALS THAT THE NIXONS RECEIVED JEWELRY GIFTS

Although the U.S. Constitution and the Foreign Gifts and Decorations Act forbids U.S. government officials and their families from accepting gifts from foreign rulers without permission from Congress, President Richard Nixon's wife and daughters received more than \$100,000 worth of jewelry from the Saudi Arabian royal family. The Nixons received about 3,500 gifts from foreign officials, most of which they kept after Nixon's resignation in 1974.

LOCALE: Washington, D.C.

CATEGORIES: Politics; publishing and journalism; ethics; international relations; government

KEY FIGURES

Richard Nixon (1913-1994), president of the United States, 1969-1974

Pat Nixon (1912-1993), First Lady of the United States, 1969-1974

Tricia Nixon Cox (b. 1946), Nixon's eldest daughter

Julie Nixon Eisenhower (b. 1948), Nixon's youngest daughter

Maxine Cheshire (b. 1930), syndicated columnist for *The Washington Post*

Faisal (c. 1905-1975), king of Saudi Arabia, r. 1964-1975

Fahd (1922 or 1923-2005), half-brother of King Faisal and later king of Saudi Arabia, r. 1982-2005

Sultan bin Abdul Aziz al-Saud (b. 1928), half-brother of King Faisal and later crown prince of Saudi Arabia, r. 2005-

SUMMARY OF EVENT

Article 1, Section 9 of the United States Constitution prohibits federal officials from accepting gifts from the heads of foreign states. Also, the Foreign Gifts and Decorations Act of 1881 (amended in

1966) details procedures for handling such gifts to keep from offending foreign leaders, and it expanded the prohibition to include the families of federal officeholders. Jewelry and any other gifts with a value greater than \$100 automatically become the property of the U.S. government. The purpose of the ban was to prevent foreign countries from bribing or otherwise influencing U.S. office holders in hopes of receiving preferential treatment for business contracts or foreign policy.

The relationship between Richard Nixon and the Saudi Arabian royal family began before Nixon became president. Adnan Khashoggi, a billionaire Saudi Arabian businessman with ties to the Saudi royal family, gave about \$60,000 worth of jewelry to Nixon's daughters and made a \$1 million campaign contribution to Nixon in 1968. However, the law in question did not apply at that time, because Nixon and Khashoggi were both private citizens, and candidates were not required to disclose campaign contributions. Nixon's youngest daughter, Julie, married David Eisenhower, grandson of former U.S. president Dwight D. Eisenhower, on December 22, 1968, but Nixon was still only the president-elect at this time, so the law did not apply to any of the Nixon-Eisenhower wedding gifts.

Nixon was inaugurated president of the United States on January 20, 1969. In October of 1969, Prince Fahd, half-brother of King Faisal of Saudi Arabia, gave First Lady Pat Nixon a parure—a matching set of emerald and diamond jewelry consisting of a necklace, bracelet, and ring, and a pair of earrings and a brooch. The set was appraised at \$52,400 by Harry Winston, one of the most famous jewelers in the world, in 1970. In May of 1971, King Faisal gave the first lady a pair of marquise diamond and cabochon ruby shoulder-length, dangling earrings and a strand of pearls possibly worth as much as \$100,000. The Nixon's oldest daughter, Tricia, wore them at a 1972 reelection fund-raiser. In July, 1972, Prince Sultan bin Abdul Aziz al-Saud, another half-brother of King Faisal, gave the first lady a diamond bracelet, gave Tricia a diamond and sapphire pin, and gave Julie a diamond and ruby pin. On another occasion, Faisal gave the first lady a diamond-studded platinum watch, using Winston

as an intermediary. When Tricia married Ed Cox in 1971, the shah of Iran gave her a diamond and emerald brooch, and the emperor of Ethiopia, Haile Selassie, gave her a silver vase. No appraisal was ever done on the latter gifts, and the three women wore the jewelry from the Saudi Arabian royal family at several official White House social functions. The record-keeping for gifts in the Nixon White House was very poor.

In 1970, *Washington Post* columnist Maxine Cheshire received a tip that the shah of Iran had given the first lady diamonds and emeralds worth millions of dollars. Cheshire checked to see if the jewels were turned over to the U.S. government, as the law mandates; there was no record that the jewels existed at all. Her inquiries eventually led to a member of Betty Ford's staff. Betty Ford's husband, Gerald, became vice president of the United States following the resignation of Spiro T. Agnew in 1973, and her staff member confirmed that the jewelry existed. Cheshire then found a disgruntled former employee of the White House Gifts Unit, who also confirmed the existence of the jewelry. Unfortunately, neither was trained in appraising jewelry, nor could they be 100 percent certain that the Nixons were not wearing costume jewelry on those occasions. The second source also disputed that the gift-giver was the shah, insisting that the person who provided the gifts was an Arab.

Cheshire then went to the head of the White House Gifts Unit and, to her surprise, found the woman in charge of the unit quite cooperative. The employee agreed to provide a photograph of the jewelry given to the first lady by Prince Fahd. Cheshire discovered that the jewelry was kept in a wall safe in Nixon's White House bedroom until March, 1974, in violation of the 1966 law. On the recommendation of White House attorney Fred Buzhardt, the jewelry was transferred to the custody of the chief of protocol in the executive office building. Cheshire reported on May 14 that the jewelry from the Saudi Arabian royal family had not been officially recorded until March 8. Deputy press secretary Gerald Warren denied any impropriety and said that the first lady and her daughters

always planned to leave the jewelry in federal custody when Nixon left office.

When Nixon resigned the presidency because of the Watergate scandal later that year, the Nixon family turned over to the U.S. State Department 824 gifts that were given to them by foreign officials. However, 2,632 gifts were kept by the Nixons on the grounds that they were given by foreigners who were not government officials. Among the gifts retained by the Nixon family were a silver tray from Pepsi-Cola bottlers of Japan; a gold centerpiece from the Philippine sugar industry; a pair of gold cuff links from the former head of Mitsui, a Japanese conglomerate; and an oil painting and fifteenth century jewelry from the chairman of Lepetit Chemical Company of Milan, Italy.

A 1978 probe by the U.S. General Services Administration concluded that all the gifts received by the Nixon family during his presidency were accounted for. Tricia Nixon Cox was allowed to keep two wedding presents: the vase from Haile Selassie and a rare temple carving from South Vietnam's president.

IMPACT

At the time, the gifts scandal was considered minor compared to Watergate, but considering that foreign policy, specifically regarding the Middle East, could have been jeopardized, the gifts scandal was found to be more significant than first realized. No legal action was taken against Nixon or members of his family. After Nixon resigned on August 9, 1974, the jewelry was placed in the custody of the federal government. Any violation of the law became moot after the new president, Gerald Ford, fully and unconditionally pardoned Nixon for any crimes he may have committed while president. Furthermore, no evidence existed showing that Nixon changed his Middle East policy because of those gifts. In fact, he had infuriated King Faisal when he asked the U.S. Congress for a \$2.2 billion aid package to Israel in 1973.

That the Nixons were exposed by *The Washington Post* led many elected officials to take notice and reveal the gifts they, too, had received from foreign leaders. Most notably, former vice president

Agnew and Senators Hubert Humphrey and J. William Fulbright began relinquishing gifts they had received from foreign officials.

The Nixon Gift Collection is stored at the National Archives and Record Administration in College Park, Maryland, and items from the collection are periodically lent to museums around the United States. Most of the jewelry from the Saudi Arabian royal family is on permanent display at the Nixon Library in Yorba Linda, California.

—Thomas R. Feller

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May 20, 1974

FRENCH CARDINAL DANIÉLOU DIES IN A PROSTITUTE'S HOUSE

The mysterious death of Roman Catholic theologian and scholar Jean Daniélou in the house of a prostitute led to a scandal in the popular press and among colleagues. His life and work suggested several possible explanations for his death, including the possibilities that he was assassinated by philosophical enemies, that he died while ministering at the brothel, or that he died following an intimate encounter with a prostitute.

LOCALE: Paris, France

CATEGORIES: Murder and suicide; prostitution; sex; publishing and journalism

KEY FIGURES

Jean Daniélou (1905-1974), French theologian and scholar

Alain Daniélou (1907-1994), Hindu scholar and brother of Jean Daniélou

Mimi Santoni (b. c. 1950), dancer and friend of Jean Daniélou

SUMMARY OF EVENT

Jean Daniélou's background and achievements were impressive. Educated at the Sorbonne and the University of Lyon, he held doctorates in both letters and theology. Entering the Jesuit order as a young man, he was ordained priest in 1938. In 1969, he became an archbishop, and the same year his personal friend, Pope Paul VI, made him a cardinal. As his reputation grew, he was invited to lecture internationally, notably at the University of Notre Dame in the United States in 1950. At the Institute Cat-

holique de Paris, he was professor of primitive Christianity from 1943 to his death, serving as dean in the last decade of his service there. He founded study circles and edited numerous publications. Honored as a Chevalier of the Legion of Honor, he was also a member of the French Academy.

Daniélou told his friends numerous times that, "I am naturally a pagan, and a Christian only with difficulty." As he entered his sixties, he confided his fear that opponents in his church were plotting against him. However, he arrived at the last day of his life seemingly without premonition. On that Monday, May 20, 1974, he arose as usual, said mass, worked at his desk, and received a few visitors. At noon he lunched at a favorite restaurant and talked by phone with a Sorbonne University colleague. He then collected some mail and returned briefly to his residence, before departing again at 3:15 P.M., leaving word that he would return by 5 P.M.

Thirty-eight minutes later, an emergency call was received by the police, from Madam Santoni, who lived on the upper floor of a building in Rue Dulong, which was in a disreputable quarter of Paris. According to Santoni, Daniélou had hastened up the steps to her flat, collapsing at the top. Fearing she would be charged with his death, she quickly summoned help and tore his clothes apart in an unsuccessful attempt to revive him.

Church dignitaries, including the apostolic nuncio, the Jesuit provincial of France, and the superior of the Jesuits in Paris, along with nuns called in to tend the body, quickly arrived on the scene. Reporters from *France Soir* also arrived, but they were

cautioned to maintain discretion. The press was informed that the cardinal had died in the street or in the stairway. Reporters quickly discovered that Santoni, who called herself Mimi, was a married woman, well known to the police as a bar host and a cabaret and striptease dancer. Allegedly, she also ran a brothel with her husband, who at the time of Daniélou's death was in jail for pimping.

Daniélou was known for his wit and urbanity. There was something slightly bohemian about him, according to friends, a tendency to seek out social rejects. Mary Magdalene, the reformed harlot of the Bible, especially intrigued him. Possibly through sympathy with the open sexual orientation of his brother Alain, he held regular masses for gays and lesbians. With his disheveled appearance, knowledge of cinema, and his secular friends, he often resembled a new wave film critic more than a Catholic cardinal. *The National Review* observed that he "looked as if he had been drinking very black coffee for fifteen years in a sidewalk café with [French philosopher and feminist] Simone de Beauvoir." He lived simply at his Paris residence, without a secretary or an automobile, yet his life was not an open book.

In earlier years, Daniélou had been identified as a Catholic progressive. He read the books of the controversial Jesuit paleontologist Pierre Teilhard de Chardin and seemed to make common cause with innovative Dutch and Belgian churchmen. The best known exponent of this "new theology" was Swiss professor Hans Küng. Küng's early admiration of Daniélou, however, would change when, with the pontificate of Paul VI, Daniélou became increasingly conservative and a staunch defender of papal infallibility. Küng came to believe that raw ambition drove Daniélou to pander to the pope to become a cardinal. When the circumstances of his death were later reported, Küng, along with other church liberals who already suspected Daniélou of expediency, put the most scandalous interpretation on the event.

Daniélou wrote voluminously, both scholarly and popular works on religious history, philosophy, ethics, and theology. Some scholars regarded him as the standard authority on the early Christian

church. He explored the newly discovered Dead Sea Scrolls, outlining parallels between the teachings of the people who produced them and early Christianity. He also was an expert in Greek patristics and Hellenistic culture. His writings were characterized by both learning and clarity.

Christianity, Daniélou believed, must be actively applied. Early in his career he had been sympathetic to the French worker-priest movement, which was later disbanded. His explorations in world religions, perhaps in part stimulated by the career of his brother Alain Daniélou, led him to conclude that, while Christianity was the lighted path, elements of useful truth could be found in all traditions. With this tolerance, not common in his milieu, he pursued dialogue not only with Protestant scholars but also representatives of all religions. He founded the Fraternity of Abraham, an interfaith group composed of Jews, Christians, and Muslims, and was a strong supporter of Catholic initiatives in appointing more African and Asian cardinals.



Jean Daniélou, c. 1920. (Hulton Archive/Getty Images)

Daniélou's family background may shed light on his curious death. The Daniélous were a distinguished Breton family. The father, Charles, a politician who held numerous French ministerial posts, usually was absent from the family scene. The dominant influence was the mother, Madeleine Clamorgan Daniélou, descended from Norman nobility, deeply religious, and committed to female education. The institutions she founded to educate devout women took priority over her family of four sons and two daughters. Two of her sons would receive international recognition. Alain, the cardinal's younger brother by two years, converted to Shaivite Hinduism, becoming a classical dancer, musicologist, and authority on Indian music.

The death of Alain's brother remained a mystery, yet Church officials rejected requests for an official inquiry. Cardinal Daniélou was buried with full honors in a Jesuit cemetery. The Daniélou family accepted the Church's explanation that he had died of a heart attack during a pastoral visit to a woman he had previously consoled. The three thousand francs found in his pocket was said to be bail money for Santoni's husband. A Jesuit spokesperson pronounced that this was a most appropriate way for a man of God to die, on a mission of mercy to a social outcast.

Not surprisingly, leftist anticlerical newspapers took another interpretation. *Le Canard Enchaîné's* investigation suggested that the cardinal had been paying regular visits to Mimi for some time. His body, the paper alleged, had been hurriedly dressed, and the money in his pocket was intended payment for her professional services.

Further explanations were advanced by others. Daniélou had once referred to the liberal school of Catholic theologians as "assassins of the faith," and some believed that this group had framed or possibly even murdered him. Another scenario, worthy of the so-called Da Vinci-code theorists, was that Daniélou had run afoul of secret societies, specifically the Grand Lodge of France.

IMPACT

The immediate reaction to Daniélou's death was scandalous titillation in French popular newspapers

and beyond. American publications relished the irony of a prince of the Church dying on the steps of a brothel. The cardinal's theological enemies, who believed that he had betrayed the renewal movement in the Church, took the circumstances of his death as evidence of his hypocrisy and self-serving indulgence. Admirers, colleagues in the Jesuit order, and his family saw in his death a Christ-like ministry to the dejected of society. The mystery has never been conclusively solved.

The scandal had more far reaching repercussions. For some, it was a wake-up call, heralding the major sex scandals that would rock the Catholic Church in the last decades of the twentieth century. For Church reformers, Daniélou's questionable death seemed further confirmation of the need for married and female priests.

The circumstances of Daniélou's death, however, did not diminish the cardinal's importance as a scholar, and his books continue to be widely read. His patristic writings would serve as foundation for other scholars, while his more popular books on the Dead Sea Scrolls, angels, and Christian approaches to non-Christian religions would have special relevance to the increasingly diverse populations of Europe and the United States. He would also be honored as an important pioneer in Christian ecumenism and interfaith dialogue.

—Allene Phy-Olsen

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Summer, 1974

DALKON SHIELD CONTRACEPTIVE IS REMOVED FROM THE MARKET

The Dalkon Shield was an intrauterine device marketed as a safe and effective form of birth control. Soon after the device became available, however, women suffered infections and infertility, and some died. A. H. Robins Company continued to market and sell the device until 1974 but eventually went bankrupt under the weight of lawsuits.

LOCALE: Washington, D.C.

CATEGORIES: Medicine and health care; business; women's issues; law and the courts

KEY FIGURES

Hugh J. Davis (1927-1996), gynecologist and coinventor of the Dalkon Shield

E. Claiborne Robins, Sr. (1910-1995), chairman of A. H. Robins Company

Robert Merhige, Jr. (1919-2005), U.S. federal judge, 1967-1998

SUMMARY OF EVENT

By the early 1970's, intrauterine devices, or IUDs, had been used safely and effectively as a form of

birth control for decades. An aggressive marketing campaign by the distributor of one such IUD, the Dalkon Shield, placed profit over safety. Close to three million women in the United States were using the Dalkon Shield at the height of sales. The shield, sold by the A. H. Robins Company, was developed by Hugh J. Davis, a gynecologist, and Irwin Lerner, an engineer. The shield was three-quarters of an inch in size, had prongs on either side to prevent expulsion, and had a tail to aid in its removal. Unlike other IUDs, the Dalkon Shield's tail was made with multifilament fiber encased in a nylon sheath, which became a vehicle for bacteria. Other IUDs used monofilament fiber. The Dalkon Shield's design elements caused a majority of the health issues that arose.

A Centers for Disease Control report in 1983 showed that pelvic infection was five to ten times more likely in women who used the Dalkon Shield over other IUDs. The success of the deceptive marketing campaign, combined with the poor design features of the shield, led to the eventual injuries, illnesses, and deaths. There were also many cases of sterility caused by the shield.

A physician associated with Johns Hopkins University, Davis had tested the new shield on 640 patients. Traditionally, no less than 1,000 subjects are used for clinical trials to be considered statistically valid. In Davis's test, controls were poorly implemented, which skewed the results favorably to establish the marketability of the shield. Also, many of the test subjects used other forms of birth control during the study, and not all used the shield for the entire length of the study. In the end, Davis concluded that the birthrate for those using the shield was 1.1 percent, which was less than the birthrate for those taking the birth control pill. Davis had received revised results after publishing his report, which put the birthrate at more than 5 percent, but he failed to amend his study.

Because they are considered devices and not drugs, IUDs do not fall under the purview of the U.S. Food and Drug Administration (FDA). Davis and Lerner founded the Dalkon Corporation in 1970 and started to sell the shield on their own. Davis, by then a recognized expert in contraception, spoke before a U.S. Senate subcommittee about the dangers of the birth control pill and the need for safer alternatives. He failed to note that not only was he marketing just such an alternative but also owned the company that would produce the devices. Sales did not reach hoped-for levels, however, so the Dalkon Corporation sought the backing of a larger company.

A. H. Robins Company was one of the four hundred largest companies in the United States and could distribute products worldwide. The company, run by E. Claiborne Robins, Sr., lacked experience with contraceptive devices and so based its purchase of Dalkon Corporation on Davis's flawed study. Furthermore, Robins bought Dalkon despite learning that actual pregnancy rates were nearly five times Davis's published result. Robins also had no data on the safety of extended use. Robins paid \$750,000 for the right to distribute the shield.

Robins began an aggressive marketing campaign and used Davis's original study to promote the shield. Robins ignored its own medical advisory board and marketed the shield, beginning in early 1971, to general practitioners instead of obstetri-

cians and gynecologists exclusively. The company took the additional step of marketing beyond the medical field as well to further promote sales.

High-ranking officials at the company, as well as E. Claiborne Robins, received a warning from Lerner as early as 1970 about a potential "wicking effect" caused by the use of the multifilament tail. Because the tail was open at both ends, bacteria could easily travel between the filaments and past the protective cervical plug into the normally sterile uterus. This fact was confirmed by the company's own quality control department. The department suggested heat sealing both ends, but the design change would have slowed production, so the alteration was never made. The sheath over the filaments also had a tendency to break down over time. The damaging effects of the wicking and the breakdown of the sheath were made worse by the decision to include in the sales literature information that the shield could be left in place for five years or more. The sales literature contradicted the recommendation made by the company's own medical board, which warned that the device should be changed every two years. Because of Robins's aggressive marketing, the shield outsold all other IUDs combined from 1971 to 1973.

Reports of high pregnancy rates and infections came in from field reports from medical consultants within the first month of release, but the company disregarded the reports. The first reports of septic abortions—abortions caused by infections in the uterus—came in soon after. The prongs also caused perforations of the uterus in pregnant women. The reports of the first two deaths occurred in May of 1973. Two women died within three days of detection. In response to the deaths, Robins merely printed new labels on the shield's packaging that recommended removal of the shield during pregnancy. It was not until the company received notice of a forthcoming article in the *American Journal of Obstetrics and Gynecology* that it chose to send letters to 120,000 physicians, stressing the urgent need to remove the device from women who were pregnant. These letters came a full two years after the same recommendation was made by the company's own consultants.

By 1973, the company was facing several hundred lawsuits. The first suit came to trial in December of 1973. Connie Deemer's uterus had been perforated by the shield while she was pregnant, leading to lifesaving surgery. The prosecuting attorney in the case was the first to discover Davis's financial stake in the shield. He also found the memo to company directors outlining the misleading birthrate statistics, which proved the company deliberately withheld the information, and that they most likely did so to increase sales. Because of the large number of lawsuits, cases were combined first at the state level in Minnesota and later on a national level at the federal court in Virginia under Judge Robert Merhige, Jr.

One of the most important issues discovered in trial was that Robins added copper and copper sulfate to the design. Had this been known by the FDA, the shield would have then been placed under the stricter federal guidelines and faced years of testing. Robins, however, never reported the addition of the copper sulfate to the FDA. It was at this time that the FDA requested that Robins withdraw the shield from the market, and by summer, 1974, Robins stopped further distribution of the shield. During trial, the wicking tests of the tail string that Robins performed also were confirmed, and it was determined that the company willfully destroyed incriminating documents. In December, 1987, Merhige ordered Robins to create a trust fund of \$2.48 billion for women affected by the Dalkon Shield.

IMPACT

The stigma surrounding the harmful health effects of the Dalkon Shield caused a downturn in the entire IUD market, with sales of IUDs dropping off by two-thirds over the ten years following its initial release to the market. The large numbers of national lawsuits led to the establishment of a \$2.6 billion



Two women protest outside the courtroom in Richmond, Virginia, where A. H. Robins Company was ordered to set up a \$2.48 billion trust fund for women harmed by the Dalkon Shield. (Bettmann/Corbis)

trust fund to cover damages and to try to restore the fertility of women affected by the shield. More than 200,000 women received financial compensation from the trust. The scandal and litigation was large enough that by 1985 it bankrupted one of the largest companies in the United States.

Furthermore, in 1976, the FDA first began to require the testing and approval of all medical devices, and not just drugs, in part because of the Dalkon Shield case. Medical device amendments were added to the Food, Drug, and Cosmetic Act of 1938.

—James J. Heiney

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October 7, 1974

CONGRESSMAN WILBUR D. MILLS'S STRIPPER AFFAIR LEADS TO HIS DOWNFALL

A U.S. representative from Arkansas and powerful House committee leader, Wilbur D. Mills was an alcoholic who reportedly was having an extramarital affair with stripper Fanne Foxe. Foxe was found by police in the Tidal Basin in Washington, D.C., having either fallen or jumped in the water following a traffic stop of Mills's car. Mills's activities became a public scandal and led to the end of his government career.

ALSO KNOWN AS: Tidal Basin incident

LOCALE: Washington, D.C.

CATEGORIES: Government; politics; sex; public morals

KEY FIGURES

Wilbur D. Mills (1909-1992), U.S. representative from Arkansas, 1939-1977, chairman of the House Ways and Means Committee, 1957-1975

Fanne Foxe (Annabel Battistella; b. 1936), Argentine-born stripper

SUMMARY OF EVENT

Wilbur D. Mills, who was first elected to the U.S. Congress in 1938, was only twenty-nine years old and the second-youngest member of Congress in U.S. history when he took office. He eventually became one of the most powerful leaders in the House

of Representatives as chairman of the House Ways and Means Committee. At one point he was rumored to be under consideration for an appointment to the U.S. Supreme Court. He was the nation's most respected fiscal authority and was a candidate for president in 1972 but was defeated in the primaries by George McGovern. Had McGovern defeated Richard Nixon in the November general election, Mills likely would have become the secretary of the Treasury Department.

Within two years of his run for the presidency, the respected Mills was a much maligned alcoholic who was widely assumed to have been cheating on his wife. He became a national laughingstock after he met Fanne Foxe, a striptease dancer who had come to the United States from Argentina.

At 2:00 A.M. on October 7, 1974, the U.S. Park Police in Washington, D.C., stopped a car in which Mills and three women were riding. The car was stopped because it was traveling at an unreasonable speed and it did not have its headlights on. In an apparent attempt to protect the intoxicated Mills from being discovered by police, Foxe leaped from the car, ran, and ended up in the water in the adjacent Tidal Basin. Foxe, also intoxicated, was pulled out of the water by police and taken to a nearby hospital for treatment.

Initially, Mills denied news reports that he had been in the car. However, he admitted guilt in an October 10 article in *The Washington Post* after finding out that a television news crew filmed part of the incident. Ten days later, Mills finally told voters that he had done "something that he shouldn't have done." He attributed his earlier denials to miscommunication with his staff. In early December, he appeared on stage with Foxe to stem the innuendos about their relationship; they claimed to be just "very close friends." He told the press that had he been having a clandestine relationship, he would not have been so careless. He also claimed in a newspaper interview that Foxe was a friend of his wife. Six months later, he blamed the entire incident on a combination of pain pills (for a sore back) and alcohol.

As chairman of the House Ways and Means Committee, Mills was extremely influential. The



Wilbur D. Mills. (Library of Congress)

committee met in secrecy. In addition to dealing with bills on taxation and trade, it also determined who served on congressional committees. The general view among his colleagues in Congress was that Mills was a despot who ruled Congress by giving out favors for those who voted as he did and for doling out punishments to those who voted against him. He often could get tax bills passed without amendments. (Floor amendments often turn general tax bills into loopholes for special interest groups. Mills would not give special interest groups an opportunity to get an amendment added to a bill.)

Throughout his job as chairman, Mills never lost a tax bill on the floor of the House. Thus, it seems that Mills used a combination of both the "carrot" and the "stick" in his approach to getting tax bills passed. Following the demise of Mills, tax bills that passed did so because they offered tax benefits to everyone, and not because they represented sound legislation, resulting in a complex mass of tax laws and a system lacking internal stability.

IMPACT

Mills was reelected to Congress less than one month after his relationship with Fanny Foxe became public knowledge. He was fortunate that 1974 was a good year for Democrats, and he won with nearly 60 percent of the vote. About a month after the 1974 election, Mills, again drunk, appeared on stage at a Boston strip club called the Pilgrim Theater, where Foxe was performing as the Tidal Basin Bombshell. Mills's behavior further embarrassed Congress, leading his peers to urge him to resign from his leadership position. House Speaker Carl Albert assured voters that Mills would not return as chairman of the House Ways and Means Committee.

In January, 1975, a few weeks after the Boston incident with Foxe, Mills stepped down from his position with the committee and acknowledged that he was an alcoholic. He joined Alcoholics Anonymous and checked himself into a hospital to get away from alcohol. He did not seek reelection in 1976. In 1977, he returned to Washington, D.C., as a lobbyist on tax matters.

Another lasting impact of the Foxe scandal was a change in the way congressional committee members are selected. In December, 1974, the Democratic caucus voted to strip the Ways and Means chairman of the power to appoint congressional committee members. The greatest impact of Mills's downfall, however, was the effect it had on income tax law in the United States. All revenue bills, which include all changes in the tax laws, must originate in the Ways and Means Committee. Mills was known for carefully editing every tax bill so that it meshed with existing tax law. Because of Mills, the Internal Revenue Code was well organized, internally consistent, and stable throughout his eighteen-year tenure as chairman. After he resigned, his successors lacked either the ability or the motivation to carefully monitor the tax laws.

In effect, the downfall of Mills led to a loss of a clear source of order and constraint and opened up the tax agenda to special interest groups. Tax law soon became a hodgepodge of miscellaneous provisions that complicated life for taxpayers and tax preparers. Thus, many believe that today's tax loopholes and "exceptions to the exceptions" in the In-

ternal Revenue Code can be attributed to the Foxe scandal of 1974. Twenty years later, following the 1994 election, the newly elected chairman of the Ways and Means Committee, Republican William Archer of Texas, stated at a press conference that he wanted to conduct the affairs of the committee "as Wilbur Mills did." For a Republican chairman to make such a statement about a Democratic predecessor simply underscores the impact that Mills had on the Ways and Means Committee and federal tax law.

—Dale L. Flesher

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20, 1983: Congress Members Censured in House-Page Sex Scandal; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Apr. 30, 2001: Washington Intern Chandra Levy Disappears; Sept. 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page.

October 25, 1974

EVANGELIST BILLY JAMES HARGIS RESIGNS COLLEGE PRESIDENCY DURING GAY-SEX SCANDAL

Christian conservative evangelist Billy James Hargis, who founded a number of organizations, including American Christian College, preached antigay and antisex sentiments. He was forced to retire from the college and his ministries after he was accused of having sex with both male and female students and pressuring them to keep silent about the relations.

LOCALE: Tulsa, Oklahoma

CATEGORIES: Sex; religion; public morals; education

KEY FIGURES

Billy James Hargis (1925-2004), Christian evangelist

David A. Noebel (b. 1936), conservative Christian author and academic

Anne Constable (fl. 1970's), reporter for *Time* magazine

SUMMARY OF EVENT

The McCarthy era saw the rise of anticommunist attitudes throughout the United States. Right-wing fundamentalist Christians, including Billy James Hargis, stood at the forefront of those opposed to communism, particularly the official atheism of the Soviet Union. Originally ordained by the Disciples of Christ, Hargis founded the Christian Crusade in

1950 and his own ministry, the Church of the Christian Crusade, in 1966. He had gained fame in 1953 for his effort to send God to the Soviets by sending Bible quotations in balloons. However, the U.S. Internal Revenue Service disapproved of his political involvement and revoked his organization's tax-exempt status. Hargis would gain even more fame in 1974, when he became embroiled in a sex scandal, but not just any sex scandal: He was accused of having homosexual sex.

In 1971, Hargis had founded American Christian College in Tulsa, Oklahoma, with the aim of teaching youth how to avoid communist values through fundamentalist Christianity. His college's choir, All American Kids, traveled around the country, performing for host churches. His doctrine opposed rock music, popular culture, and sex education in schools, all of which, he argued, led to a decline in public morality. His solution, much like that of the emerging Religious Right, was a return to biblical values. Indeed, Hargis's Christian Crusade was a predecessor of the Christian conservative movement that became influential in the United States in the second half of the twentieth century.

Scandal erupted after Hargis was accused of having had sex with a couple (students at the college) after their wedding ceremony, a ceremony he had conducted that day. The couple brought their accusation to college vice president and Hargis follower

David A. Noebel, who was horrified at the news. Noebel's next action is truly significant. After two weeks of internal debate, he believed the students. Had he chosen to deny the accusations, the incident likely would have remained secret, but with his decision to support the couple's accusations came confessions from three more students, all men, claiming to have had sexual trysts with Hargis.

According to the three male students, the sex occurred in several places, including Hargis's office and home and in hotel rooms during tours with the All American Kids choir. Hargis reportedly justified these affairs by referring to the biblical friendship of David and Jonathan as one that was homoerotic. Typical of many molesters, he had threatened the young men, warning them against revealing the relationships.

Noebel took the case to the college board, which joined him in supporting the students. On October 25, Noebel and two board members met with Hargis and his lawyers. According to Noebel and one of the other officials, Hargis confessed to the affairs. Even though he was married, Hargis blamed his biological makeup for his behavior and agreed to resign from the college presidency and leave his leadership position at other Hargis ministries. However, he left only after being offered an annual stipend of twenty-four thousand dollars and seventy-two thousand dollars from a life insurance policy the college had to protect their interests in him. Hargis's disgrace would not last. He immediately denied the allegations and the confession. Four months after his resignation from the college presidency, in February of 1975, he attempted a return to the job. However, the college board supported Noebel, who by this time was serving as Hargis's successor.

Hargis's ministries, however, suffered financially in his absence. His charisma and speaking skills had charmed supporters, who donated large sums of money to the ministries. In his absence, donations decreased. By September, his former ministries, except the college, were willing to forgive his actions and accept his return. Even though his popularity would never again reach its pre-1974 heights, he had regained his empire.

In 1976, *Time* reporter Anne Constable learned

of the scandal, which had been kept from the public eye. Her story brought the affair to national attention and led to questions about Hargis's integrity. Constable's story drew special attention to a letter Hargis penned after his return to power, a letter in which he urged Christians to disavow images of homosexual men in popular culture. Hargis continued to deny culpability, blaming Noebel and internal school politics for his ouster, but the organizations that welcomed his return concentrated on his penitence (and their own near-bankruptcy), rather than on attempts to claim his innocence. The college and other Hargis ministries severed ties with each other, which presented the college with a new financial problem. Hargis had the address lists of all the donors, and he refused to share those lists. By 1977, the college's doors would be closed forever, while Hargis's other ministries would continue to flourish.

IMPACT

The scandal, in the short term, exposed Hargis as a hypocrite, while his departure from the presidency of American Christian College fueled that institution's demise. The scandal certainly reduced Hargis's fund-raising abilities, but not to the point that his ministries collapsed upon his return one year after the scandal broke. More to the point, however, the scandal drew national attention to the potential for hypocrisy in Christian fundamentalism. Hargis, in his autobiography *My Great Mistake* (1985), denied all accusations against him and focused his discussion on those same Christian values he had been accused of violating. The charismatic Hargis was good at making people forgive his own deviance (while denying any wrongdoing) while simultaneously preaching his antigay doctrine.

In the long term, analysts of the scandal argue that Hargis was part of a trend of outwardly conservative religious and political figures who behaved contrary to what they pronounced. As antigay politics consumed the U.S. Congress during the early 1980's, and as the Religious Right, along with its flagship organization, the Moral Majority, influenced many on the subject of homosexuality, several well-known antigay activists, such as Con-

gressman Robert E. Bauman, were embroiled in their own homosexuality-related scandals. Other fundamentalists also would stand accused of violating their self-professed sexual codes. For example, Jim Bakker, the charismatic leader of the PTL (Praise the Lord) ministries, had a sexual affair with his secretary, Jessica Hahn, during the 1980's. Thus, Hargis's behavior stands with other religious leaders and conservatives who failed to practice what they preached.

—Jessie Bishop Powell

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November 20, 1974**BRITISH POLITICIAN JOHN STONEHOUSE FAKES HIS SUICIDE**

John Stonehouse was a Labour Party member of Parliament who falsified records of his business and then attempted to flee by faking his suicide and taking on another identity. He had hoped to start a new life in Australia with his mistress. He was discovered, extradited, and sentenced to seven years in prison.

LOCALES: London, England; Melbourne, Australia

CATEGORIES: Government; politics; sex

KEY FIGURES

John Stonehouse (1925-1988), British Labour government minister, 1964-1970

Sheila Buckley (b. 1948), Stonehouse's secretary, mistress, and second wife

Harold Wilson (1916-1995), prime minister of Great Britain, 1964-1970, 1974-1976

SUMMARY OF EVENT

John Stonehouse was for a time a high-flying politician in Prime Minister Harold Wilson's Labour Party government. When the Labour Party was defeated in the 1970 election in the United Kingdom, Stonehouse pursued various business interests that soon became mismanaged. Stonehouse attempted to fabricate the business accounts but finally realized he was going to be investigated for fraud. This led to his desperate attempt to escape and start his life again under a new name by faking his own death.

Stonehouse had been educated at Tauntons School, Southampton, the city where his mother later became mayor. After a period in the Royal Air Force during World War II, he attended the London School of Economics, graduating in 1951. While there, he had been chairman of the Labour Society, and after graduating he became involved in the co-operative movement, a socialist retail and political movement. He served the co-op in Africa, becoming its manager in Uganda (1952-1954). He re-

turned to work with the London Co-operative Society and became its president (1962-1964).

Stonehouse maintained an active interest in politics, contesting two elections in 1950 and 1951 before finally being elected member of Parliament (MP) for Wednesbury in the West Midlands in 1954, as a Labour and Co-operative Party candidate. He continued to hold this seat until it was abolished in 1974. He then won the new Walsall North constituency.

When the Labour Party came to power under Wilson, Stonehouse gained his first government position as parliamentary secretary to the minister of aviation (1964-1966). He quickly moved up the ladder to the office of postmaster-general, a cabinet post, in 1968. He reorganized the British postal system and then became minister of posts and telecommunications until the Labour government was defeated in 1970.

Though Stonehouse was reelected, he was not appointed to the shadow cabinet, and he could see his political progress was blocked. He turned to setting up various business ventures, many connected to his colonial and overseas experience, with his nephew Michael Hayes and businessman James Charlton. In the end, these totaled twenty-three different companies, which soon ran into trouble. Stonehouse began transferring funds from one company to another, then asset-stripping some of them. Some of these moves were fraudulent, designed to trick his accountants and investors, and he came to the attention of the British Department of Trade and Industry (DTI).

Aware of the likely repercussions, Stonehouse hatched a plan with his long-time secretary and mistress, Sheila Buckley, to fake his own death. He discovered that two of his constituents, who had been about his own age, had died recently. He applied for passports under their names once he had obtained their birth certificates from their widows. The planning took several months. In late November, 1974, he planned a business trip to Miami, Florida, with

Charlton. While staying at the Fontainebleu Hotel on Miami Beach, he left his clothes on the beach and took a plane to San Francisco, California, using one of his fake passports. He was soon reported missing, his clothes were found, and it was presumed he had drowned while swimming. Buckley told police that Stonehouse was a strong swimmer, but he preferred swimming alone. The U.S. Coast Guard and local police mounted an intensive search, even digging up a car park. They found a body, though it was not his. The news of his disappearance was overshadowed in Britain by several bomb atrocities committed by Irish terrorists and subsequent anti-terrorist legislation.

Stonehouse's wife, Barbara, was in shock. No body was washed up on shore at the beach but, nonetheless, he was declared dead. Stonehouse, in fact, had journeyed to Australia under the surname Markham and then left the country again. He traveled back to Europe, met Buckley in Denmark, and saw how his alleged death had been reported. He then returned to Australia using his other alias, Donald Clive Muldoon, and rented a house in a beach area of Melbourne, Victoria. The Australian police were tipped off both by British contacts and the banks that Stonehouse was moving his money. The police thought, however, they were looking for Lord Lucan, another prominent figure who had also disappeared following the mysterious death of his children's nanny.

On December 24, the Australian police arrested Stonehouse for illegal entry into Australia. He confessed to document tampering but because he was a British MP it was not clear whether he broke any law. MPs were exempt from certain entry requirements. After being held briefly, he was released.

Stonehouse claimed he had fled Britain because he was being blackmailed, and Buckley supported the story. He said his fake suicide had been a result of a "brainstorm." His

wife, who knew nothing of his involvement with Buckley, flew out to be with him. Stonehouse sent a telegram to the prime minister to apologize, stating he wished to stay in Australia. Immediate speculation was that he was involved in spying, though the British authorities soon squashed such speculation. Others had believed his death had been a result of a Mafia hit.

At a personal level, once Barbara Stonehouse had been faced with the truth, she divorced him in 1978. John Stonehouse married Buckley in 1981 and they had a son. He had two daughters and a son with Barbara. More immediately, he was charged on twenty-one counts of fraud, theft, forgery, conspiracy to defraud, causing a false police investigation, and wasting police time.

Stonehouse's trial began in the summer of 1976 and lasted sixty-seven days, the longest fraud trial in British history through that year. He conducted his own defense. He was convicted on eighteen counts and sentenced to seven years in prison. In prison, Stonehouse suffered three heart attacks and needed open-heart surgery. He was released from Wormwood Scrubs Prison in 1979, after serving



John Stonehouse, far right, returns to England in July, 1975. He was soon indicted for fraud, conspiracy, and forgery after faking his own suicide in 1974. (Hulton Archive/Getty Images)

three years only. Buckley also was sentenced to two years, which was suspended. Stonehouse occasionally appeared in public and continued to write, mainly fiction. He had another heart attack and died in 1988.

IMPACT

The Stonehouse affair was a major embarrassment to the Wilson government, which had just been re-elected in 1974 with the slimmest of majorities. Stonehouse's absence meant the party was basically managing with a majority of one. He returned to his position as a Labour MP. He then resigned from the Labour Party during his trial and joined the English National Party, an anti-immigrant right-wing party.

The British press, with no other crisis on hand, did a good deal of investigating, discovering the Buckley connection and the fraudulent business dealings, especially with the Anglo-Bangladesh Trust. The DTI and the fraud squad later established that Stonehouse had illegally obtained about £2 million. Immediate calls for his resignation from Parliament came to nothing. The British authorities eventually had enough evidence to apply for his extradition, which was finally granted after six months of legal wrangling. Meanwhile, Stonehouse had applied unsuccessfully for asylum status to Sweden and Mauritius.

When Stonehouse finally resigned his seat after his conviction on August 28, 1976, the Conservative Party opposition won the seat in the subsequent by-election. He also had to resign as a privy councillor, one of only three councillors to have done so in the twentieth century.

—David Barratt

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February 3, 1975

HONDURAS’S “BANANAGATE” BRIBERY SCANDAL LEADS TO EXECUTIVE’S SUICIDE

The U.S. Securities and Exchange Commission’s investigation of Eli M. Black’s suicide led to the discovery of a system of corporate bribes and the downfall of Oswaldo López Arellano, the president of Honduras.

LOCALES: New York, New York; Tegucigalpa, Honduras

CATEGORIES: Murder and suicide; business; corruption; banking and finance; colonialism and imperialism; trade and commerce

KEY FIGURES

Eli M. Black (1921-1975), president of United Brands Company

Oswaldo López Arellano (1921-1996), president of Honduras, 1963-1971, 1972-1975

SUMMARY OF EVENT

On February 3, 1975, Eli M. Black, former rabbi and the chief executive officer of United Brands Company, began his day in a seemingly routine manner. He packed his briefcase, received the morning papers, and left his Park Avenue apartment in New York City to meet his driver, James Thomas, for his usual ride to work. Upon arriving at his office, Black locked the doors to the reception area and to his own office, both from the inside. He then used the briefcase, filled with heavy books rather than the usual working papers, to break the window of his forty-fourth-floor office in New York’s Pan Am building. He cleared away some shards of glass from the broken window, tossed the briefcase through the window, and watched it fall to the street. Moments later, at 8 A.M., he climbed through the window and jumped to his death onto Park Avenue.

In the meantime, Black’s driver parked the car and returned to Black’s office, finding the doors locked. Black did not answer his phone, so Thomas

broke into the office. He immediately went to the broken window and looked down upon the body of his employer, whom he identified for the police. Black was only fifty-three years old, apparently happily married with two grown children. He left no suicide note. His family had not noticed anything unusual in his behavior the day before his death. Early responses to his death suggested that the stress of working in the corporate world led to his suicide.

United Brands, however, had been low on cash and was under pressure to sell one of its enterprises to increase liquidity. Black had successfully negotiated the sale of Foster Grant to a West German chemical company, a sale announced the day after his dramatic plunge. In 1968, Black had bought a significant number of shares of the United Fruit Company. In 1970, he took control of the company and merged it with his other holdings, American Seal-Kap and John Morrell meatpacking, to create United Brands. He soon discovered that he had overpaid for his stock and that the company was in deep financial trouble.

United Fruit had a long protectionist history of meddling in the politics of the sovereign nations of Central America in particular. In 1911, United Fruit sponsored an invasion of Honduras, whose government had blocked the company’s development efforts. The most egregious political act of the company was its support for the Central Intelligence Agency-sponsored overthrow in 1954 of the democratically elected president of Guatemala, Jacobo Árbenz Guzmán, plunging that country into decades of civil unrest. Árbenz Guzmán had intended to purchase fallow lands at a low price to distribute to landless peasants, but United Fruit owned much of the land to be redistributed. The company came to be known as El Pulpo, or the Octopus, because its “arms” reached into the affairs of banana republics, small unstable nations—most often in Central

America—that depend on a limited crop such as bananas.

In 1973, seven Latin American nations created the Union of Banana Exporting Countries and demanded a tax of one U.S. dollar on every box of bananas. Though the tax plan was not implemented, in part because Ecuador declined to enact the tax, Honduras did enact a tax of fifty cents per box in 1974. The money from the banana tax was intended to support economic development in Honduras and more agrarian reform, but the new fees would have cost United Brands millions of dollars. In 1974, Hurricane Fifi destroyed 70 percent of United Brands’s Honduran banana crop.

Black’s suicide triggered an investigation of his company by the U.S. Securities and Exchange Commission (SEC). Such an inquiry was standard practice in the case of an unusual death. The SEC uncovered evidence of a \$2.5 million dollar bribe of Honduran president Oswaldo López Arellano to lower the per-box tax. The president reduced the tax to twenty-five cents with future incremental increases. (Of the bribe money, \$1.25 million had been paid to a Swiss bank account prior to Black’s suicide and the remaining \$1.25 was never paid.)

The SEC charged United Brands with concealing the \$2.5 million dollar bribe as well as paying over \$750,000 to Italian officials beginning in 1970 to prevent restrictions on imports of bananas to Italy. United Brands initially denied the existence of a bribe, then admitted it but asked the SEC to keep the bribes secret to avoid harm to stockholders and the company. The company law firm even requested intervention by the U.S. State Department, arguing that the investigation would harm the relationship between United Brands and Honduras. The State Department declined and the investigation went forward. In Honduras, the United Brands branch office announced that it had no knowledge of the bribe. A special commission of the government of Honduras prohibited middle- and high-ranking officials from leaving the country during the investigation.

President López Arellano was removed from office on April 22, 1975, by military coup. Abraham Bennaton Ramos, his minister of economy, was



Eli M. Black. (AP/Wide World Photos)

charged with negotiating, and perhaps receiving, the bribe and was likewise removed from office. A number of United Brands stockholders sued the company in an attempt to force reimbursement of the money lost in the bribes. Public trading of United Brands stock was suspended.

IMPACT

Black’s suicide signaled the end of an era of corporate influence that had begun during the late nineteenth century with the happy marriage of Minor C. Keith’s banana plantations and his construction of railroad lines to ship them. Founded in 1899, Keith’s United Fruit Company—then United Brands—was a symbol of U.S. imperialism, and the company exercised its influence on the politics and economics of the countries where it had holdings. Its influence extended to U.S. policy as well.

To protect its assets and forward company interests, United Brands financed the invasion of Honduras, assisted with the Bay of Pigs invasion, supported the overthrow of Árbenz Guzmán of

Guatemala, provided favorable media coverage for Honduras in its war with El Salvador, and bribed the head of state of the sovereign nation of Honduras. It also bribed government officials of Italy and, perhaps, Costa Rica, Panama, and Germany.

Although no one from United Brands was incarcerated as a result of the SEC investigations, the company’s stock value plummeted along with its reputation. In its earlier history, United Brands could count members of the State Department as friends and supporters. In 1975, William D. Rogers, U.S. assistant secretary of state for inter-American affairs, rejected the company’s plea for assistance with the SEC, noting that multinational conglomerates must be good citizens and not interfere with the affairs of other nations. Black’s suicide caused an international scandal that led to a sea change in the public’s view of corporate behavior and responsibility.

—Linda Ledford-Miller

FURTHER READING

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October 31, 1975

BUDDHIST TEACHER ORDERS HIS STUDENTS TO REMOVE THEIR CLOTHES

The Vajrayana Buddhist teacher Chögyam Trungpa, founder of the Naropa Institute in Boulder, Colorado, was a controversial leader whose life and practices came to a head at a three-month educational retreat. Trungpa instructed his students to strip their egos, which included stripping their clothes, at a Halloween party, but two students, poets W. S. Merwin and Dana Naone, refused. The resulting scandal symbolized for some the behavioral extremes of the counterculture movement in the United States during the 1960's and 1970's. For others, Trungpa's methods reflected a different form of Buddhism.

LOCALE: Snowmass, Colorado

CATEGORIES: Public morals; religion; cultural and intellectual history

KEY FIGURES

Chögyam Trungpa (1939-1987), Tibetan Buddhist monk and teacher

W. S. Merwin (b. 1927), American poet

Dana Naone (b. 1949), American poet

SUMMARY OF EVENT

Chögyam Trungpa was born in Tibet and trained as a Buddhist monk. Displaced from his homeland at the time of the Chinese invasion of Tibet in 1959, he spent time in India, England, and Scotland before coming to the United States in 1970. By this time he had gained considerable renown as a teacher and religious leader. In 1974, he founded the Naropa Institute (now Naropa University) in Boulder, Colorado, the first Buddhist school of its type in the United States. He was also a focus of controversy for his behavioral extremes, which included heavy drinking, womanizing, and the heavy-handed treatment of his followers.

In the fall of 1975, Trungpa began a three-month intensive-training program for advanced students in

Vajrayana Buddhism at the Eldorado Lodge in Snowmass, Colorado. In contrast to other forms of Buddhism, Vajrayana practice focuses on a direct approach to achieving enlightenment, an approach often involving a complete surrender of adherents to the influence of their teacher. Among the participants were poets W. S. Merwin and Dana Naone.

Merwin at this time was well established in his career. He had published his first collection of poems, *A Mask for Janus*, in 1952 and won a Pulitzer Prize for *The Carrier of Ladders* in 1971. He had come to Naropa in the summer of 1975 to study Buddhism under Trungpa and to teach poetry. With close to one dozen years separating Merwin and Trungpa in age, however, and coming from very different cultural backgrounds, the older Merwin's scholarly, intellectual propensities from the outset seem to have run counter to Trungpa's so-called crazy-wisdom approach to imparting Buddhist teachings. Nonetheless, Merwin was eager to participate in the three-month program, and Trungpa, who was impressed with Merwin's poetry, allowed him and Naone to attend.

An area of difference between Trungpa and Merwin soon surfaced when Merwin refused to take part in the violent and angry chanting that was a part of Vajrayana training. Other conflicts arose as well, and involving not only Merwin. Trungpa's Vajrayana security guards were armed with pea-shooters that they used to attack recalcitrant participants. Some participants initiated violent counterattacks against the guards and Trungpa. At one point a pitched battle broke out between the opposing groups using ice snowballs. On another occasion, Trungpa's room was ransacked and his liquor stolen when he failed to appear for a scheduled lecture.

The climactic incident involving Merwin and Trungpa took place at a Halloween party that participants were required to attend. The event, for Trungpa, offered an opportunity for individuals to strip themselves of their superficial egos, and as the

party progressed, this involved stripping their clothes as well. Several people either had their clothes pulled off or voluntarily stripped and were carried around naked by Vajrayana guards. Trungpa himself had stripped earlier in the evening but temporarily left the party. When he returned—intoxicated—and discovered that Merwin and Naone were not present, he ordered the Vajrayana guards to find them.

Finding the door to Merwin and Naone's room locked, the guards attempted to break in. A number of other people joined the guards outside the room as well. Some of the guards tried to get in the room through a glass door on the balcony. Merwin, who was known for his strong pacifist beliefs, nevertheless called out from inside the room that if anyone broke through either of the doors he would attack them. A lengthy period of negotiation followed, with those outside relaying messages from Trungpa that attendance at the party was required. Merwin shouted back that he considered the party to be beyond the limits of the seminar he was attending.

Eventually, at about midnight, the guards broke through the glass door and entered the room. Merwin defended himself and Naone by attacking and cutting several guards with a broken beer bottle. He was overpowered and with Naone was forced downstairs to the party. A loud verbal altercation took place between Trungpa and Merwin and Naone. The argument between Trungpa and Naone was particularly vicious. During the course of the exchange he accused her of being a slave to a white man (she was of Hawaiian background) and she called him names such as "fascist," "bastard," "Hitler," and "cop."

Trungpa once again ordered them to remove their clothes, and when they refused, he ordered the guards to strip them. After they had been forcibly stripped, the rest of those present undressed as well, and the whole assemblage danced. The next day, Merwin and Trungpa met and discussed the incident. Trungpa informed Merwin that he was free to leave the seminar if he wished. Merwin, however, elected to stay. He continued to attend Trungpa's lectures but refused to participate in any of the other activities. Another party was announced two days

before the end of the program. Slides taken at the Halloween party were set to be shown. It was at this time that Merwin and Naone left Snowmass.

While the scandalous incident at Naropa was well known within Buddhist and literary circles, the story became much more widely known a few years later with its retelling in a 1979 *Harper's* magazine article by Peter Marin ("Spiritual Obedience: The Transcendental Game of Follow the Leader"). Two small-press publications—*The Party: A Chronological Perspective On a Confrontation . . .* (1977) and *The Great Naropa Poetry Wars* (1980)—also documented the incident.

IMPACT

The Naropa scandal added to the growing controversy surrounding Trungpa's lifestyle and religious practices. His detractors saw the scandal as further evidence of wild and uncontrolled behavior that was at odds with the messages of self-control and compassion that lay at the heart of Buddhist teachings. Others saw his actions falling within the tradition of highly eccentric Tibetan Buddhist saints from centuries before—for example, the eleventh century saint Marpa Lotsawa or the fifteenth century saint Drukpa Kunley. These saints engaged in brutal domination of their disciples and practiced a kind of "crazy wisdom" in their own lives to bring themselves and others to enlightenment.

For others the incident stood as an example of the final stages of the 1960's and early 1970's counterculture, during which the idealistic dreams of the early phase of the movement came to an end in a tragic mix of self-indulgence and disillusionment. Sadly, of course, Trungpa's behavioral extremes, and especially his drinking, contributed to his relatively early death twelve years later at the age of forty-seven.

—Scott Wright

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1976

PEACE CORPS CONCEALS MURDER OF VOLUNTEER IN TONGA

The brutal murder of Peace Corps volunteer Deborah Gardner in Tonga became a scandal because the Peace Corps and the U.S. State Department tried to keep the murder from tainting the organization's reputation. Dennis Priven, whom Gardner identified before she died as the one who stabbed her, was found not guilty by reason of insanity by a Tongan jury. He returned to the United States and was soon freed from custody.

LOCALE: Nuku'alofa, Tonga

CATEGORIES: Murder and suicide; corruption; law and the courts

KEY FIGURES

Deborah Gardner (1953-1976), Peace Corps volunteer

Dennis Priven (b. 1952), Peace Corps volunteer accused of Gardner's murder

Mary George (b. 1929), director of the Peace Corps program in Tonga, 1975-1976

Emile Hons (b. 1949), Peace Corps volunteer and friend of Priven and Gardner

SUMMARY OF EVENT

Late at night on October 14, 1976, Deborah Gardner, a twenty-three-year-old high school teacher and Peace Corps volunteer, was attacked in her home in Tonga, an island nation in the South Pacific. Abundant physical evidence—a knife, a flip-flop, a broken pair of glasses—as well as Gardner identifying her assailant led to the eventual arrest of another volunteer, Dennis Priven.

The Kingdom of Tonga is an archipelago of 169 islands. The Peace Corps had been sending volun-

teers to Tonga since the early 1960's, mostly to serve as high school teachers, writers, and engineers. A poor nation with a limited agricultural economy, Tonga relied on American aid and, as events would show, was willing to accept American promises at face value to preserve good relations with the United States.

Born and raised in New York, Priven had been a volunteer in Tonga since 1974 and had a reputation as a brilliant although emotionally and mentally disturbed individual. According to Philip Weiss, author of the book *American Taboo* (2004), an account of the scandal, Priven had warm friendships with male volunteers but was bashful around attractive women. He had odd personal habits. He was rarely seen without his diving knife, an intimidating weapon with a six-inch blade. Weiss notes that Priven carried the knife to class when teaching mathematics and science classes in the Tongan high school where he was assigned.

Less well known to others was that sometime in 1975, Priven developed vague stomach pains and had to be evacuated to Hawaii for medical care. In Hawaii he was given Darvon (propoxyphene), a commonly prescribed narcotic analgesic during the early 1970's. Chemically similar to methadone, Darvon is addictive and was prescribed during the mid-1970's often for pain associated with opioid withdrawal and stomach cramps.

Priven, agnostic and cynical, loved to mock what he considered the repressed attitudes of the Tongan people, whose culture blended folk beliefs in spirits and magic with evangelical Christianity. He was judgmental of volunteers who tried to participate in Tongan culture. As one might expect, Priven was no more able to get along with his supervisors in the Peace Corps. As Weiss describes, he was frequently contemptuous of Mary George, the country director for the Peace Corps in Tonga.

By late 1976, Priven, who hated Tonga and Tongans, was applying for an extended tour of duty; he reacted violently when his application was denied. He had fallen in love with Gardner and thought he could make her love him. Throughout 1975 and into 1976, he tried to cajole and manipulate her into dating him, and he eventually began stalking her.

Gardner, who joined the Peace Corps as a teacher in early 1975, was remembered as a woman of exceptional beauty and spirit, a caring friend, and a devoted teacher. Later, in 1976, a combination of personal disappointments, frustration with cultural double standards, and a fear of Priven made Gardner depressed and desperate to escape.

As several writers noted, there was no shortage of people eager to go out with Gardner; the few men she fell in love with, however, ended up disappointing her. For whatever reason, none of the relationships worked, and Gardner became increasingly frustrated and felt more and more alone. Adding to her frustration were the cultural double standards she and other women were expected to follow.

As Weiss notes, the Peace Corps expected volunteers to follow local customs. Behaviors that would not have raised an eyebrow in the United States were deeply shocking to Tongan mores. For instance, Gardner loved to go bicycling alone or with a boyfriend and she dated several men. In Tonga, young women were not supposed to do these things. George, the country director in Tonga, advised Gardner to change her behavior and ordered her to take cultural sensitivity courses. Gardner, according to Weiss, stated that she would rather die than live a life in which she could not do what she wanted, when she wanted.

Matters came to a head in mid-October, 1976, when a group of new volunteers was set to arrive in Tonga. Priven had recently been denied an extension and was simmering with anger. Gardner was depressed and her behaviors were flamboyant. She had too much to drink at a party for new volunteers and made a scene, falling twice and eventually lying down on the dance floor. She was escorted out of the dance by Emile Hons, a close friend of both Gardner and Priven. Hons and Gardner had been having a discreet romantic affair, and they spent the night together after the party, unaware that Priven had been spying on them.

On October 14, Priven surprised Gardner while she was getting ready for bed. He overpowered her and stabbed her more than twenty times. Hearing her cries for help, Tongan neighbors startled Priven, who fled in a panic, leaving behind at the scene his

eyeglasses, a flip-flop, and the murder weapon: his diving knife. Later that night, Priven turned himself in to police, showed them several self-inflicted wounds on his wrists, and told them he had tried to kill himself.

In the wake of this vicious murder, an informal conspiracy developed to shield Priven from the consequences of his crime. The conspiracy included volunteers who were friends of the accused; they withheld evidence of his guilt because they believed he needed medical and psychological treatment, not conviction and execution. The conspiracy included Peace Corps supervisors who decided to defend Priven yet keep the matter as quiet as possible, largely to protect the agency's image. The Peace Corps paid for a top-notch defense attorney and a psychiatrist to testify that Priven was insane when he stabbed Gardner to death.

IMPACT

After Priven was found not guilty by reason of insanity, members of the U.S. government stepped in to negotiate his release. The Tongan government was promised that Priven would be committed to a psychiatric facility in the United States until he was no longer a danger to himself or others. Later, Weiss notes in his book, members of the Tongan government were lied to. They were told that Priven was shot, by a member of Gardner's family, when he stepped off the plane that brought him home.

In fact, the terms of the negotiated agreement between the Tongan and U.S. governments were unenforceable. In the United States, it took pleading by friends and the threat of a poor letter of reference to convince Priven to go to a private hospital in Washington, D.C. An examination of him found no evidence of insanity. The psychiatrist explained the

murder as a situational psychosis that was unlikely to recur. Priven could not be held against his will legally, and he walked free with a new passport and a clean letter of reference from the Peace Corps. He worked for the U.S. government until he retired in 2003. In 2005, federal prosecutors, who had been asked by a U.S. representative from Gardner's home state of Washington to review the murder case for possible retrial, concluded that Priven could not be retried by a U.S. court because the murder happened outside the United States.

—Michael R. Meyers

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1976-1977

U.S. CONGRESS MEMBERS ARE IMPLICATED IN KOREAGATE SCANDAL

The events later known as Koreagate were exposed publicly during the administration of U.S. president Jimmy Carter. The South Korean government had feared that Carter—and Richard Nixon before him—would withdraw a substantial number of U.S. troops from the region. To ensure that U.S. politicians would favor South Korea, large amounts of cash were distributed by South Korean businessman Tongsun Park to at least one-third of the members of the U.S. Congress, leading to the convictions of dozens of lawmakers.

ALSO KNOWN AS: Operation White Snow

LOCALE: Washington, D.C.

CATEGORIES: Corruption; international relations; government; human rights

KEY FIGURES

Tongsun Park (b. 1935), Korean business executive

Jimmy Carter (b. 1924), president of the United States, 1977-1981

Richard T. Hanna (1914-2001), U.S. representative from California, 1963-1974

Donald M. Fraser (b. 1924), U.S. representative from Minnesota, 1963-1979

Park Chung Hee (1917-1979), president of the Republic of Korea, 1961-1979

Sun Myung Moon (b. 1920), founder of the Unification Church

Carl Albert (1908-2000), U.S. representative from Oklahoma, 1947-1977, and Speaker of the House, 1971-1977

SUMMARY OF EVENT

In 1970, South Korean president Park Chung Hee authorized Operation White Snow, under which the Korean Central Intelligence Agency (KCIA) provided between \$500,000 and \$1 million per year to enhance his influence in Washington, D.C. At about the same time, U.S. president Richard Nixon

had intimated that he might cut the U.S. defense commitment to South Korea from 60,000 to 40,000 soldiers, and indeed that reduction occurred in 1971. Moreover, in 1974, sentiment at the United Nations for an end to the stationing of U.S. soldiers in South Korea approached a majority in the U.N. General Assembly.

The impact of such a dramatic reduction in the U.S. military's staff commitment to South Korea was viewed in Seoul, South Korea's capital, as a possible signal to North Korea that the United States was less interested in defending the south in case of attack. Moreover, Koreans doing business around U.S. military bases in Korea suffered losses.

Members of the U.S. embassy in Seoul soon found out about Operation White Snow and warned the Korean government against influence peddling. Two U.S. ambassadors in Seoul, who warned visiting members of the U.S. Congress of the illegal activity, were transferred to other diplomatic posts, thereby keeping them quiet. South Korean army personnel were fighting alongside U.S. troops in Vietnam, so the U.S. Defense Department did not want a scandal to jeopardize the supply of troops. Nevertheless, the State Department complained to the Korean embassy in Washington, D.C.

In Washington, meanwhile, rumors spread about nondescript white paper envelopes stuffed with about \$20,000 in \$100 bills that were being handed out to members of Congress by Korean business executive Tongsun Park, who was secretly a KCIA agent. Park, a charming host at many lavish parties in Washington who had many friends dating from his days as a student at Georgetown University, had arranged a clandestine deal with Congressman Richard T. Hanna to use commissions on the sale of one million tons of Louisiana rice to South Korea from 1966 to 1976 as bribe money. Hanna and others pocketed \$200,000 or more apiece. Park also encouraged the hiring of beautiful young women for employment in congressional offices.

Park was even more successful when Korean-born Suzi Park Thompson became legislative aide to Speaker of the House Carl Albert. On her own, Thompson arranged entertainment for those being bribed, and Albert received several gifts while on trips to South Korea. The KCIA also gave money to Reverend Sun Myung Moon's Reunification Church to promote a positive image of South Korea.

Korean critics of President Park in the United States, some of whom were under KCIA surveillance, quietly confirmed the existence of Operation White Snow to Congress. Some four hundred or more Korean business executives, students, and professors in the United States were paid for undercover jobs, such as threatening dissidents to keep them quiet. In 1976, word leaked out that the Federal Bureau of Investigation (FBI) and other federal agencies were investigating the affair. A federal

grand jury began its investigation as well by the fall. *The New York Times* began reporting on the U.S. government investigations on October 1. On November 30, the House Ethics Committee made public its request for help from the Justice Department to look into the possible bribing of Congress members.

Also in November, Jimmy Carter was elected U.S. president. One of his campaign promises was to reduce the number of U.S. troops in South Korea from 40,000 to 14,000 as a way of signaling his dissatisfaction over human rights problems in the regime of President Park, who was arresting dissidents and suppressing trade union activity. Carter also threatened to reduce economic aid to South Korea. With a critical U.S. president in office, Operation White Snow's mandate expanded: it now had to prevent Congress from approving the partial



South Korean businessman Tongsun Park, left at table, gave cash gifts to as many as one-third of the members of the U.S. Congress. (Hulton Archive/Getty Images)

withdrawal of U.S. troops from Korea, to maintain economic aid to South Korea, and to stop congressional criticism of human rights violations in South Korea. After Koreagate became public, however, Carter cut U.S. troop levels in South Korea by only 4,000.

The South Koreans in the United States then doled out even more money. Congress members who were implicated included Representative Charles Wilson of California, who married a Korean woman during this period. He received a \$1,000 wedding gift from Tongsun Park that was duly recorded on the list of wedding gifts, one of the few records of a payment from Park to a member of Congress. In 1977, Park fled the United States before he was charged with thirty-six counts of conspiracy, bribery, mail fraud, failure to register as a foreign agent, and making illegal political contributions.

Congress initially was fearful of looking into the matter, which eventually implicated at least one hundred of its members. Nevertheless, Representative Donald M. Fraser, on April 4, 1977, announced that congressional hearings were set to begin on U.S.-Korea relations, with particular attention to the possible influence-peddling of Tongsun Park, the role of the KCIA in the United States, as well as the suspicious activities of the Reverend Moon.

The term “Koreagate” entered the lexicon around this time, as Fraser’s hearings drew wide publicity. The committee heard key testimony from a retired State Department diplomat and then from Park, who was subpoenaed by the committee and federal grand juries to testify under immunity from prosecution. His admission that he distributed cash to thirty members of Congress led to ethics investigations and criminal prosecutions of those members.

Later in 1978, Fraser’s subcommittee published a report, primarily recommending prosecution of the Reverend Moon. The House Ethics Committee found that at least ten members of the House had received slush funds, often during trips to Korea. However, most funds were earmarked to cover the legal expenses of the wives of the Congress members.

IMPACT

The House and Senate passed a strict ethics reform bill in 1977. The House Ethics Committee took disciplinary action after an investigation of its own. Representative Wilson was reprimanded by the House in 1978, censured for financial misconduct in 1980, and left Congress after his term expired. Other reprimanded Congress members were Representatives John McFall and Edward Roybal. Another, Otto Passman, was seriously ill and was not disciplined. Edward Patten was exonerated. The statute of limitations had run out on three others. Hanna was prosecuted in federal court, found guilty, and sentenced to six to thirty months in prison.

Although Park testified under immunity for prosecution in 1977, he continued gift-giving while traveling between Korea and Washington, D.C. In 2005, he received an illegal \$2 million from Iraq and was sentenced to prison for five years in 2007 for giving false testimony to the FBI regarding his role in the oil-for-food scandal involving the United Nations and Iraq.

Foreign influence on U.S. elections continued to be an issue in later elections, with donations from abroad considered suspect. Indeed, the chief counsel to the Ethics Committee who investigated recipients of Park’s bribe money played the same role in the investigation of the Iran-Contra affair one decade later.

Reverend Moon, who had claimed that his church was a nonprofit organization exempt from taxes, was found guilty of tax evasion because of his involvement in politics. Subsequently, the U.S. Internal Revenue Service began to crack down on churches that claimed tax exemption while engaging in political advocacy.

—Michael Haas

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February 4, 1976

LOCKHEED IS IMPLICATED IN BRIBING FOREIGN OFFICIALS

A U.S. Senate committee heard testimony that implicated Lockheed and other major American manufacturers for bribing foreign government officials and other key figures overseas to secure sales contracts. Those accused maintained that such payoffs, although considered unethical in the United States, were essential for success in business dealings in some countries around the world.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; business; trade and commerce; government; space and aviation; international relations; law and the courts

KEY FIGURES

Carl Kotchian (fl. 1970's), president of Lockheed
Kakuei Tanaka (1918-1993), prime minister of Japan, 1972

Frank Church (1924-1984), U.S. senator from Idaho, 1957-1981, and chairman of congressional panel investigating Lockheed

Bernhard, Prince of Lippe-Biesterfeld (1911-2004), prince consort of the Netherlands

SUMMARY OF EVENT

On February 4, 1976, the U.S. Senate Subcommittee on Multinational Corporations announced that it had found that Lockheed Aircraft Corporation had bribed Japanese government and corporate officials and intermediaries. The committee, chaired by Senator Frank Church of Idaho, had been formed in 1972 by the powerful Senate Committee on Foreign Relations to investigate so-called slush funds used by American corporations to finance the campaigns of political candidates they favored. The committee was tasked with looking into two cases: the Watergate burglary by henchmen of the Richard Nixon administration and the subsequent cover-up, and the involvement of International Telephone & Telegraph (now ITT Corporation) in the overthrow of the democratically elected government of Salvador Allende in Chile. The investigative committee also focused on subterfuges that corporations employed to siphon funds to the Republican National Committee. What the committee found fueled its interest in learning about other possible under-the-table transactions, including the Lockheed bribes, which flouted laws regarding corporate financial behavior.

Reports and rumors of corporate bribery of foreign purchasers led the committee to question Carl Kotchian, the president of Lockheed, the largest defense contractor in the Western world. Kotchian, on February 6, was asked about the payment of bribes and the purchase of twenty-one L-1011 Tri-Star Lockheed planes by the Japanese-government-controlled All Nippon Airways. The alleged arrangement was for Lockheed to add the bribe amounts to the price of the airplanes. Kotchian defended Lockheed's payouts by noting that they constituted but a small portion of the total price of the business deal, and that the profit to Lockheed translated into income for its employees and their families and communities, and for stockholders. He admitted that Lockheed was desperate when it began negotiations in Japan. The company was on the verge of bankruptcy because of cost overruns on government contracts in the United States. Kotchian resigned on February 13.

The major Japanese political figure involved in the illegal transaction was Prime Minister Kakuei Tanaka, who had been elected to the Diet, the Japanese national legislature, and served for sixteen terms that stretched more than forty-three years. Tanaka's career was marked by several missteps, none of them significant enough to detour him on the road to political power. In 1948, he was convicted of accepting bribes from the Fukuoka mining interests in exchange for a vote against a bill that sought to nationalize the industry. The conviction was overturned on appeal. In 1974, he was implicated in a scandal in which he used a geisha to camouflage his investments in shady land deals.

Lockheed had paid an intermediary, Yoshio Kodana, a regular fee and sizable percentages that ultimately totaled seven million dollars, for taking care of the details of bribery transactions. Kodana, it turns out, had strong ties to organized crime. Another intermediary had approached Prime Minister Tanaka on behalf of Lockheed, requesting that he use his influence to swing the deal to Lockheed from a competitor. For doing so, Tanaka was paid \$1.7 million.

Tanaka was subsequently arrested and charged with bribery and violating Japan's Foreign Ex-

change Control Law. It took seven years, until 1983, before the court returned a guilty verdict and imposed a fine and a four-year prison sentence. Neither penalty would be exacted, however. Tanaka's appeal dragged on until his death in 1993. Meanwhile, he was reelected to the Diet by landslides until he retired in 1989 because of ill health. In the United States, Lockheed pleaded guilty to defrauding the Internal Revenue Service by falsely listing the bribes as "marketing costs."

Lockheed also was implicated in an episode that involved the payment during the early 1960's of more than one million dollars to Bernhard, Prince of Lippe-Biesterfeld, the Netherlands, for his assistance to the company in the sale of 138 F-104 fighter jets to the Dutch air force. Testifying before a Dutch investigatory commission, Bernhard maintained that he no longer remembered his dealings with Lockheed. National affection for Bernhard's wife, Queen Juliana, who threatened to abdicate if Bernhard were jailed, along with concern over creating a political crisis, induced the commission to treat Bernhard lightly. He was made to apologize to the Dutch people and to resign from the board of directors of more than three hundred companies. He also was stripped of his position as inspector-general of the Dutch armed forces. In an interview published after his death in 2004, Bernhard had told a reporter, "I have accepted that the word Lockheed will be carved on my tombstone."

In the wake of the revelations before the congressional committee, the Securities and Exchange Commission in 1976 held its own extensive investigation of overseas bribery transactions involving American corporations. Some four hundred companies confessed to spending \$300 million to bribe foreign officials and to finance overseas political campaigns to facilitate sales contracts. In addition to Lockheed, the roster included Bell Helicopter, Exxon, General Tire & Rubber, and Gulf Oil. U.S. president Jimmy Carter expressed the nation's moral outrage when he labeled the acts of bribery "ethically repugnant."

For its part, Lockheed admitted to having paid two million dollars in bribes to Italian authorities during the late 1960's for their assistance in a deal

for the purchase of \$100 million worth of aircraft. Lockheed also admitted to making similar kinds of arrangements during the 1970's involving "commissions" of at least \$202 million with officials in Germany, South Africa, Turkey, Greece, Nigeria, Mexico, and Spain.

IMPACT

The bribery scandals involving Lockheed and other companies illustrated how major reforms typically are put in place only after serious episodes of wrongdoing galvanize public outrage and pressure lawmakers to take action. The Lockheed bribery scandal led to the enactment of the Foreign Corrupt Practices Act (FCPA) in 1977, which prohibits individuals and businesses from offering, promising or authorizing either directly or indirectly the payment of anything of value to any foreign official, government employee, or person acting on behalf of these entities. The act also penalizes the failure of an organization to keep accurate financial records. There are two major loopholes in the law, however. One allows payments for promotional expenses, such as travel and lodging for foreign officials visiting the United States to view domestic products. The second permits payments to a foreign official if such payments are lawful in their respective country.

Corporate representatives criticized the FCPA because, they claimed, it made it more difficult to compete with enterprises from other nations that do not have similar restrictions. They maintained that "greasing" was essential in some countries to obtain business deals.

Lockheed did not learn its lesson. In 1995, the company, at this time called Lockheed Martin, was fined \$24.8 million after a guilty plea for making unlawful payments of \$1.2 million to an Egyptian legislator. The vice president of Lockheed Martin's Middle East and North Africa regions, after evading capture for almost a year, was arrested and served an eighteen-month prison sentence, the first person to be imprisoned under the FCPA. Lockheed Martin paid the bribes to persuade the Egyptians to purchase three of its C-130 military transport planes.

—Gilbert Geis

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FBI Sting Implicating Dozens of Lawmakers; Oct. 9, 1980: Bendix Executive Resigns Amid Rumors of an Affair; Oct. 19, 1982: Car Manufacturer John De Lorean Is Arrested in a Drug Sting; June, 1988-June, 1989: Insider-Trading Scandal Rocks Japanese Government; Mar. 23, 1989: Scientists' "Cold Fusion" Claims Cannot Be Verified; Dec. 23, 1998: Prominent Belgians Are Sentenced in Augusta-Dassault Corruption Scandal.

March 21, 1976

ACTOR CLAUDINE LONGET KILLS SKI CHAMPION VLADIMIR SABICH

American professional skier Vladimir Sabich was killed by his girlfriend, French entertainer Claudine Longet. The prosecution's case was hampered by serious mistakes by local police. As a result, Longet was tried and found guilty of misdemeanor negligent homicide, instead of murder, spent thirty days in jail, and paid a twenty-five-dollar fine.

LOCALE: Starwood, Colorado

CATEGORIES: Drugs; law and the courts; murder and suicide

KEY FIGURES

Vladimir Sabich (1945-1976), American professional skier

Claudine Longet (b. 1942), French pop singer, showgirl, and actor

SUMMARY OF EVENT

The exclusive ski town of Starwood, near Aspen, Colorado, was turned into a media circus on March 21, 1976, when French entertainer-actor Claudine Longet was arrested for the murder of her boyfriend, international ski celebrity Vladimir "Spider" Sabich. Rumors of alcohol and drug abuse, combined with talk of the couple's imminent separation,

surrounded the trial, while key blunders made by the Aspen Police Department damaged the prosecution's case.

Sabich was born on October 1, 1945, in Sacramento, California, to Vladimir and Fran Sabich. His father, a California Highway Patrol officer, nicknamed him Spider shortly after his premature birth because the boy's gangly arms and legs looked like an arachnid. Spider grew up in the remote mountain town of Kyburz, near Lake Tahoe, California. The family, consisting of three children (Spider was the middle child), grew up with a great appreciation for education, physical activity, and the outdoors. Spider began skiing at a very early age, winning tournaments throughout his childhood, and he earned a scholarship to attend the University of Colorado. While at Colorado, Spider met Coach Bob Beattie. With fellow skiers Billy Kidd and Jimmy Huela, Spider went on to place fifth in the slalom at the 1968 Olympics, emerging as America's premier skier.

In 1972, Spider turned professional and won the professional tour that year and in 1973. His good looks, along with the increased popularity of skiing, led to several product endorsements and magazine covers. His popularity also attracted the beautiful Longet. Longet, born on January 29, 1942, in Paris,



Claudine Longet and her daughter, Noelle, at a ski event in Aspen, Colorado, days before the murder of Longet's boyfriend, champion skier Vladimir Sabich. (Hulton Archive/Getty Images)

France, had married American singer Andy Williams in 1961 and enjoyed a mildly successful singing and acting career herself. Longet and her three children (from her marriage to Williams) moved in with the ski star.

After two years together, rumors began to spread that the celebrity relationship was turning sour. Spider had confided in family and close friends that he wanted Longet to move out, but he adored her three children. While dressing after a shower, Longet, who had been seen drinking in a local bar all afternoon and was rumored to be distraught over the impending break up, allegedly entered the bathroom and shot Spider once with a .22 caliber pistol. (The pistol had been purchased by his father for his younger brother in Europe, while Spider was competing there in the Olympics.) Spider bled to death in the back of the ambulance from a single gunshot wound to the abdomen. Longet was at his side in the ambulance.

On April 6, 1976, Longet was charged with reckless manslaughter, defined by the presiding judge in the case as "consciously disregarding a substantial and unjustifiable risk." If convicted, Longet could be sentenced to ten years in prison and receive a

maximum fine of thirty thousand dollars, or both. The trial became a celebrity event in the sleepy town of Aspen, with Longet's former husband Williams beside her throughout the ordeal. Because of the celebrity status of Longet and Spider, the jury selection process was extensive. More than three hundred prospective jurors were placed on standby and sixty two more were questioned by the prosecution and defense before the final twelve jurors and two alternates were selected. Longet hired a top defense team that argued the shooting was accidental, maintaining that the firearm accidentally discharged while she was asking Spider to teach her how to use the gun.

The prosecution's case was hindered by three main obstacles: First, the police had obtained Longet's diary without a warrant while she was in the ambulance with Spider. The diary contained passages expressing concerns and desperation over the possibility that Spider would leave her. Because the diary was obtained illegally, the key information it contained could not be used in court. Second, blood and urine samples, taken from Longet the day of the shooting, showed traces of cocaine and alcohol. These samples could not be admitted at trial because the tests on them were performed unlawfully. Third, the murder weapon found at the crime scene had been wrapped in a towel by someone at the scene and stored in the glove compartment of a police officer's car for several days. It should have been handled by a firearms expert and properly stored as evidence. Because the weapon was mishandled, the defense was able to claim evidence tampering.

On January 14, 1977, Longet was found guilty of misdemeanor negligent homicide, "a gross deviation from the standard of care that a reasonable person would exercise" and a crime that carried a maximum sentence of two years and a five thousand dollar fine, or both. Longet, however, was given

two years probation, ordered to spend thirty days in jail beginning on a date of her choosing, and fined twenty-five dollars. Her defense team argued for straight probation, claiming that the singer was not a threat to society. Longet pleaded with the judge to have mercy on her because she had children, but the judge insisted she serve the time, stating there would be public outrage if she spent no time in jail. Upon receiving her sentence, Longet, maintaining her innocence, said of the killing, “there is not really very much to say. Only that I have too much respect for living things to do that. I’m not guilty.”

IMPACT

While several people in the Aspen community supported Longet, believing the killing was accidental and that Longet should not be imprisoned, many more people believed that she had gotten away with murder. The rumors of drug abuse and emotional instability surrounding the trial added to the outrage many felt when Longet received her sentence.

As with most celebrity crimes and trials, the murder became a part of American popular culture. Spider brought competitive skiing to the American conscience and his good looks and charismatic personality ensured his celebrity. Claudine Longet was a beautiful and frail actor and singer that had been welcomed into American homes regularly through Andy Williams’s Christmas specials. The trial became a media flurry, involving youth, beauty, fame, and murder, and Americans watched attentively. The NBC (National Broadcasting Company) late night comedy show *Saturday Night Live* took advantage of the trial’s popularity with the skit “The Claudine Longet Invitational,” which parodied a downhill skiing competition wherein the participants were accidentally shot by Longet during their ski runs.

The Sabich family later filed a civil suit against Longet for \$1.3 million. The case was settled out of court, and Longet signed a confidentiality agreement promising to not speak publicly about her relationship with Spider or about the murder. Longet also had to agree to never publish a book about her life and the trial.

Longet remained in Aspen after her release from prison but was harassed. She adhered to the confidentiality agreement and other stipulations ordered by the court in the civil suit. She never again performed in show business.

—Sara Vidar

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Doonan, Simon. *Whacky Chicks: Life Lessons from Fearlessly and Fabulously Eccentric Women*. New York: Simon & Schuster, 2003. This entertaining book explores the lives of eccentric and notorious women, including Claudine Longet.

Fry, John. *The Story of Modern Skiing*. Lebanon, N.H.: University Press of New England, 2006. A comprehensive exploration of the contributions Spider Sabich and others made to American professional skiing. The book also delves into the circumstances surrounding Spider’s murder.

SEE ALSO: July 27, 1917: Millionaire Socialite Dies Under Suspicious Circumstances; Jan. 1, 1924: Film Star Mabel Normand’s Chauffeur Shoots Millionaire Courtland S. Dines; Apr. 4, 1958: Actor Lana Turner’s Daughter Kills Turner’s Gangster Lover; Sept. 5, 1967: Socialite Nancy Wakeman Shoots Her Politician-Husband; 1976: Peace Corps Conceals Murder of Volunteer in Tonga; July 23, 1978: Utah Millionaire Is Murdered by His Grandson; Apr. 18, 1979: Actor Lee Marvin Is Ordered to Pay Palimony to Former Lover; Mar. 10, 1980: Scarsdale Diet Doctor Is Killed by His Lover; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; May 19, 1992: Amy Fisher Shoots Mary Jo Buttafuoco; June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial.

April 4, 1976**WEST POINT CADETS ARE CAUGHT CHEATING ON EXAMS**

The discovery that a number of cadets at the U.S. Military Academy had collaborated in completing a take-home examination revealed widespread problems with the academy's honor code. The revelation was followed by outside reviews of the institution's academic programs and its punishments for honor code violations. In the end, the academy began to place greater emphasis on ethics education.

LOCALE: West Point, New York**CATEGORIES:** Corruption; education; military; ethics**KEY FIGURES**

Sidney B. Berry (b. 1926), lieutenant general, U.S. Army, superintendent of the U.S. Military Academy, 1974-1977

Walter F. Ulmer (b. 1930), brigadier general, U.S. Army, commandant of cadets at the U.S. Military Academy, 1975-1979

Martin R. Hoffman (b. 1932), secretary of the U.S. Army, 1975-1977

Frank Borman (b. 1928), astronaut, airline executive, and U.S. Military Academy graduate

Andrew J. Goodpaster (1915-2005), former U.S. Army general, superintendent of the U.S. Military Academy, 1977-1981

SUMMARY OF EVENT

On March 3 and 4, 1976, the Electrical Engineering Department at the U.S. Military Academy, also known as West Point, issued a homework assignment to more than eight hundred cadets in a required junior-level class with the stipulation that they could not seek help in completing the work. The course was unpopular among cadets, who found it difficult and of little practical value; most simply wanted to complete it with as little work as possible. Nevertheless, instructors assumed cadets would complete the assignment as directed, given

they were bound by a simple, but strict, honor code: "A cadet will not lie, cheat, steal, or tolerate those who do." The penalty for an honor violation was severe: immediate expulsion from the academy.

One instructor reviewing completed assignments discovered a note from a cadet who admitted receiving help on his work. After his interest was piqued, the instructor began examining other submissions, noting remarkable similarities (including identical numerical transpositions and misspellings). The department launched a review of all submissions, which led to the identification, on April 4, of 117 cadets as possible cheaters.

Because West Point had a long-standing tradition of allowing cadets to investigate honor violations themselves, the names of suspected cheaters were turned over to the cadet honor boards for review. By the end of April, honor boards recommended fifty cadets for dismissal. Two cadets resigned before appearing before the honor boards. The fifty who were recommended for dismissal by their peers appealed the decision to Lieutenant General Sidney B. Berry, the academy superintendent, who was authorized to dismiss or retain cadets chosen for dismissal by the honor boards. At the same time, news of the cheating scandal made it to *The New York Times*, which immediately began covering the story.

Public exposure of cheating at the academy could not have come at a worse time for West Point. The academy's handling of honor code violations had been the subject of the 1975 television film *The Silence*, which portrayed a cadet forced to suffer recriminations from others who disagreed with punishment meted out for an honor violation. Concurrent reports of harassment directed at a new cadet who had been retained by the superintendent after being found guilty of an honor violation had painted the Corps of Cadets as a group of vindictive martinetts. Many outsiders felt a cadet accused of an honor violation was considered guilty until proven innocent, and that officers were content to let cadets

purge their ranks of those they judged unworthy of remaining at West Point. Furthermore, the institution had been in the news because it was preparing for its first class of women in the institution's history—over the vocal objections not only of the current all-male student body but also many active duty and retired officers, some assigned to the West Point faculty and staff.

General Berry realized the magnitude of the situation concerning the cheating cadets. As accused cadets began making their appeals, the scope of the scandal began to widen. More than three hundred cadets were named either as cheaters or as persons who knew of the cheating but failed to report it to superiors. If all were found guilty, the class of 1977 would be decimated. Worse, from Berry's point of view, was that attorneys assigned to West Point's Department of Law, who had been appointed to represent cadets filing appeals, were exposing widespread disdain throughout the Corps of Cadets. The cadets believed the honor system had become corrupted into a method for dealing with petty offenses such as violating curfew or failing to complete the most trivial tasks.

Berry's response was to replace the cadet honor boards with panels consisting of officers and upper-classmen who he believed could provide more mature judgment of individual cases while protecting the institution's ability to police its own ranks. He held all juniors at the academy for weeks during the summer of 1976 so cases could be processed expeditiously. Meanwhile, the commandant of cadets, Brigadier General Walter F. Ulmer, took an active role in the investigations, urging boards to reach their conclusions rapidly. Unfortunately, many involved in representing accused cadets, especially military lawyers assigned as counsels, began suggesting publicly that their careers were being jeopardized because they were being too zealous in mounting their defenses. General Ulmer was frequently singled out as one who was bent on punishing those who stood in the way of swift justice for the guilty.

To counter charges that the academy was not handling the investigations evenhandedly, Berry petitioned Secretary of the Army Martin R. Hoff-

man to appoint an external board to conduct an independent inquiry into the incident. Hoffman declined to do so, preferring to let the academy deal with the problem internally. The constant attention given to the scandal by the media, however, soon led others within the government to act. One U.S. Congress member conducted an investigation while the academy was still pursuing these matters. By the summer of 1977, Congress was calling for the secretary of the Army to step in and take action directly. At that point, more than one hundred fifty cadets had either resigned or been separated as a result of the cheating accusations.

Hoffman responded by offering two proposals that would meliorate the short-term ill effects on current cadets and provide some long-term assurances that situations such as this would be less likely to recur. First, he decided that all cadets dismissed as a result of this cheating scandal would be allowed to apply for readmission to the academy. While this policy did not sit well with some, it made sense to many who had come to believe there were so many flaws in the administration of the honor code that something had to be done to recognize the culpability of the academy and the Army in the problem. Eventually, ninety-two cadets were readmitted and graduated from West Point.

Hoffman's second action was to appoint two commissions. One focused on problems in the legal system employed to handle honor violations. The second, chaired by academy graduate and astronaut Frank Borman, was tasked with examining both the honor code and the broader issue of life at West Point. The Borman Commission's recommendations, issued on December 15, 1976, would serve as the foundation for a number of significant changes that would shape the Military Academy's future both as an academic institution and a training ground for the Army's leaders.

IMPACT

The revelation of widespread cheating at West Point, and reports of the Army's heavy-handed methods of dealing with accused cadets, further reduced the prestige of the military in the eyes of

many Americans disillusioned with the military and its role in the Vietnam War. The public already was conditioned to believe that officers and public officials were apt to lie, cheat, and protect individual reputations and institutional traditions at all costs. In this scandal, the public found further evidence that the military was out of touch with modern society and quickly becoming irrelevant as an institution serving the nation's needs. Nevertheless, steps taken by the secretary of the Army proved to have long-term positive impact.

The academy adopted recommendations for changes to procedures for dealing with honor code violations that replaced the single penalty for infractions (expulsion) with an array of disciplinary measures that gave the superintendent and other senior officers more latitude in dealing with cadets who may have committed minor violations of the code. One immediate change proved important as well. When General Berry left the academy in 1977, he was replaced by General Andrew J. Goodpaster, who had been Supreme Allied Commander for the North Atlantic Treaty Organization until his retirement in 1974. Recalled to active duty, the scholar-soldier gave credibility to efforts aimed at showing how West Point was as concerned with educating future officers ethically as it was with honing their military skills. Under his leadership, many of the Borman Commission's recommendations for curriculum changes were implemented, as the academy gradually reduced some of the pressures on cadets and placed greater emphasis on ethics education.

—Laurence W. Mazzeno

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Janda, Lance. *Stronger than Custom: West Point and the Admission of Women*. Westport, Conn.: Praeger, 2002. Discusses the influence of the cheating scandal on the first class of women to enter the academy in 1976.

Jorgenson, John H. "Duty, Honor, Country, and Too Many Lawyers." *ABA Journal* 63 (April, 1977): 564-567. Assessment of the legal environment in which investigations and hearings were conducted at West Point to determine the fate of cadets accused of cheating.

"What Price Honor?" *Time*, June 7, 1976. Summarizes the events occurring in the spring of 1976 and comments on conditions at the Military Academy that led to the scandal.

SEE ALSO: Apr. 28, 1994: U.S. Naval Academy Expels Midshipmen for Cheating; Jan. 2, 2003: E-mail Message Prompts Inquiry into Air Force Academy Sexual Assaults; June 22, 2005: U.S. Air Force Investigates Religious Intolerance at Its Academy.

May 23, 1976**WASHINGTON POST EXPOSES CONGRESSMAN WAYNE L. HAYS'S AFFAIR**

Elizabeth Ray, hired as a secretary to Ohio representative Wayne L. Hays even though she had no skills to perform the job, exposed her romantic affair with the Congress member in an article in The Washington Post. Hays initially denied the story but eventually admitted their relationship and resigned from Congress.

LOCALE: Washington, D.C.**CATEGORIES:** Politics; sex; publishing and journalism; government**KEY FIGURES**

Wayne L. Hays (1911-1989), U.S. representative from Ohio, 1949-1976

Elizabeth Ray (b. 1943), Hays's secretary

SUMMARY OF EVENT

By the time Wayne L. Hays was elected to the U.S. Congress, he had been an Ohio officeholder since 1939. He served on the state's board of education, was mayor of the small town of Flushing, and was a state senator. A portion of his service in the former two offices overlapped so that he actually held two elective offices at the same time. After a hiatus in private life during the mid-1940's, Hays was elected to Congress in 1948 from Ohio's economically depressed blue-collar eighteenth district.

Hays was returned to office for the next twenty-eight years, during which time he steadily rose in the congressional ranks to become chairman of the House Administration Committee. He also served on the Foreign Affairs Committee and as two-term president of the North Atlantic Treaty Organization Parliamentary Conference. Although a liberal on many domestic issues such as civil rights, he was a hawk on military matters, avidly supporting the war in Vietnam and vehemently denouncing antiwar protesters. His comments after the Kent State University shooting tragedy in 1970 were widely con-

demned. He is reported as having scoffed that the violence arose among one bunch of draft dodgers (the students) facing another bunch of draft dodgers (the Ohio National Guard soldiers).

It was in his role as House Administration Committee chairman that the abrasive Hays began to amass significant political power. Historically a minor committee overseeing congressional house-keeping details, it grew under his chairship into a major committee that made him one of the most feared and disliked politicians in Washington, D.C. He supervised the distribution of monies to members and committees of Congress for travel, office expenses, and staffing; controlled parking; and oversaw some seven hundred employees. Another center of power for Hays was his leadership of the Democratic Congressional Campaign Committee.

Hays's perceived arrogance, vindictiveness, and intransigence in the exercise of power made him widely disliked among his colleagues, at least one of whom called him the meanest person in Congress. His storied pettiness was demonstrated when he ordered the removal of the operator seats in congressional elevators because he did not want the operators to be able to sit while he had to stand. When he became annoyed with the House barbershop, he mandated a no-tipping policy for the shop.

The beginning of the end of his autocratic reign came on May 23, 1976, with the publication of the article "Closed Session Romance on the Hill" in *The Washington Post*. The article accused him of having kept a woman on his payroll solely for sexual services. Elizabeth Ray, who aspired to an acting career, claimed that she was hired as a secretary even though, as she was famously quoted in the article, "I can't type, I can't file, I can't even answer the phone."

Apparently, the accommodating thirty-three-year-old Ray had willingly been involved with other Congress members before. The North Caro-

lina native, born Betty Lou Ray, may have been naïve but she was reportedly far from innocent. For a time, she occupied a luxurious office but did little or no actual secretarial work while being paid \$14,000 a year of taxpayers' money. She was, in other words, Hays's mistress. Although it was widely reported that Ray was forty years younger than Hays, their age difference, although substantial, was thirty-two years.

The affair was well underway when Hays married his second wife; he had been married to his first wife for thirty-eight years. Ray quoted him as having assured her that the affair could continue after his marriage if she "behaved herself" and that she should come into the office for at least two hours a

day to allay suspicions. He feared that a prominent journalist, possibly Bob Woodward, was interested in doing an exposé on him.

Ray stated that she had grown afraid of Hays and that he had threatened her if she ever revealed their affair. She said that he had made a reference to troublemakers being thrown six feet under into the Potomac River, a claim he denied. Hays admitted to the affair, but not after first disputing the allegations. In an apparent effort to save himself, he resigned his chairship and fired Ray, but it was too little, too late, and he resigned his congressional seat on September 1.

The timing of Hays's resignation was undoubtedly affected by the pending investigation by the House Committee on Standards of Official Conduct. Hays also was being investigated by the House Ethics Committee, which called off its three-month probe upon his resignation. He also faced a grand jury indictment. Also, there was some question about his ability to win reelection. In the June Democratic Party primary that took place in his Ohio district shortly after the scandalous *Washington Post* article appeared, a practically unknown opponent garnered almost 40 percent of the vote.

Hays returned to private life and to temporary disgrace. Following disclosure of his relationship with Ray, he had taken an overdose of sleeping pills but denied it was a suicide attempt. Along with his other problems, he was the subject of an investigation by the Federal Bureau of Investigation (FBI) not only for possible misuse of public funds to keep his mistress on the congressional payroll but also improper expenditures while on overseas trips.

Two years later, in 1978, he staged a mild political comeback by gaining a plurality of the votes in a race with multiple candidates and won election as an Ohio state representative. He was, however, defeated upon his reelection bid in 1980. Hays remained active in Democratic state politics and was still supported by many of his former constituents for the economic benefits he brought to them during his years in Congress. Among those benefits was the awarding of pensions for black lung disease, a common coal miner's ailment. He also was remembered for such legislation as the Fulbright-Hays



Elizabeth Ray, former lover of Representative Wayne L. Hays, announces the publication of her book, *The Washington Fringe Benefit*, which details the scandal. (AP/Wide World Photos)

Act, which fostered cultural exchanges between U.S. citizens and citizens of other world nations.

Ray faded into obscurity, her name a mere footnote in the history of political scandals. Describing the time of her brief notoriety, one commentator said that her celebrity status was somewhere between that of “mob girl” Virginia Hill and the notorious disease carrier Typhoid Mary.

IMPACT

The public was particularly attuned to political scandals as a result of the Watergate affair and U.S. president Richard Nixon’s resignation in 1974. The Hays scandal was reminiscent of the highly publicized debacle when Arkansas Democrat Wilbur D. Mills was caught carousing with stripper Fanne Fox, also in 1974. Like Hays, he had been a powerful committee chairman who had been forced to resign his House seat. The Hays scandal only added to the public’s cynicism and distrust of Washington politicians. The FBI investigation of Hays’s activities led to discovery of similar questionable arrangements, one involving a Texas congressman.

On a personal level, Hays’s aspirations to higher office ended, a textbook case of how far the mighty had fallen. He planned to run for reelection to Congress and possibly as an Ohio favorite son in the 1976 presidential election. He reportedly also had his eye on the Ohio governorship in 1978. Although Hays was elected to a state office in 1978, he never sought public office again after his subsequent defeat. Ironically, the person who defeated Hays for his state representative seat in 1980 was Republican Bob Ney, who later became a congressman as well. Like Hays, Ney was forced to resign his seat for financial corruption; he had been linked to the Jack Abramoff scandal in 2006.

—Roy Liebman

FURTHER READING

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“Ex-Rep Wayne L. Hays of Ohio.” *Los Angeles Times*, February 11, 1989. A telling obituary of Wayne L. Hays.

Moore, Robin. “Kissers and Tellers, I’ve Met Them All.” *Oui*, December, 1981. A magazine article about women, including Elizabeth Ray, who brought down prominent men.

“Wayne L. Hays of Ohio Dies at 77; Scandal Ended Career in Congress.” *The New York Times*, February 11, 1989. A lengthy obituary of Wayne L. Hays.

SEE ALSO: 1927: President Warren G. Harding’s Lover Publishes Tell-All Memoir; Early 1928: Joseph P. Kennedy Begins an Affair with Gloria Swanson; July 10, 1934: Sex Scandal Forces Resignation of Alberta Premier Brownlee; May 3, 1950: U.S. Senate Committee Begins Investigating Organized Crime; Feb. 7, 1960: President Kennedy’s Romantic Affair Links Him to Organized Crime; May 19, 1962: Marilyn Monroe Sings “Happy Birthday, Mr. President”; Oct. 7, 1963: Vice President Lyndon B. Johnson Aide Resigns over Crime Connections; Oct. 7, 1974: Congressman Wilbur D. Mills’s Stripper Affair Leads to His Downfall; Jan. 26, 1979: Former Vice President Nelson Rockefeller Dies Mysteriously; Dec. 7, 1980: Rita Jenrette’s “Diary of a Mad Congresswife” Scandalizes Washington; Mar. 30, 1991: William Kennedy Smith Is Accused of Rape; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern.

September 1, 1976

FORMER BEATLE GEORGE HARRISON LOSES PLAGIARISM LAWSUIT

George Harrison, formerly of the British rock-pop band the Beatles, lost a plagiarism lawsuit brought by the publishers of the song “He’s So Fine,” originally recorded by the Chiffons in 1963. Harrison’s melodic adaptation, “My Sweet Lord,” included on his 1970 album All Things Must Pass, was deemed “unconscious plagiarism” by a judge. The case raised concerns of artistic creativity and doubts about the integrity of songwriters and composers, including Harrison, and affected him deeply.

LOCALE: New York, New York

CATEGORIES: Cultural and intellectual history; law and the courts; music and performing arts; plagiarism

KEY FIGURES

George Harrison (1943-2001), British singer, guitarist, and composer

Billy Preston (1946-2006), American musician

Richard Owen (b. 1922), U.S. federal court judge

Allen Klein (b. 1931), music industry executive

SUMMARY OF EVENT

On February 10, 1971, Bright Tunes, Inc., filed a lawsuit against rock-pop star and songwriter George Harrison and his companies Harrison’s Music, Inc. (United States), and Harrison’s Music, Ltd. (United Kingdom), for his use of several musical phrases from a tune originally written by Ronald Mack and recorded by the Chiffons. The Chiffons’ song, “He’s So Fine,” had been a pop hit in 1963 in the United States, although

most critics agree that the tune was not well known in Great Britain. Both Harrison and American soul musician Billy Preston, who would collaborate with Harrison on the new version of the song, agreed that they were familiar with the original.

Harrison’s version of the song, “My Sweet Lord,” was not released until the end of 1970 and was on his album *All Things Must Pass*. In December, the song became the most popular selling single in the United States by a former member of the Beatles, and it reached the top of the charts in Great Britain the following month. “My Sweet Lord” was rereleased in 1976 on another album, *The Best of George Harrison*, and again in 2001 on a new release of *All Things Must Pass*. Harrison rerecorded the song.

After leaving the Beatles, Harrison assembled another group of musicians, including Preston. One evening in 1969, while the group was in Co-



George Harrison. (AP/Wide World Photos)

penhagen, Denmark, Harrison and Preston whiled away the time waiting for a press conference to begin by playing some random chords on their guitars. Harrison, who had recently returned from a religious pilgrimage to India, began to sing the phrase “my sweet lord” over and over as a mantra. Eventually, he settled on a tune and repeated the words “Oh, my Lord, My sweet lord,” “Hallelujah,” and “Hare Krishna” as he picked on the guitar strings. Preston picked up the phrasing and began to play on his own guitar. The notes finally coalesced into a “G-D-C” phrase, followed by a G-A-C-A-C phrase.

After a number of revisions, the addition of several grace notes, and a rearrangement of the notes to suit the words, the song “My Sweet Lord” was written down as sheet music. At a later time, the song was then recorded in a studio, perhaps played by Preston, and was added to Harrison’s new album *All Things Must Pass*. The album began to sell well, and Bright Tunes, the owner of the copyright for “He’s So Fine,” filed suit in U.S. federal court, accusing Harrison of plagiarizing the original song’s melody for “My Sweet Lord.”

During court proceedings in the case of *Bright Tunes Music v. Harrisongs Music*, Harrison was asked directly by U.S. federal district judge Richard Owen, who was knowledgeable in music as well as law, whether he had knowingly plagiarized. Harrison said that he had not, but agreed that the melodies of the two songs were similar, although to his ear they were not identical. Owen, a 1950 graduate of Harvard Law School, was a gifted composer of a number of operas. He tried to determine if there had been conscious plagiarism by Harrison. Accordingly, the judge sat down with Harrison and together they sang the phrases of the two songs to see if they were indeed identical. Harrison revealed as much as he could remember about how the song was composed. Even such intensive

UNINTENTIONAL PLAGIARISM

In this excerpt from the decision, the judge in the case of Bright Tunes Music v. Harrisongs Music (1976) reflects on how it is that a composer crafts a musical work. In composing the song “My Sweet Lord,” the judge concluded, Harrison chose a particular combination of sounds—those sounds that make up the essence of the song “He’s So Fine”—thus plagiarizing the work, albeit unintentionally.

Seeking the wellsprings [sic] of musical composition—why a composer chooses the succession of notes and the harmonies he does—whether it be George Harrison or Richard Wagner—is a fascinating inquiry. It is apparent from the extensive colloquy between the Court and Harrison covering forty pages in the transcript that neither Harrison nor [Billy] Preston were conscious of the fact that they were utilizing the “He’s So Fine” theme. However, they in fact were, for it is perfectly obvious to the listener that in musical terms, the two songs are virtually identical except for one phrase. There is motif A used four times, followed by motif B, four times in one case, and three times in the other, with the same grace note in the second repetition of motif B.

What happened? I conclude that the composer, in seeking musical materials to clothe his thoughts, was working with various possibilities. As he tried this possibility and that, there came to the surface of his mind a particular combination that pleased him as being one he felt would be appealing to a prospective listener; in other words, that this combination of sounds would work. Why? Because his subconscious knew it already had worked in a song his conscious mind did not remember. Having arrived at this pleasing combination of sounds, the recording was made, the lead sheet prepared for copyright and the song became an enormous success. Did Harrison deliberately use the music of “He’s So Fine?” I do not believe he did so deliberately. Nevertheless, it is clear that “My Sweet Lord” is the very same song as “He’s So Fine” with different words, and Harrison had access to “He’s So Fine.” This is, under the law, infringement of copyright, and is no less so even though subconsciously accomplished.

scrutiny did not make for an easy disposition of the case.

Efforts to determine authorship might be understood by looking at an example: the Bach-inspired Ave Maria by composer Charles Gounod. Gounod had set his Ave Maria to a melody from Johann Sebastian Bach’s *Well-Tempered Clavier* (1722). Such a use is not considered plagiarism because the composer attributed Bach as his inspiration for the

work. A case becomes especially difficult when a composer borrows only a few notes of an earlier work. In effect, plagiarism can be vexing in cases in which a composer uses less, not more, of an original work and does so without attribution. However, as in Harrison's case, that "use" without attribution was not necessarily conscious or intentional.

On September 1, 1976, Owen reached his decision: Plagiarism did occur, but it was "unintentional" because Harrison had so internalized the music that it had become part of his unconscious. Thus, he had not been completely aware of what he was humming when he began to sing the words "my sweet lord." In other words, he did not know he was humming the tune from "He's So Fine."

The court next had to determine damages. This second phase of the trial was scheduled for February, 1981, because after the first phase of the suit ended, Bright Tunes sold its copyright of the song to ABKCO Industries, owned by Allen Klein, a former business manager of the Beatles and Harrison's manager at the time the suit was filed in 1971. The purchase of Bright Tunes complicated the case, making it difficult to determine who should receive the money and how much should be awarded. Also, by this time, Klein was no longer Harrison's manager. The judge determined that the damage amount requested, \$1,599,987, was fair.

Judge Owen ordered that the money be held in a trust, and he determined that Harrison should pay \$587,000 plus interest. The decision was upheld on appeal in 1983. The case continued for eight more years, as the two sides argued over other legal questions, including the legal significance, if any, of Klein's past connection with Harrison and whether or not a lawsuit brought in England should figure into the settlement in the U.S. court case. In 1991, the case was back in appellate court and then returned to Judge Owen for further litigation. Two years later all parties agreed to resolve at least part of the issue—the disbursement of some disputed funds.

IMPACT

Commentaries on the plagiarism case against Harrison make it clear that proving plagiarism in music is

extremely difficult. In a written work, an author who uses three or more words from another source must put those words in quotation marks and cite the source to avoid plagiarism. In music, the standard is more difficult. Composers often begin their creations by humming melodies, unaware of their sources. This was the case in the Harrison suit. Even a trained musician could find it difficult to conclude that a piece of borrowed music was so close to the original that it constituted plagiarism or whether the addition of new notes, chords, or harmonies would distinguish the piece so that it could stand alone.

Avoiding plagiarism in music composition is complex. Many universities now include courses on how to avoid music plagiarism, and in a move that seems to sound a warning, Columbia University School of Law compiled a list of hundreds of music copyright-infringement cases filed since the 1840's.

—Julia Meyers

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1999. Arranged by album, this book examines incidents in the lives of each Beatle and how those experiences influenced their music. Turner interviewed many people to find out the stories behind the songs. Contains more than two hundred photographs.

SEE ALSO: July, 1925: *Nosferatu* Is Found to Have Violated *Dracula* Copyright; Feb. 8, 1960: U.S. Congress Investigates Payola in Pop Music Industry; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Nov. 19, 1990: Lip-Synching Duo Milli Vanilli Lose Grammy Award.

September, 1976

JIMMY CARTER ADMITS COMMITTING ADULTERY IN HIS HEART

1970's

In an interview with Playboy magazine, U.S. presidential candidate Jimmy Carter admitted that he had looked on women with lust and committed adultery "in his heart." He also used the words "screw" and "shacking up" in the interview. The remarks received a great deal of media attention but did not keep him from being elected president of the United States.

LOCALE: United States

CATEGORIES: Publishing and journalism; sex; politics; public morals; government

KEY FIGURES

Jimmy Carter (b. 1924), president of the United States, 1977-1981

Robert Scheer (b. 1936), freelance journalist

SUMMARY OF EVENT

While campaigning for the presidency of the United States in 1976, Jimmy Carter agreed to an interview with veteran journalist Robert Scheer, who was writing an article for *Playboy* magazine. The interview, conducted in September, 1976, ended with a lengthy soliloquy by Carter in which he admitted to having "looked on a lot of women with lust" and committing adultery "in his heart." This impromptu revelation combined references to the New Testament and Christian theology with colloquial references to "screwing" and "shacking up" with women outside marriage.

The interview was scheduled to appear in *Playboy* in November, 1976, but editors disclosed excerpts from it to the press two months earlier, releasing an onslaught of criticism and ridicule in the news media just weeks before election day. In a campaign that focused on presidential character and personal integrity, press coverage of the interview with Carter, whose bluntness provoked scandal, demolished Carter's substantial lead over Gerald R. Ford in the opinion polls but, in the end, it did not keep him from winning the election.

Though the interview covered a wide range of topics on political goals, foreign policy, economics, and civil rights, its emphasis on Carter's religious beliefs reflected a general preoccupation with his personal character. Carter had emerged from national obscurity as the former governor of Georgia to a decisive victory in the Democratic primaries. He campaigned as an outsider, untainted by government corruption and committed to restoring moral integrity to the presidency. This strategy appealed strongly to voters who were disillusioned by the 1972-1974 Watergate scandal involving President Richard Nixon and suspicious of the Washington, D.C., establishment.

In response to declining support among liberal democrats, Carter's campaign staff arranged the interview with *Playboy* to appeal to voters who might be wary of his religious commitments as an outspoken born-again Christian. Scheer accompanied Carter throughout the spring campaign, eventually



Jimmy Carter. (Library of Congress)

accumulating five hours of interview material. Scheer had a reputation for relentless persistence, and he pressed Carter repeatedly on the relationship between the candidate's moral certainty and his politics. Carter was candid about his religious beliefs, telling Scheer that he was not afraid of death (in response to a question about assassination) because he was assured of eternal life. He even admitted some ambivalence about legal restrictions on sexual behavior he personally believed to be sinful, such as adultery and homosexuality.

As Scheer was preparing to leave at the end of the final interview session, he casually asked Carter if he thought the interview would successfully reassure people who worried that his self-righteousness would make him a stubborn, inflexible president. Carter responded with a deeply personal monologue on his upbringing and his beliefs on religion and sin, fully aware that Scheer was still taping their conversation. Carter claimed that humility was central to Christ's teachings. Salvation by grace en-

tailed the recognition that no one was entitled to claim moral superiority over anyone else. Carter did not consider himself an exception: He, too, had looked upon women with lust, committing adultery in his heart, and he had done so many times. He could not condemn other people for having sex out of marriage, even if God had forgiven him for his own sexual sins. The dramatic intensity of this speech was heightened by his blunt sexual slang, intermingled with references to the Bible and the writings of theologian Paul Tillich.

Carter's juxtaposition of religiosity and coarse language shocked, amused, and offended many people. The vulgarity clashed with the wholesome image he strived to maintain, while the biblical references to lust in the heart made the incongruity all the more salient. References to the interview became ubiquitous in the election coverage. Surveys of public opinion and political commentaries reported that readers were repelled by the personal nature of the remarks as much as they were by the abrasive language. Those who were familiar with the context of the remarks typically approved of Carter's views on pride, but any discussion of his personal sexuality seemed beneath the dignity of a candidate for president. Democratic U.S. senators Robert Byrd and Ernest Hollings characterized the incident as a foolish political move. Byrd wondered why Carter would want to be featured in *Playboy*, while Hollings expressed the hope that, once Carter was president, he would stop talking about adultery.

Jokes at Carter's expense played on the absurdity of his confession. A cartoon in the *Los Angeles Times* depicted him fantasizing about a disrobed Statue of Liberty. Reporters asked Joan Mondale, wife of Carter's running mate, Walter Mondale, if she, too, suspected her husband of committing adultery in his heart. She shrugged and responded that he probably had. Before the *Playboy* story broke in mid-September, election coverage had consistently portrayed Carter as the preferred candidate. By the first presidential debate on September 24, Carter and Republican opponent Ford were nearly even in the polls.

Ford surpassed Carter for the first time after the first presidential debate, a development that some

attributed in part to the *Playboy* interview. It took a more serious political gaffe by Ford during the second presidential debate for the Republican candidate to lose his momentum. (He had said that Eastern Europe was not dominated by the Soviet Union.) The emphasis on political issues during the debates, a topic that had garnered relatively little public interest earlier in the campaign, shifted attention from Carter's blunder in *Playboy*, but he was unable to recover from the initial blow to his public image before the election.

In November the election results were so close that Carter was not declared the winner until 3 A.M.; he had 51 percent of the popular vote. One member of Carter's campaign staff later claimed that the *Playboy* interview had robbed Carter of the decisive victory he needed to begin his presidency with strong popular support.

IMPACT

The media attention surrounding Carter's admission of adultery eventually came to represent his confusing image as an impassioned reformer with an unclear political agenda. The memory of the Watergate scandal and Ford's pardon of Nixon fostered a unique political climate that allowed Carter to run for president based on his lack of experience in federal government and the absence of any ties to Washington, D.C. While political correspondents tried to discern Carter's specific policy agendas, Carter's campaign emphasized more abstract themes of honesty, integrity, and the renewal of Americans' faith in government. He presented himself as a foil to Lyndon B. Johnson, Nixon, and Ford, who had become associated with political corruption and the Vietnam War.

Carter compensated for his unconventional mix of conservative and liberal views by framing the presidential campaign in terms of what kind of person the president should be. His discussion of religion and sexuality, delivered with an uncomfortable degree of personal disclosure, suggested that he had less in common with his constituency than voters might have assumed. It was Carter's first high-profile blunder, a moment when he looked less like a president than did his opponent.

Carter Admits Committing Adultery in His Heart

During a campaign in which general interest in the candidates' activities had been conspicuously low, the surge in attention over Carter's embarrassing statements soured his relationship in the press and forced him to defend his own judgment as a leader. From the beginning of his campaign, journalists had accused Carter of being vague, inconsistent, and naïve, a criticism that his confusing portrayal in the *Playboy* interview appeared to confirm and one that persisted through his presidency, which ended in January, 1981.

—Shaun Horton

FURTHER READING

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Kills Mary Jo Kopechne; Oct. 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall; May 23, 1976: *Washington Post* Exposes Congressman Wayne L. Hays's Affair; Jan. 26, 1979: Former Vice President Nelson Rockefeller Dies Mysteriously; Late July, 1980: President's Brother, Billy Carter,

Registers as a Paid Agent for Libya; Dec. 7, 1980: Rita Jenrette's "Diary of a Mad Congress-wife" Scandalizes Washington; July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock; July 20, 1983: Congress Members Censured in House-Page Sex Scandal.

October 4, 1976

AGRICULTURE SECRETARY EARL BUTZ RESIGNS AFTER MAKING OBSCENE JOKE

Earl L. Butz, an otherwise popular and successful U.S. secretary of agriculture, was forced to resign after an obscenity-laced, racist, and sexist joke is attributed to him in the national press. He left office in disgrace and later served time in prison for tax evasion.

LOCALE: Washington, D.C.

CATEGORIES: Racism; government; politics; social issues and reform; law and the courts

KEY FIGURES

Earl L. Butz (1909-2008), U.S. secretary of agriculture, 1971-1976

John W. Dean (b. 1938), *Rolling Stone* reporter and former White House counsel

Pat Boone (b. 1934), Christian conservative commentator and singer

Gerald R. Ford (1913-2006), president of the United States, 1974-1977

SUMMARY OF EVENT

Earl L. Butz was born on an Indiana farm and became devoted to a life of farming. His passion extended into his professional life, as he served on many agriculture-related boards and with many interest groups, and he served as the dean of the School of Agriculture at his alma matter, Purdue University. He also was a racist and sexist who brought farm humor to the table. While Butz's so-

called earthy style was normal for the old boys' network of Washington, D.C., vulgarities and racist remarks would no longer be tolerated in the post-civil-rights era. It was this earthy style—the jokes—that led to his demise.

In 1974, Butz was forced to apologize for a public indiscretion that smacked of racism but was overlooked. At the World Food Conference in Rome, Butz mocked Roman Catholic pope Paul VI's position on abortion with the words "He no play-a the game, he no make-a the rules," delivered with a mock, Italian-like accent. The fact that he was mocking a culture and the celibacy of a religious leader did not sit well with many, but he was merely forced to make a public apology. Life went on and he would produce even bigger gaffes.

Butz was not actually a newcomer to Washington, D.C., having first been appointed to the Department of Agriculture by President Dwight D. Eisenhower in 1954. Butz was successful because he knew Washington, knew the players, and was very comfortable being himself. This comfort would be his undoing.

Butz was a proponent of changing the ways of agriculture in the United States. He argued that rather than paying farmers not to produce, which kept prices artificially high, agriculture should embrace a free market approach with less government interference. He believed that farmers should grow crops—lots of them. His general theme was to push

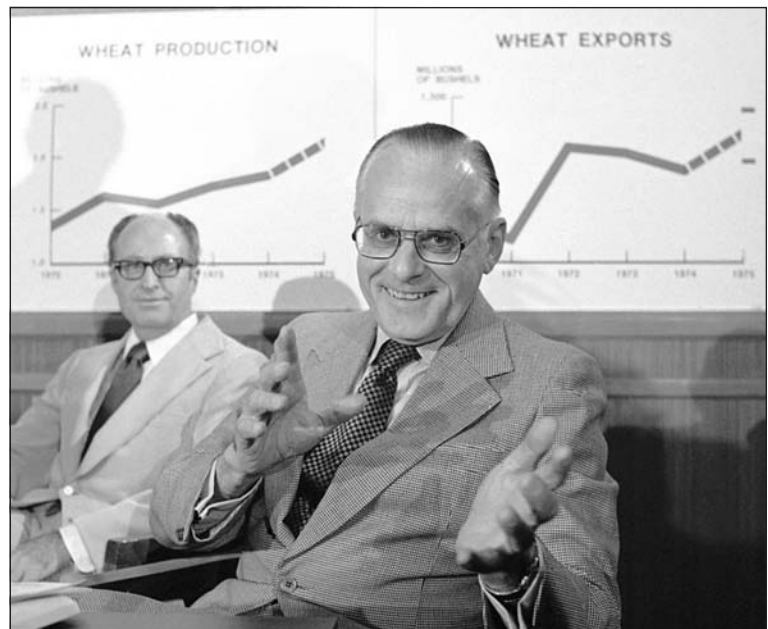
farmers to grow “fence row to fence row.” This would serve the Butz plan in two ways. First, it would mean lower prices for domestic food, and second, it would lead to surplus crops, which could be sold internationally.

Lower food costs and open foreign markets for export (most notably wheat sales to the Soviet Union during the Cold War) were two signature marks of the Butz policy, and both seem to have been successful. Food prices lowered, making food relatively inexpensive. In turn, many believe that cheap food led to a rise in obesity rates in the United States. As for opening markets and making money for farmers, the five years under Butz saw farm income increase almost twofold over the previous decade—largely through exports that nearly tripled during his short tenure. Butz was so successful that he received the American Farm Bureau Federation Award for Distinguished Service—an award rarely bestowed upon agricultural secretaries.

The great Butz scandal began while on an airplane leaving from the Republican National Convention in 1976. Butz settled back with a small group that included politically conservative singer Pat Boone and former Richard Nixon staffer John W. Dean. After a few drinks, Butz began telling racist and sexist jokes. He was famous for his one-liners and relished the role of entertainer. At one point he was asked by Boone why African Americans were not associated in large numbers with the Republican Party. Butz’s response was not a surprise. He casually responded that blacks were interested only in shoes, sex, and a place to go to the toilet (his words were actually more descriptive and vulgar). Dean, a former Butz associate, was a reporter for *Rolling Stone* magazine at the convention. Butz’s comments, attributed to a certain “shirt-sleeved cabinet member,” hit the next issue of *Rolling Stone*. It did not take a tremendous amount of investigative work to figure out that Butz was the

source of the disparaging remarks, given the limited passenger manifest from the airline, which was checked by the media, and his reputation for using such language.

The story was then carried by all of the major news sources and triggered a firestorm, especially among African Americans. Many in the Washington establishment wanted Butz’s head, and he was now clearly a campaign liability. At a time when President Gerald R. Ford was trying to break from the shadow of Nixon, and Jimmy Carter was doing his best to make a campaign out of moral integrity, Butz provided Carter with ammunition and reminded everyone that the Nixon-Ford administration was largely the same because Ford opted to retain most of Nixon’s cabinet appointees, including Butz. Ford summoned Butz to the White House and immediately chastised and reprimanded him for language that was personally offensive and inexcusable from any member of his cabinet. Butz offered to issue a public apology. This was not enough for many of Ford’s advisers, who suggested that he fire Butz immediately. That was not Ford’s style—he had a certain sense of loyalty to all of his people and did not want to react too quickly. Ultimately,



Earl Butz, right. (AP/Wide World Photos)

the pressure from advisers, political groups, and his own wife, Betty, would prove to be too much. Butz's comments were not only racially offensive but also were sexist, which Ford would not tolerate.

Eventually, Ford asked Butz to resign, and Butz did so tearfully on October 4, 1976. Ironically, as Butz was cleaning out his office, he reportedly said that he had told the same basic joke hundreds of times and nobody had ever complained. He still did not understand that times had changed or that he had done anything wrong.

In 1981, Butz was convicted of federal tax evasion and served twenty-five days in jail after being sentenced to five years—all but thirty days were suspended. He pleaded guilty to a charge that he underreported his 1978 income.

IMPACT

The Butz scandal came at a time of change in the way the public tolerated the indiscretions of elected officials. Indeed, the way people interact with one another had changed as well. Butz had believed he was in safe company on the airplane coming back from the Republican National Convention, but there was no longer a “safe” zone for racist and sexist banter. In addition, the scandal showed how political and public pressure in the face of racism and sexism can effectively remove a racist or sexist person from office.

Since the Butz scandal, a number of high-profile celebrities and politicians have fallen from grace because they were insensitive to others and used language that led to their demise. Furthermore, after the scandal, workers began to report inexcusable workplace behavior. This behavior was condemned during the mid-1970's with the passage of new workplace laws on sexual harassment.

—Jeffrey S. Ashley

FURTHER READING

Ashley, Jeffrey S. *Betty Ford: A Symbol of Strength*. New York: Nova History, 2004. While the text centers primarily on former first lady Betty Ford, it also includes discussion of the Butz scandal, how it damaged reelection hopes for Gerald Ford, and how Betty Ford took a stand in having

Earl Butz fired. A common theme in the book is the Ford's relationship and partnership.

Carlson, Michael. “Earl Butz: U.S. Politician Brought Down by Racist Remark.” *The Guardian*, February 4, 2008. Butz's obituary in a leading British newspaper of record. Includes the uncensored text of Butz's racist and sexist remark that led to his resignation in 1976.

Ford, Gerald R. *A Time to Heal*. New York: Harper & Row, 1979. While somewhat dated, this work is unique in that it comes from the source. Ford discusses many of the painful decisions he had to make during his presidency—including the firing of Earl Butz. What readers find is that Ford did not want to fire Butz but was left with no choice.

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SEE ALSO: June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; Oct. 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall; Dec. 16, 1982: Congress Cites Environmental Protection Agency Chief for Contempt; June 26, 1992: U.S. Navy Secretary Resigns in the Wake of Tailhook Sexual Assault Scandal; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; Aug. 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation; Aug. 21, 1994: Sex Scandal Forces Dismissal of NAACP Chief Benjamin Chavis; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; Apr. 11, 2007: Shock Jock Don Imus Loses His Radio Show Over Sexist and Racist Remarks.

November 9, 1976

GERMAN GENERALS MUST RETIRE FOR SUPPORTING A NEO-NAZI PILOT

Two leading West German air force generals were forced to retire after inviting to a military reunion the unrepentant neo-Nazi extremist Hans-Ulrich Rudel. The generals suggested that Rudel, a decorated World War II bomber pilot, deserved the same chance at forgiveness the former communist Herbert Wehner had received when he became a Social Democratic leader in the German parliament.

LOCALE: Bonn, West Germany (now in Germany)

CATEGORIES: Military; politics; government

KEY FIGURES

Hans-Ulrich Rudel (1916-1982), former German World War II combat pilot

Walter Krupinski (1920-2000), lieutenant general, commander of the West German air force

Karl Heinz Franke (b. 1923), major general, West German air force, and Walter Krupinski's deputy

Georg Leber (b. 1920), West German defense minister, 1972-1978

Hermann Schmidt (1917-1983), parliamentary secretary for the West German ministry of defense, 1975-1976

Manfred Wörner (1934-1994), West German defense minister, 1982-1988

Herbert Wehner (1906-1990), chairman of the Social Democratic delegation in the West German parliament, 1969-1983

SUMMARY OF EVENT

The Bundeswehr (the West German armed forces) was created only a decade after the complete defeat of Nazi Germany in 1945, and most of the initial volunteer officers and noncommissioned officers had served in Adolf Hitler's Wehrmacht (armed forces). The new democratic West German government and its military advisers, however, wanted to insulate the Bundeswehr from Nazi traditions and

to ensure that it, unlike several previous German military forces, was completely compliant with the democratic civilian government established in 1949.

Both of these goals were challenged by the presence of the highly decorated, right-wing, World War II Stuka bomber pilot Hans-Ulrich Rudel at an air force squadron's unit-tradition meeting in October, 1976. Rudel's participation at the meeting was defended by two air force generals who suggested that Rudel should be forgiven for his neo-Nazi political past just as Herbert Wehner, a major Social Democratic leader in the Bundestag, was forgiven for his communist past.

In 1965, the defense ministry issued a directive on the issue of tradition in the Bundeswehr. The directive allowed air, naval, and land forces to name some units and bases after prominent Wehrmacht officers as long as those persons were not involved in Nazi crimes. However, the army chose not to adopt old unit designations from pre-1945 German military units. The air force, however, with the permission of its chief of staff, did allow links to German squadrons of that war. One of the Bundeswehr's reconnaissance squadrons was named Immelmann for the World War I German fighter pilot Max Immelmann. In 1935, the new German air force under Hitler had selected that name as well for one of its units.

The major problem that an air unit faced in planning any tradition meeting with members of the World War II Immelmann squadron was that its former leader was Rudel, who served as commander of the Immelmann dive-bomber squadron during World War II. He was the most highly decorated German fighter, credited with destroying over five hundred enemy tanks, but he did not detach himself from the Nazis. His postwar career included support of former Nazis who had fled to Latin America, and after his return to Germany he campaigned for neo-Nazi political parties. Not surprisingly, until

1976, defense ministers banned Rudel from West German military bases.

In 1975, the commander of the Bundeswehr's Immelmann reconnaissance squadron 51 asked his superiors to allow a tradition meeting with survivors of the World War II Stuka Immelmann squadron. The state secretary for the defense ministry, Hermann Schmidt, refused to permit the meeting, fearing what might happen if Rudel were allowed to appear at an air force base. Manfred Wörner, a member of the Christian Democratic defense committee in parliament and a reserve officer, joined the debate after being notified of Schmidt's decision. He wrote Schmidt a letter that praised Rudel's military accomplishments in World War II and claimed ignorance of his political views.

Three months after receiving this letter, Schmidt informed Wörner that the issue had been resolved. Schmidt allegedly had approved of the meeting if held outside the air force base. The tradition meeting also received the enthusiastic support of General Walter Krupinski, the commander of West Germany's combat air force. Krupinski, a recipient of the Knight's Cross with Oak Leaves award during World War II, had flown cover for Rudel's unit on the eastern front. Krupinski informed the Immelmann squadron that the meeting could take place on the base.

The Immelmann tradition meeting was held on October 23 at the Bremgarten air base near Freiburg in southwestern West Germany. Rudel participated in the weekend festivities, which included a review of German jet flights, and he signed autographs for enthusiastic pilots. German press accounts noted Rudel's visit but initially did not predict major consequences. What produced the crisis was the off-the-record statement to the press by General Karl Heinz Franke, Krupinski's deputy.

After the meeting, Franke defended Rudel's appearance by suggesting that the decorated pilot had changed his political views, as had former "left-wing extremists." He specifically named Bundestag member Wehner as an example; General Krupinski supported Franke. Although Wehner had joined the Communist Party in 1927, after the war he became a member of the West German Social

Democratic Party and, unlike Rudel, fully accepted the new democratic state established in 1949. Rudel told the German magazine *Der Spiegel* after the tradition meeting that he was a proud ultraconservative.

The West German defense minister, Georg Leber, a World War II air force veteran who had a reputation for being too promilitary, had to react to this attack on a leading Social Democratic politician. Moreover, forty Social Democratic members of the Bundestag demanded action from Leber and cautioned that political control of the army had declined. Indeed, one general had accepted a free vacation from the government of apartheid South Africa, and another general took part in a victory parade in Madrid commemorating Spanish general Francisco Franco's triumph in 1939 over the republican government in Spain.

In an interview with *Der Spiegel*, Leber declared that he fired the two generals on November 1 because of their comments to the press about a member of the Bundestag. The two resigned on November 9. For the first time in the twenty-five-year history of the Bundeswehr, two generals were dismissed summarily to send a message that the Bundeswehr must rely on its own tradition for dealing with internal crises and, just as important, not meddle in parliamentary affairs.

IMPACT

The immediate consequences of the Rudel affair were the resignation of State Secretary Schmidt and Leber's announcement that the general who had accepted a trip to South Africa had asked to be relieved and that no general would again participate in a Franco victory parade. Parliamentary control over the military leadership was clearly demonstrated by this time.

More important for the long run was an attack on the tradition guidelines of 1965, beginning with Chancellor Helmut Schmidt's announcement on West German television on November 12 that the guidelines would have to be reexamined. Leber also asked his military advisers for a position paper on that topic, but he could not complete that project because he resigned in 1978 in the wake of a military

counterintelligence scandal. Still, the Social Democrats and the left wing in general launched a massive attack on traditions that linked the Bundeswehr to the Wehrmacht, an attack that was supported by the new Social Democratic defense minister. Subsequent research by scholars, which revealed the Wehrmacht's complicity in Nazi atrocities, provided even more support for a revision of the 1965 guidelines.

On September 20, 1982, those new guidelines became a reality, making it clear that the Third Reich and Wehrmacht had no place in the tradition of the Bundeswehr. One paragraph in particular rejected the defenders of Rudel, who had stressed his military deeds by declaring that military accomplishments must be rooted in "a state grounded in the law." Another paragraph allowed tradition meetings but only by individuals who supported the Basic Law, West Germany's constitution. Although the new Christian Democratic government after 1982 modified some of the clauses of the new guidelines, the guidelines remained basically unchanged.

Increasingly, the German defense ministry and the Bundestag removed traces of the Wehrmacht's tradition. In 1995, a base named for General Eduard Dietl in Füssen was renamed for its location, Allgäu, and pilot Werner Mölder's name was removed from an air force base in 2005. Moreover, the German government and press continued to monitor extreme right-wing activities in the Bundeswehr.

—Johnpeter Horst Grill

FURTHER READING

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January, 1977

SINGER ANITA BRYANT CAMPAIGNS AGAINST LESBIAN AND GAY RIGHTS

Conservative Christian entertainer Anita Bryant started a campaign to overturn a human rights ordinance in Florida's Dade County that prohibited discrimination against lesbians and gays. Buoyed by her initial success with the ordinance's repeal, she transformed her campaign into a national Christian political movement but also unleashed a newly determined gay rights movement.

LOCALE: Dade County, Florida

CATEGORIES: Human rights; music and performing arts; politics; religion; sex; social issues and reform

KEY FIGURES

Anita Bryant (b. 1940), American singer and entertainer

Jerry Falwell (1933-2007), American conservative evangelist and commentator

SUMMARY OF EVENT

During the 1970's, a fledgling lesbian and gay rights movement was taking shape in certain regions of the United States, fueled especially by the 1969 Stonewall Rebellion in New York City. In addition to encouraging pride parades and rallies, the movement had begun to win legal cases and helped institute local ordinances against discrimination at the city and county levels. On January 18, 1977, in Florida, the Dade County Commission passed one of the first human rights ordinances in the United States that also prohibited discrimination based on a person's sexual orientation.

The American Psychiatric Association, the American Psychological Association, and the American Medical Association had dropped homosexuality from their lists of mental disorders. Given these swift and powerful social changes, the Southern Baptist community responded with calls against

lesbian and gay rights and for the repeal of the new antidiscrimination laws. Christian psychologists, including Charles W. Socarides, promoted the idea that homosexuality not only was a disorder but also was curable. Many Christians believe that this cure is possible through faith in Jesus Christ.

Anita Bryant, a Christian singer and entertainer, began her singing career at the age of six, performing at local fairgrounds near her hometown of Barnsdall, Oklahoma. At the age of sixteen she persuaded her Southern Baptist father to allow her to attend a local audition for Arthur Godfrey's talent show. This exposure encouraged her to enter other talent and beauty pageants. At the age of eighteen she won Miss Oklahoma and became second runner-up in the 1959 Miss America contest. After this victory, Bryant was dedicated to a career in Christian music, where she accumulated a modicum of success. At the height of her career, during the late 1960's, she became the national spokesperson for the Florida Citrus Commission and appeared in many of its television commercials. It was in this role that she became almost a household name.

Armed with strongly held religious beliefs and aware of her celebrity, Bryant spearheaded an attempt to repeal the human rights measure passed by voters in Dade County, a county that includes the cosmopolitan and relatively progressive city of Miami. Soon after the ordinance was passed, she founded a campaign called Save Our Children and became its lead spokesperson and crusader. She gathered fellow social conservatives to develop a strong political machine centered on "Christian beliefs regarding the sinfulness of homosexuality" and the "proclivity" of gays and lesbians to recruit children into their "lifestyle."

"As a mother," Bryant argued, "I know that homosexuals cannot biologically reproduce children; therefore, they must recruit our children." She con-

tinued, "If gays are granted rights, next we'll have to give rights to prostitutes and to people who sleep with St. Bernards and to nail biters." This message, coupled with a still-fledgling gay and lesbian rights movement without a visible and vocal leadership, led to public fears of pedophilia and child abuse. Bryant's campaign was successful, and the Dade County ordinance was repealed by 69 percent of the county's voters.

Bryant moved her campaign to the national stage. *Newsweek* magazine featured her on its cover on June 6, 1977. Through this media exposure she began to inspire many national leaders to join her campaign. The campaign coalesced into what is now known as the Religious Right, or Christian Right. Among those figures who joined her was Baptist preacher Jerry Falwell. Falwell, in 1979, formed the powerful Moral Majority and broadened the political scope of his conservative Christian organization.

In 1978, California state senator John V. Briggs attempted to use Bryant's techniques to pass an antigay initiative (called the Briggs Initiative) that would have kept gay and lesbian teachers from working in California schools. Gay and lesbian rights advocates, led by San Francisco councilman Harvey Milk (who was assassinated in 1978), countered these arguments. They gathered support from an unlikely coalition of politicians, liberals as well as conservatives, and defeated the initiative.

The rise in social conservatism, along with an atmosphere of fear, prompted many reversals of anti-discrimination laws. Political candidates with antigay campaign platforms were swept into office throughout the country. In Florida, a law was passed outlawing adoption by gays and lesbians. Lesbian and gay activists soon mobilized and challenged the Religious Right. A well-organized

boycott against the Florida Citrus Commission secured a number of celebrity endorsements, including those of entertainers Bette Midler and Barbra Streisand.

Bryant was not prepared for the fierce resistance to her campaign. Her contract with the Florida Citrus Commission was not renewed, leading to the boycott's cancellation. At a televised press conference in Des Moines, Iowa, she was publicly humiliated when someone threw a pie in her face. Her marriage ended in divorce in 1980, disappointing her Christian fan base and harming her Christian music career. She remarried and attempted to revive her career as a singer. During the 1990's, she filed for bankruptcy in two states.

In 1998, Dade County officially repudiated Bryant's successful campaign of twenty years earlier and reauthorized, after a 7-6 vote, an antidiscrimination ordinance protecting people from discrimination based on sexual orientation. In 2002, a Florida ballot initiative, Amendment 14, which attempted to repeal the 1998 antidiscrimination law, failed at election time, with 56 percent of the voters in favor of keeping the 1998 law in place. In 2004, a



Anita Bryant was famously "pied" in the face at a televised news conference in 1977. "Well, at least it's a fruit pie" was her first response. With her is her husband, Bob Green. (AP/Wide World Photos)

federal appellate court upheld Florida's antigay adoption law against a constitutional challenge.

IMPACT

Bryant's Save Our Children campaign prompted a national dialogue on gay and lesbian rights. A line was drawn, however, between the views of the Religious Right and those of the gay rights movement. The AIDS epidemic that began during the early 1980's gave new life to the Religious Right and its antigay politics, and moral-values voters remained a powerful faction of the electorate into the first decade of the twenty-first century.

In turn, the movement for gay and lesbian rights also was given new life. Beginning during the late 1980's with the radical politics of groups such as the AIDS Coalition to Unleash Power (ACT UP) and Queer Nation, gay rights advocates began to frame the argument as a civil rights issue. In *Lawrence v. Texas* (2003), the U.S. Supreme Court found state sodomy laws unconstitutional, a ruling that reenergized the gay rights movement. Same-gender relationships in the form of marriages, civil unions, and domestic partnerships became legal in several states; in May, 2008, California's Supreme Court ruled that gays and lesbians could legally marry.

The trend toward supporting lesbians and gays continues, long after Bryant's very public and successful campaign of 1977. A noticeable change has occurred in television, film, and literature, as gay and lesbian characters and story lines are now featured more prominently. Celebrities and other public figures have been coming out of the so-called closet, especially since the early 1990's, and continue to do so. Even many religious leaders have embraced gays and lesbians. The United Methodist Church, the Episcopal Church, and the United Church of Christ, in particular, have made positive strides toward acceptance, and many of those churches that retain a position against homosexuality have tempered their criticism.

—Daniel-Raymond Nadon

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February 25, 1977

FILM PRODUCER DAVID BEGELMAN IS FOUND TO HAVE FORGED CHECKS

David Begelman, the studio president of Columbia Pictures since 1973, wrote checks to others that he cashed himself. The forgeries came to light when actor Cliff Robertson received an IRS Form 1099 from Columbia for income he never received. Investigators found that Begelman had written a check to Robertson, forged the actor's name, and cashed the check himself. Years after the scandal, Begelman was found dead in an apparent suicide.

ALSO KNOWN AS: Begelman affair; Robertson affair; Begelgate; Hollywoodgate

LOCALES: Los Angeles, California; New York, New York

CATEGORIES: Forgery; hoaxes, frauds, and charlatanism; corruption; banking and finance; business; law and the courts; Hollywood

KEY FIGURES

David Begelman (1921-1995), studio president of Columbia Pictures

Cliff Robertson (b. 1925), Academy Award-winning actor

Alan Hirschfield (b. 1936), president and chief executive officer of Columbia

Herbert Allen, Jr. (1940), member of the board of directors of Columbia

Ray Stark (1915-2004), film producer

Robert Todd Lang (b. 1924), Columbia's chief legal counsel

Joyce Silvey (1943-1982), detective, Beverly Hills Police Department

Peter Gruenberger (b. 1937), attorney

SUMMARY OF EVENT

On February 25, 1977, actor Cliff Robertson, who earlier had been represented by Hollywood agent and later studio executive David Begelman, received Internal Revenue Service Form 1099 (for miscellaneous income) from Columbia Pictures, indicating he had received \$10,000 from the company in 1976. However, Robertson never received the money. Furthermore, he soon discovered that his endorsement on the check in question had been forged. The handwriting clearly was not his, and the check was signed incorrectly as, simply, "Cliff Robertson." The real Cliff Robertson signed his full name, "Clifford T. Robertson," on all legal documents, including checks. The actor then reported the forgery to police.

The Los Angeles and Beverly Hills Police departments, led by detective Joyce Silvey, and the Federal Bureau of Investigation verified that the \$10,000 check was indeed a forgery and interviewed the manager of the Beverly Hills branch of the Wells Fargo Bank where the check was cashed. The manager informed the investigators that Begelman, now head of Columbia's motion picture division, had exchanged the check, made out to Robertson, for traveler's checks, also for Robertson. However, in retrospect, what was odd about the transaction was that the two had parted ways before Begelman cashed the check. Their business relationship had ended acrimoniously: Begelman (as a Hollywood agent) had been fired by Robertson (his client at the time) for siding with a film company in a dispute with the actor.

Columbia allowed Begelman to take a leave of absence in July, 1977, and began its own investigation, led by attorney Peter Gruenberger, a partner in Columbia's primary law firm of Weil, Gotshal, and Manges. Gruenberger had previous experience with sensitive inquiries and was considered ideal for the job. His team consisted of associates from the law firm and members of the accounting firm Price Waterhouse. Team members interviewed Begelman for two days and Begelman's psychiatrist for two hours. They also examined about twenty thousand checks and discovered that Begelman had embezzled an additional \$65,000 through forgery. In addition, they found that he had abused his expense accounts and used company cars for personal business.

Upon presenting his report to the board, Gruenberger found to his surprise that some of the Columbia board members were openly hostile to him and questioned his objectivity. However, Alan Hirschfield, Columbia's president and chief executive officer, accepted Gruenberger's findings and decided to fire Begelman. Columbia's chief counsel, Robert Todd Lang, concurred with Hirschfield in private, but his legal opinion on the issue was neutral. This opinion gave the board of directors the option to retain Begelman. The board, led by Herbert Allen, Jr., chose to retain Begelman and disputed Hirschfield's decision.

Begelman also had the support of Ray Stark, who was the most important independent producer working with the studio at the time. Stark persuaded a majority of board members that Begelman, not Hirschfield, was primarily responsible for Columbia's success during the 1970's, especially with the hit film *Close Encounters of the Third Kind* (1977), and that he was indispensable. Hirschfield backed down, and Begelman was reinstated in December.

Still angry with Begelman, Robertson gave an interview to *The Washington Post*. Other mainstream newspapers and magazines began their own investigations. *New West Magazine* resurrected an old accusation against Begelman, also involving theft. Rumors existed that Begelman, as actor-singer Judy Garland's agent, embezzled some of her money as well. A writer for *New West Magazine*

also discovered that Begelman's claim to be a graduate of Yale Law School was false, and that his time on the Yale campus consisted only of a short stint with a U.S. Air Force training school during World War II.

On January 12, 1978, syndicated columnist Liz Smith devoted a column to the story and later interviewed Robertson herself. On February 28, the U.S. Securities and Exchange Commission (SEC) launched an investigation of its own. The SEC did not find violations of federal law, but its investigation ended much more quietly than it began. Allen and the rest of the Columbia board came to realize that Begelman could no longer work effectively for the company, and he was allowed to resign to become an independent producer. Having lost the confidence of the Columbia board, Hirschfield, too, was fired in July.

Begelman pleaded no contest to the forgery and embezzlement charges and was sentenced to community service. Through this service he produced the documentary *Angel Dust* (1979), a film about the dangers of the drug PCP. By the mid-1990's, Begelman was broke and he declared bankruptcy. In 1995, he was found dead, shot in an apparent suicide in a Los Angeles hotel room.

IMPACT

As a result of the scandal, the Los Angeles District Attorney's Office established an Entertainment Industry Task Force to investigate wrongdoing in the industry. A special hotline was developed for anonymous tips. After two years, the task force received more than six hundred tips about possible wrongdoing at nearly every major film studio in the region.

Begelman's career did not suffer in the immediate aftermath of the scandal. In 1979, he was hired as chief executive officer of Metro-Goldwyn-Mayer (MGM). He was unable to repeat his success at Columbia, so he left MGM in 1982. He had some success as an independent producer with *Mannequin* (1987) and *Weekend at Bernie's* (1989). Hirschfield became chief executive officer of Twentieth Century Fox in 1981. Robertson believed he was blacklisted for his role in exposing the scandal. Ironically, Robertson's first film role after

the scandal broke was *Brainstorm* (1983), a film produced at MGM during Begelman's tenure there.

It remains a mystery why Begelman took the money, which he did not need. Begelman's psychiatrist believed that his client felt guilty about his success and had a neurotic need to self-destruct.

—Thomas R. Feller

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September 21, 1977

CARTER CABINET MEMBER RESIGNS OVER ETHICS VIOLATIONS

Bert Lance was forced to resign as head of the U.S. Office of Management and Budget during the first year of U.S. president Jimmy Carter's administration because of allegations of illegal banking by Lance while chairman of the National Bank of Georgia and due to his overly familiar business dealings with the Carter family.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; government; banking and finance; politics

KEY FIGURES

Bert Lance (b. 1931), head of the U.S. Office of Management and Budget, 1977, and former chairman of the National Bank of Georgia

Jimmy Carter (b. 1924), president of the United States, 1977-1981

Abraham A. Ribicoff (1910-1998), U.S. senator from Connecticut, 1963-1981, and chairman of the Senate Government Affairs Committee

John G. Heimann (b. 1929), comptroller of the U.S. Treasury, 1977-1981

Donald Tarleton (fl. 1970's), regional director, U.S. Office of Comptroller of the Currency, Atlanta

SUMMARY OF EVENT

Jimmy Carter, inaugurated as president of the United States on January 20, 1977, appointed Bert Lance, one of his closest friends, to head the U.S. Office of Management and Budget (OMB). Over

the years, Carter's association with Lance had grown into an enduring friendship. The Carters, including First Lady Rosalyn Carter, even considered Lance a surrogate family member.

Lance, a small-town banker in Calhoun, Georgia, ran unsuccessfully for the governorship of Georgia in 1974 and, in doing so, incurred debts that he never fully repaid. Following his failed gubernatorial campaign, he left Calhoun to become president of the National Bank of Georgia (NBG), based in Atlanta. Shortly afterward, Lance and some business associates, using a complicated network of loans involving millions of dollars, bought a controlling interest in the bank of which Lance had become president. Lance owned more than 200,000 shares of stock in NBG and derived a substantial portion of his income from the dividends his shares paid.

To avoid being accused of conflicts of interests, persons appointed to high public office usually divest themselves of assets that might raise questions about their impartiality. In Lance's case, President Carter knew that Lance's major holding in NBG could prove embarrassing, if not unethical. He also realized that this holding constituted a major portion of Lance's net worth and that it had declined in a deteriorating stock market, making it a bad time for Lance to be forced to liquidate his stock.

On July 10, 1977, Carter wrote to Senator Abraham A. Ribicoff, chairman of the Senate Government Affairs Committee, requesting a modification in an earlier agreement that forced Lance to dispose of his stock by the end of 1977. Carter explained to Ribicoff that if Lance were forced to dispose of his stock, he would be placed under considerable financial pressure. Requests of this sort were frequently viewed as routine.

As early as 1975, however, the U.S. Office of Comptroller of the Currency had been investigating some irregularities involving Lance at the Calhoun First National Bank (CFNB), where he still served as chairman of the board of directors. This investigation revealed that during a four-year period, Lance and members of his family had run up as much as \$450,000 in overdrafts at CFNB.

Other unsettling facts began to emerge, includ-

ing information that NBG, to attract Lance as its president, had agreed to provide him with an airplane that ultimately was bought from Lancelot & Company, a partnership owned by Lance and his wife, LaBelle Lance, for \$120,000. Lancelot & Company had a year earlier paid \$80,000 for that aircraft. It also was revealed that Lance's bank earlier had lent money to the peanut company owned by President Carter and his brother, Billy Carter. Although such a loan was legitimate, it raised discomfiting questions about the Carter-Lance relationship.

An agent with the Federal Bureau of Investigation looking into an embezzlement case that focused on a CFNB official stumbled upon irregularities that involved the Lances. The agent attempted to subpoena bank records but was rebuffed by the bank's president. Lance apparently did not apprise President Carter of this ongoing investigation or of the bank's refusal to cooperate fully.

Lance met with Carter following the November election to discuss being appointed head of the OMB. Lance then approached Donald Tarleton, director of the comptroller's regional office in Atlanta and, telling him of Carter's wish to appoint him to the OMB post, suggested that he ease up on the investigation of CFNB. Tarleton did so immediately after his meeting with Lance.

Senior officials in the comptroller's Washington, D.C., office, including its acting director, Robert Bloom, were outraged by Tarleton's actions. Bloom, however, wanted to cooperate with the Carter administration in the hope of being appointed comptroller. Bloom did what he could to help Lance, even writing a press release that Lance could use to cover up details relating to CFNB's difficulties.

Lance's problems might have ended at this point had it not been for Carter's appointment of John G. Heimann to the comptroller's post. On December 1, 1976, Sidney Smith, Lance's attorney, asked U.S. attorney John Stokes about the status of the Lance case. Stokes removed the prosecutor from the case the same day and, on the following day, said the case was closed. Carter then announced Lance's appointment as head of the OMB. Carter, who had

campaign on a platform of restoring integrity to the government, was placed in an awkward position, although he and the First Lady supported Lance as fully as they could for the nine months he served the administration.

It was also revealed that the day before his appointment, Lance had sought a loan of some \$3.4 million, which he finally obtained from the First National Bank of Chicago. When he took office, he was more than \$5 million in debt. Senators Ribicoff and Charles H. Percy led an investigation that unearthed many irregularities in Lance's business dealings. Following Lance's forced resignation, however, he was found innocent of intentional criminal wrongdoing.

Meanwhile, Jody Powell, Carter's press secretary, surreptitiously circulated press stories accusing Percy of unethical practices, a tactic that eventually came to light and evoked memories of the attempted Watergate cover-up that brought down the administration of U.S. president Richard Nixon. Investigative reporters latched onto the attempted cover-up, which led to further investigations by the Senate's Government Affairs Committee.

On September 19, Lance had a forty-five minute White House conference with Carter, and on September 21, he resigned as head of the OMB. Carter, in an emotional press conference the following day, announced Lance's resignation.

IMPACT

The scandal of Lance's bank dealings and his resignation as head of the OMB was unfortunate for the president and the United States as a whole. The status of the new Carter administration, devoted to upholding ethics in government, was badly damaged in the eyes of the public. The government comptroller and the Senate committee appointed to investigate the matter discovered an increasingly complex muddle of questionable actions, more oversights than intentional crimes, on Lance's part.

The closeness of Lance to the president and his family increased substantially the impact of these revelations. Actions by both the president and Lance led people to believe the two were participating in a cover-up, which, in the context of govern-

mental affairs, could bring down an entire administration. If any lesson was learned from the Lance debacle, it was that transparency in government affairs is inevitably the best policy. Deception and duplicity eventually come to light, especially in countries in which a free press scrutinizes the government and civil servants.

—R. Baird Shuman

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for Influence Selling; 1976-1977: U.S. Congress Members Are Implicated in Koreagate Scandal; Sept., 1976: Jimmy Carter Admits Committing Adultery in His Heart; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; Mar. 4, 2004: Former United Way Charity Chief Pleads Guilty to Embezzlement.

September 23, 1977

HORSE-SWAPPING FRAUD UPSETS BELMONT PARK RACEWAY

Belmont Raceway veterinarian Mark Gerard collected a large payoff when he wagered on the horse Lebón, a long-shot entry who finished first in a claiming race. It was later revealed that the winning horse was not actually Lebón but a faster horse imported from Uruguay. The Gerard affair led to improved identification standards for thoroughbreds in horse racing.

LOCALE: Hempstead, New York

CATEGORIES: Hoaxes, frauds, and charlatanism; sports; corruption; organized crime and racketeering; business

KEY FIGURES

Mark Gerard (b. 1934), Belmont Raceway veterinarian and horse importer

Jack Morgan (fl. 1970's), former assistant to Mark Gerard and owner of racehorse Lebón

William Berry (fl. 1970's), chief of the New York Racing and Wagering board

Ogden Mills Phipps (b. 1940), chairman of the New York Racing Association

SUMMARY OF EVENT

Mark Gerard was a well-respected track veterinarian at Belmont Park Raceway in New York. He had cared for the famous racehorse Secretariat, winner

of the Triple Crown in 1973, and for many other outstanding thoroughbreds. Gerard had a successful practice and was able to hire other veterinarians and assistants to work with him.

Although his veterinary practice returned a substantial income, Gerard hoped to increase his wealth by purchasing horses in South America and then importing and reselling them in the United States. He bought the horses at bargain prices and then resold them for many times the price he paid. As a veterinarian practicing at a thoroughbred racetrack, he could not own and race the horses himself. Such activity was considered a conflict of interest. However, importing horses for resale was legal, and it was an acceptable way for him to profit financially.

Early in June of 1977, Gerard imported three horses from Uruguay for resale. One of the horses was a raced-out claiming horse named Lebón, who was bought for six hundred dollars a few weeks before Gerard purchased him, for sixteen hundred dollars. The trio of horses also included Boots Colonero and the 1976 Horse of the Year in Uruguay, Cinzano. Lebón and Cinzano looked alike. Each had a white marking on his forehead.

The horses were transported to Gerard's farm in Muttontown, New York. According to Gerard, a barn accident led to severe head injuries to Cinzano,

but details of the accident remained unclear. Gerard stated only that the injuries to Cinzano were so severe that the horse had to be destroyed. Gerard was reimbursed for his losses by his insurance company.

Gerard then sold Lebón to his former assistant, Jack Morgan, who was active in racing as an owner and a trainer. Morgan paid ten thousand dollars for Lebón. He began racing the horse, but Lebón finished last in his final start before what turned out to be a significant race on September 23. This event was a claiming race run on the inner-turf track at Belmont. The field included twelve horses, neither of which was a particular standout. The odds on Lebón were 57-1, making him a long shot to win. Because of the poor odds, Lebón normally would not have attracted a large amount of bets. Lebón led the entire race and won, finishing four lengths ahead of the field. At the betting windows, he returned \$116 for every \$2 bet.

A bettor appeared at one of the cashiers' windows with \$1,300 in win tickets and \$600 in show tickets on Lebón. The total owed to the bettor was \$80,440, a sum the cashier did not have at his window. The cashier had a courier obtain the money from the track's main safe. Upon returning, the courier, who also worked as a stable hand at the track, recognized the bettor and addressed him as Doc. As it turned out, Doc was Gerard. Approximately three weeks after the race, a Uruguayan newspaper reporter called a Belmont employee and told him that the horse in the winner's circle photograph, taken after the race on September 23, was Cinzano, not Lebón, as identified.

Growing suspicion among owners and trainers at Belmont targeted Gerard as engaging in some sort of illegal activity at the track. Several owners refused to let him treat their horses, and some owners even refused him entry into their barns. In addition, Gerard's receipt of insurance money for Cinzano's mysterious death brought the Federal Bureau of Investigations (FBI) into the case, arousing even more suspicion. Adding to suspicion was the large amount of money bet by one individual (later found to be Gerard) on Lebón, despite the horse's last-place finish in his previous race.

Lebón raced again on October 12 in New Jersey. Although officials could not identify the horse as Cinzano, they were certain the horse was not Lebón. New York Racing Association chairman Ogden Mills Phipps insisted on a firm handling of the issue and suspended Gerard and Morgan from racing. On October 31, another horse, which Gerard also had imported, was put under police guard because racing officials believed this horse might also be a "ringer" in a racetrack and insurance fraud. Officials began to suspect similar switches of horses at tracks in New Jersey and Florida.

New York Racing and Wagering Board chief William Berry added to the investigation with computerized screenings of all the owners, trainers, and jockeys who were licensed to participate in racing at the state's fifteen tracks. Because the horse in question had been sold by Gerard to a former assistant who owned and trained horses, it seemed possible that other individuals involved in racing might also have links to Gerard. He was now assumed to have owned several horses racing under other people's documented ownership.

The investigation concluded that the horse entered in the claiming race as Lebón was not Lebón but another horse with similar markings. Although it could not be proved absolutely that this horse was Cinzano and that Gerard had committed fraud, several other facts led to his arrest and conviction nonetheless: the unexplained, mysterious death that claimed the life of Cinzano at Gerard's farm; the fact that the horse that was being raced was capable of distancing a field of claimers; Gerard collecting insurance money for Cinzano's alleged death; and the racehorse's wager that led to extremely large winnings.

IMPACT

The horse-swapping scandal perpetrated by Gerard, which was the first such case in thirty years at Belmont Park, changed the methods used for identifying horses in the thoroughbred racing industry. Gerard's scheme using Lebón and Cinzano worked simply through switching the papers of the two horses before they left Uruguay. He easily replaced Cinzano's papers with those of Lebón and Lebón's

papers with those Cinzano. Having papers on a horse no longer suffices in the thoroughbred racing industry.

Horses in the United States are required to be tattooed once they arrive for a race. Traditionally, checking a horse's identity involved simply looking at its lip tattoo as it enters the saddling paddock. Tattoos have limitations, however: They are created when a horse arrives at a racetrack, tend to fade with age, and can be altered.

As a result of the Belmont Park horse-swapping scandal, the state of New York implemented a more thorough identification process, which begins two days before a race. Horses being registered for a race must now have foal papers, a registered blood type, and accompanying photographs. The various markings on a horse's head, legs, and body, including chestnuts (horny growths inside their legs, which are also called night eyes), must be documented as well. Like the human fingerprint, chestnuts are unique to each horse. A horse cannot race if its identity is unverifiable, untraceable, or otherwise questionable.

—Shawncey Webb

FURTHER READING

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1978

ACTOR JOAN CRAWFORD'S DAUGHTER PUBLISHES DAMNING MEMOIR, *MOmmie DEAREST*

One year after the death of star Joan Crawford, her adopted daughter, Christina Crawford, published Mommie Dearest, a controversial memoir that claimed the film star was cruel and abusive outside the limelight. The book was made into a much-criticized film of the same name in 1981 and is now a classic for its campiness, overacting, and sensationalism.

LOCALE: New York, New York

CATEGORIES: Families and children; publishing and journalism; film; popular culture; Hollywood

KEY FIGURES

Joan Crawford (1905-1977), American film star
Christina Crawford (b. 1939), American author and actor

SUMMARY OF EVENT

Joan Crawford first found fame on a significant scale in the 1928 film *Our Dancing Daughters*, which paved the way for her to become one of Metro-Goldwyn-Mayer's leading stars. She stayed with the studio for eighteen years and, during the Depression era, played a series of roles as a working-class woman, including an empowering role in *The Woman* (1939). After switching to Warner Bros. in 1943, Crawford filmed *Mildred Pierce*, which was released two years later and won for the ascending star an Oscar for Best Actress in a Leading Role. Her career's most pivotal role came in 1962, when she starred with Bette Davis in *What Ever Happened to Baby Jane?* Crawford's performance led to a wave of publicity.

Crawford was incredibly well liked by the public, who not only adored her work (the American Film Institute named her tenth among the greatest female stars of all time) but also found her personal life to be a subject of fascination. Her personal life

became public fodder with the publication of Christina Crawford's *Mommie Dearest* in 1978. Rather than recounting her mother's vibrant career, Crawford made several shocking allegations of child abuse and neglect by her famous mother. She suggests in the book that her mother adopted her and her four siblings as a public relations move rather than out of true love and concern. *Mommie Dearest* also details the film star's incredibly meticulous personal habits, such as her obsession with cleanliness and order within their luxurious household.

Even before *Mommie Dearest* was published, Joan began falling out of favor with her fans and co-workers. She was drunk when she appeared on *The Secret Storm* soap opera in 1968 (she had been filling in for her daughter, Christina, during the latter's illness). Two years later, Joan starred in the horror picture *Trog*, a critical and commercial failure that became her last film; she died in 1977 (from pancreatic cancer). While the film industry and faithful fans mourned her loss, her legacy was quickly tarnished with the tell-all exposé, published the year after she died.

While quirky personal details could be overlooked, the press and public at large could not ignore Christina's more severe allegations of abuse. Several headline-grabbing stories included the claim that Joan mentally, emotionally, and physically harmed Christina. Incidents included a simple shouting match between the child and her mother after competing in a swimming race, and also an incident in which Joan had Christina's hair cut off as punishment for putting on makeup.

Mommie Dearest includes episodes in which Joan furiously chops down the household's rose garden in a fit of rage, and several sagas that are referred to as night raids (Joan's late-evening outbursts against Christina). One particularly famous episode in the book is a recounting of Joan's discovery that Christina had a wire hanger in her closet.



Joan Crawford and her daughter, Christina, in 1944. (Hulton Archive/Getty Images)

Joan clears the entire clothing rack and eventually whips Christina with the wire hanger. Another episode is the now-notorious nighttime bathroom incident, in which Joan dumps soaps and detergents on the floor and insists Christina clean up the mess on command.

Though Christina focuses heavily on incidents from her childhood, she details additional episodes into her teens and young adulthood. After being caught with a boy at a Roman Catholic boarding school in a situation that was not intimate, an inconsolable Joan sends her home and later enrolls her in an even stricter Catholic institution. In another instance, a reporter visits the house to write a “day in the life” article on the Crawford family, but

the interview allegedly included Joan slapping Christina several times and choking her (Christina had apparently claimed that Joan was battling alcoholism). Several years of amicable contact passed between mother and daughter after these encounters, as Christina entered adulthood. However, Christina (and her brother, Christopher) would receive nothing from their mother upon her death, “for reasons that are well known to them.”

Joan’s estate was certainly substantial, so skeptics found *Mommie Dearest* to simply be a cash-conscious, knee-jerk reaction by Christina to being denied an inheritance. Those attempting to add credence to that claim suggested Christina could have published the book when her mother was alive but chose not to because Joan could have responded with her own side of the story. Joan’s two other children, Cindy and Cathy, went on record to say they never saw any of the episodes described by Christina in the book, while Joan’s first husband, Douglas Fairbanks, Jr., and several celebrity friends stepped forward with similar support for Joan. They also said that Christina often misbehaved and was

subsequently punished in proper, though far-from-cruel, contexts.

Christina sold the rights to her story to Paramount Pictures, which turned *Mommie Dearest* into a full-length film of the same name starring Faye Dunaway as Joan Crawford. However, the 1981 film cut out many of the book’s darker details, combined multiple incidents into a single scene, and sensationalized the entire affair. Christina was upset at the changes, and the public actually laughed at the melodramatic (and at times seemingly over-acted) violence. Critics rejected the script as a whole.

The film, originally intended to be a drama, soon became a comedic camp classic, particularly

among gays and in drag circles (in which stage actors regularly impersonate Joan's most glamorous film scenes and the intense moments of *Mommie Dearest*). Paramount rereleased the film on digital video disc (DVD) in 2006 as *Mommie Dearest: Hollywood Royalty Edition*, suggesting that even with the scandal attached to her name and legacy, Joan remains a Hollywood icon. Dedicated fans continue to support the star, leading to a reduction in the original shock value of *Mommie Dearest* and to overlooked claims of abuse in favor of the actor's larger-than-life personality.

IMPACT

Christina's book *Mommie Dearest* was a first-of-its-kind work. Previously, celebrity biographies rarely were negative, let alone revealing of a star's reputedly scandalous home life. Celebrity tell-all books are now commonplace, but during the late 1970's, when *Mommie Dearest* was published, the concept was unheard of and unexpected (especially given the subject's celebrity status).

Furthermore, the book made an impact as a platform for discussions of child abuse. Though Christina's claims (and their varying degrees of severity) remain subjects of contention for skeptics, her claims were among the first such revelations to go into vivid detail on a taboo topic: The topic of child abuse entered the mainstream. The Crawford family saga (as fact or fiction) continues to impact readers, moviegoers, and even victims of abuse, while simultaneously serving as Christina's platform for vindication.

—Andy Argyrakis

FURTHER READING

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Chandler makes this claim after Cathy relates a wholly different story of her mother.

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1978

ROOTS AUTHOR ALEX HALEY IS SUED FOR PLAGIARISM

*Alex Haley's quasi-autobiographical and semifictional book *Roots*, marketed as nonfiction by its publisher, earned him a Pulitzer Prize and raised his status as a writer and model of the value of genealogical research. In 1978, writer Harold Courlander sued Haley for plagiarizing parts of his 1967 novel *The African*. In later years, Haley faced other charges of falsification of his research. The importance of his landmark work survived, however, and its lasting significance has overshadowed the controversy.*

LOCALE: United States

CATEGORIES: Law and the courts; literature; plagiarism; public morals

KEY FIGURES

Alex Haley (1921-1992), American writer
Harold Courlander (1908-1996), American novelist and anthropologist

SUMMARY OF EVENT

The publication of Alex Haley's *Roots: The Saga of an American Family* in the U.S. bicentennial year of 1976 was a landmark event. The book's publisher, Doubleday, planned what was, for an African American author, an unprecedented initial print run of 200,000 copies, but that printing quickly sold out. In its first year, *Roots* would sell more than one million copies, leading to Haley's receipt of a special Pulitzer Prize. Twenty-five years later, the book had sold more than eight million copies in twenty-eight countries and had been translated into thirty-three languages.

Haley called *Roots* "faction," or a mix of fact and fiction, and later referred to the work as symbolic history, but Doubleday had marketed the book as straight nonfiction, which only worsened the controversy. In 1978, novelist and anthropologist Harold Courlander sued Haley for having plagiarized passages from his novel *The African* (1967). After a five-week trial, Haley and Courlander settled out of

court, with Haley publicly acknowledging his debt to Courlander (claiming research assistants had given him material from the novel without fully citing its source) and paying him \$650,000. The incredible success of *Roots*, first as a book and then, in January, 1977, a twelve-hour television miniseries, seems to have eased the scorn of the plagiarism scandal. Haley's fabrications seem forgotten in the light of the longevity and popularity of *Roots*.

Roots the miniseries had been a broadcasting sensation, breaking viewership records as it was watched closely by more than 130 million people over eight successive nights (January 23-30). The story clearly had touched a chord in the American consciousness, not only among African Americans but also among Americans of every ethnicity and race. The story dramatized the violence against one group of Americans by another, and it had viewers learning about an ethnic history not known by many. For the book, Haley claimed that he had traced seven generations of his family, from the coast of Gambia in West Africa—where his distant ancestor, Kunta Kinte, was captured by slave traders in 1767—to the plantation in Tennessee where he first worked and started the family that would lead, two centuries and five generations later, to Haley's re-creations of his family history. The last three chapters of the book recount this search for Haley's roots.

This case was only the first of a series of revelations about the questionable research methods used to write *Roots*. In 1988, novelist Margaret Walker sued Haley, claiming he had plagiarized material from her novel *Jubilee* (1966). That case was dismissed, but in 1984, noted historians Gary Mills and Elizabeth Shown Mills challenged Haley's research, showing that his genealogy was flawed in a number of ways. In 1993, writer Philip Nobile published in the weekly newspaper *Village Voice* an exhaustive investigation into the Haley papers (deposited after Haley's death in 1992 at the University of Tennessee). In the report, "Uncovering *Roots*,"

Nobile details how Haley fabricated much of his family's story.

The charges against Haley, however, had less effect than critics expected. The book had become a staple in college courses during the late 1970's, and although fewer courses after the controversy listed *Roots* as required reading, this dip was mostly likely due to the publication of other related works—books that were sparked in part by *Roots*. Before the arrival of *Roots*—the book and the television mini-series—most Americans knew African history only through such caricatures as the Tarzan films and knew of slave life through works such as Harriet Beecher Stowe's melodramatic novel *Uncle Tom's Cabin* (1852) or Margaret Mitchell's romantic novel *Gone with the Wind* (1936) and the 1939 film of the same name.

Following *Roots*, black history became an even greater focus of study in colleges and universities nationwide, leading to the further creation of a stream of ethnic history and literature that would flow from writers of all races and ethnicities into the twenty-first century. Related narratives included Toni Morrison's Pulitzer Prize-winning novel *Beloved* (1987), which tells the story of a fugitive Kentucky slave in 1851 who kills her baby rather than return it to a life of slavery; the National Book Award-winning novel *Middle Passage* (1990) by Charles Johnson, which is a fictionalized account of the journey that captured African slaves were forced to take from their homeland to the Americas; and the National Book Award-winning *Slaves in the Family* (1998) by Edward Ball, about his family's slaveholding past and his attempts to connect to those African Americans his family had owned as slaves.

Some scholars have dismissed Haley's work as something other than historical research; Henry Louis Gates, Jr., questions whether Haley actually found the Gambian village of Kunta Kinte. Other scholars have challenged the account of the griot, or oral historian, relating to Haley the story of his ancestors. Despite all the criticisms and charges, however, most scholars understand the imaginative power of Haley's work and its lasting symbolic effect. Like Haley's other best-known work, *The Autobiography of Malcolm X* (1965), which is based

on interviews with the black Muslim leader, *Roots* remains a key chapter in the American narrative. The book dramatizes the cruelties of slavery—the economic and sexual exploitation and the separation of families.

IMPACT

The effect of the charges against Haley was less severe than experts predicted. Most critics have come to realize that the scandal was caused, in part, by the publisher's marketing of *Roots* as a nonfiction work. Readers naturally expected that "nonfiction" meant "not fictionalized," as are works of history. In retrospect, it is clear that *Roots* is closer to being a novel, or an autobiographical novel, because so much of its narrative was reconstructed from oral cultures. Had Doubleday advertised *Roots* as a work of fiction, the controversy would have been negligible. Likewise, if *Roots* had been marketed more strictly as a memoir, it might have been granted greater latitude as well. In the end, *Roots*, and even Haley's reputation, has outlasted the 1978 scandal. The book is a work of imaginative power that filled a crucial gap in U.S. history when it was published. Whether a novel, "faction," memoir, historical fiction, or straight nonfiction, it tells a necessary story that continues to intrigue.

—David Peck

FURTHER READING

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Courlander, Harold. *The African*. New York: Crown Books, 1967. Courlander, who sued Haley for plagiarism, prefigures the story of Kunta Kinte in his novel about a twelve-year-old boy's capture and horrific sea voyage to the United States and his attempts to hold onto or recreate his African background in the New World.

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- (March, 1984): 35-49. The authors, who visited archives in Virginia, North Carolina, and Maryland, reveal evidence to challenge both the chronology and the character identification of *Roots*.
- Nobile, Philip. "Uncovering *Roots*." *Village Voice*, February 23, 1993. Nobile followed the court cases, studied the manuscripts of *Roots*, and interviewed a number of people connected with the book to conclude it was a fabrication.
- Osagie, Iyunolu. "Routed Passages: Narrative Memory and Identity in Alex Haley's *Roots*." *CLA Journal* 47 (June, 2004): 391-408. Examines the themes of the book, including collective memory and identity formation.
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- Taylor, Helen. "'The Griot from Tennessee': The Saga of Alex Haley's *Roots*." *Critical Quarterly* 37 (June, 1995): 46-62. Comprehensive schol-

arly coverage of the controversy, plus a balanced assessment of the lasting impact of *Roots*.

SEE ALSO: 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian; June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; Sept. 1, 1976: Former Beatle George Harrison Loses Plagiarism Lawsuit; Dec. 3, 1989: Martin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed; Mar. 12, 1997: Prize-Winning Aborigine Novelist Revealed as a Fraud; Apr., 1998: Scottish Historian Is Charged with Plagiarism; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

February 1, 1978

ROMAN POLANSKI FLEES THE UNITED STATES TO AVOID RAPE TRIAL

Roman Polanski, the director of the hit films Rosemary's Baby and The Pianist, among others, became a central figure in real-life Hollywood drama. First, his pregnant wife, actor Sharon Tate, was murdered by followers of cult figure Charles Manson. Several years later, Polanski was charged with raping a thirteen-year-old girl. After pleading guilty to unlawful sexual intercourse with a minor, he fled to France before he could be tried in court, fearing a long prison sentence.

LOCALES: Los Angeles, California; Paris, France

CATEGORIES: Drugs; families and children;

Hollywood; law and the courts; public morals; sex crimes

KEY FIGURES

Roman Polanski (b. 1933), French filmmaker
Samantha Gailey (b. 1964), American teen model
Sharon Tate (1943-1969), American film actor

SUMMARY OF EVENT

Roman Polanski, director of films such as *Rosemary's Baby* (1968), *Macbeth* (1971), *Chinatown* (1974), and *The Pianist* (2002), was notorious for his interest in young women and older girls. His first wife, Barbara Lass, was eighteen years old when they met, and his second wife, actor Sharon Tate, was still a teenager when she met Polanski. He was more than thirty years older than his third wife, Emmanuelle Seigner. None of this mattered to most



Roman Polanski is escorted by deputies with the Los Angeles County Sheriff's Department outside a Santa Monica courtroom in August, 1977. (AP/Wide World Photos)

people in the permissive cultures of Hollywood and filmmaking. What did matter was Polanski's flight from the United States to avoid trial and likely imprisonment for statutory rape on February 1, 1978.

Polanski was no stranger to Hollywood scandal. Almost a decade before being charged with statutory rape in 1977, Polanski's pregnant wife, Tate, was murdered, along with several others, on August 9, 1969, in a Hollywood Hills home by Manson-family cult members. Polanski was not in the United States at the time of the murders but returned immediately to mourn the loss of his wife and their unborn child.

Eight years later, in March, 1977, Polanski allegedly drugged and sexually assaulted a thirteen-year-old girl, Samantha Gailey (later Samantha Gelmer), whom he had met at a photo shoot for the French edition of *Vogue* magazine. Before this ini-

tial photo shoot, Gailey and her mother had agreed to a second modeling opportunity, an encounter that ended with charges against Polanski for rape. Polanski and Gailey had been alone at this second photo session, which took place at the home of actor Jack Nicholson (who was not home at the time), on March 10. Polanski allegedly provided alcohol and drugs to Gailey, and then reportedly raped her. (Police officers who were searching the home after Polanski was accused of the crime arrested Nicholson's then-girlfriend, actor Angelica Huston, for cocaine possession.)

Polanski was arrested on March 11 at the Beverly Wilshire Hotel and originally charged with six counts, including sodomy, lewd and lascivious acts involving a minor, drug use, and statutory rape. On March 25, he was indicted by a grand jury on six felonious counts but was released on two thousand dollars bail. On August 8, after a plea bargain with prosecutors, he entered a guilty plea to one count of committing an unlawful sexual act with a minor, a less serious charge than rape; the other charges were dropped. He appeared in court on September 19. The court ordered him to undergo ninety days of psychiatric testing and therapy in a federal penitentiary in Chino, California, but he was allowed to delay the start date until December 19 so that he could finish a film.

Lawyers for Polanski first believed that ninety days in the federal penitentiary would mark the end of his sentence. They thought that California Superior Court judge Laurence J. Rittenband would not sentence their client to prison time. However, despite the plea bargain during the initial court appearance and a reduction in charges, and fearing a sentence of up to fifty years, Polanski, a French citizen, fled to London on February 1, 1978, and then to Paris a day later. He remained a fugitive there after leaving the United States, insulated from the risk of extradition because France did not have an extradition agreement with the United States (the French would not extradite one of its own citizens). A re-

turn to the United States would lead to his arrest, further charges, and sentencing.

IMPACT

Polanski continued to make films in the years following his flight from the United States. However, very few of them were critically supported. He regained a good deal of renown, though, with his film *The Pianist*. Not surprisingly, the film emerged under a shroud of scandal and suspicion because of Polanski's continued notoriety. The film, based on the true story of Polish pianist Władysław Szpilman, is set during World War II and touches close to home for Polanski, who survived the Kraków ghettos during the Holocaust years. The film received overwhelming acclaim and received several Academy Award nominations, including Best Picture and Best Director, which he won. The film also received Oscars for Best Actor and best writing (adapted story). Polanski did not return to California to receive his Oscar; actor Harrison Ford accepted on his behalf.

In a July, 2002, article in *Vanity Fair*, writer A. E. Hotchner discussed Polanski's mood in the days following the sensational 1969 murder of Tate. Hotchner quotes writer Lewis Lapham as remarking that "the only time I ever saw people gasp" was when Polanski approached a Swedish model, attempted to seduce her, and told her "I will make another Sharon Tate out of you." Polanski denied the encounter and sued for libel. He argued that the accusatory account tarnished not only his character but also his memory of Tate. Because of his fugitive status in the United States, and because of Great Britain's cooperation with U.S. extradition law (the case originated in London), Polanski acquired permission to appear via satellite from Paris for the duration of the court proceedings. The British court ruled 3-2 in favor of Polanski.

—Meredith A. Holladay

FURTHER READING

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troubled life. Contains interviews that cover forty years of his career. Most of the interviews come from foreign film journals, but also included are American television interviews with Dick Cavett and Charlie Rose.

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SEE ALSO: Jan. 20, 1933: Hedy Lamarr Appears Nude in the Czech Film *Exstase*; Summer, 1936: Film Star Mary Astor's Diary Becomes a Public Sensation; Jan. 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized; May 27, 1949: Actor Rita Hayworth Marries Aly Khan After Adulterous Affair; Feb. 7, 1950: Swedish Film Star Ingrid Bergman Has a Child Out of Wedlock; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; Dec. 12, 1957: Rock Star Jerry Lee Lewis Marries Thirteen-Year-Old Cousin; 1978: Actor Joan Crawford's Daughter Publishes Damning Memoir, *Mommie Dearest*; Mar. 30, 1991: William Kennedy Smith Is Accused of Rape; Jan. 13, 1992: Woody Allen Has Affair with Lover Mia Farrow's Adopted Daughter; Feb. 26, 1997: Teacher Mary Kay Letourneau Is Arrested for Statutory Rape; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation.

June 27, 1978

EVANGELIST HERBERT W. ARMSTRONG EXCOMMUNICATES HIS OWN SON

Herbert W. Armstrong, founder of the Worldwide Church of God, excommunicated his son, Garner Ted Armstrong, a famous television evangelist and church leader as well, for personal misconduct. Ted, accused by his father several years earlier of being in the “bonds of Satan,” later founded his own church and faced a sexual assault charge in 1995.

LOCALE: Pasadena, California

CATEGORIES: Religion; communications and media; radio and television; families and children

KEY FIGURES

Garner Ted Armstrong (1930-2003), televangelist, Worldwide Church of God leader, and later founder of the Church of God International

Herbert W. Armstrong (1892-1986), founder of the Worldwide Church of God

Stanley Rader (1930-2002), attorney and minister, Worldwide Church of God

Bobby Fischer (1943-2008), chess champion

SUMMARY OF EVENT

In June, 1978, Herbert W. Armstrong publicly excommunicated his son, Garner Ted Armstrong, from the Worldwide Church of God (WCG), which Herbert had founded in 1933. Although long in coming, Ted's removal was a shocking development to the adherents of the church and millions who followed Ted through the media. The event made national news. At the time, Ted was heir apparent to his father. He also was vice president of the church, vice chancellor of the church's Ambassador College, and the telegenic face of the sect, watched by millions of people worldwide.

Herbert founded the WCG with unique doctrines that included the following: God consisted of a family of members to which his followers could aspire,

the use of triple tithing, the observance of the Old Testament Sabbath, feasts and regulations, the prohibition of medical assistance, a racially segregated Heaven, and the identification of the British with the ten lost tribes of Israel. The chief engine of the church's remarkable growth was Herbert's *Plain Truth* magazine and radio and television programs, in which he would describe current events as prophetically ushering in “the world tomorrow,” when God would establish His kingdom on Earth after a violent apocalypse.

The programs provided a natural platform for Herbert's youngest son, Ted. Born in 1930, Ted began his career as his father's office manager in 1952. In 1953, Ted married Shirley Hammer, with whom he would have three sons. In 1955, he was ordained to his father's ministry. Soon appearing on the *World Tomorrow* broadcasts, Ted's smooth manner and silver voice attracted a wide audience. Like his father, Ted employed the tools of modern advertising to promote his show. By 1957, Ted had taken over *World Tomorrow* and was the lead voice and face of the ministry, eventually appearing on about 400 radio stations and 165 television stations with an audience of about twenty million people. In 1962, Ted gained for the WCG its best-known enthusiast, chess champion Bobby Fischer, who joined the church after hearing Ted's radio broadcast.

Ted's popularity even led to appearances on the popular television comedy show *Hee-Haw*. His progress was not slowed, even after his yearly prophecies of imminent doom did not materialize. In 1968, Ted was made executive vice president of the church and vice chancellor of the church's flagship Ambassador College. However, allegations of gambling, drinking, and adultery soon surfaced. They were ignored by Herbert until Ted began a long-term affair with a flight attendant and threatened to leave his wife, despite the church's strict teachings against divorce. In 1971, Ted was relieved of his duties and placed on leave of absence.

In 1972, Herbert removed Ted's ministerial authority, claiming Ted was in the "bonds of Satan." On May 15, 1972, *Time* magazine published an exposé of Ted's scandalous behavior. Fischer was disturbed by the revelations and eventually spoke out against the WCG.

Missing broadcasts by Ted, the listening audience declined and church income plummeted. After six months, Herbert felt obliged to reinstate Ted, yet, seemingly incorrigible, Ted was again suspended by his father in 1974. Within months, Herbert once more reinstated Ted to his position as heir apparent, announcing that his son was his divinely appointed successor—Solomon to Herbert's King David. By 1978, however, Herbert felt compelled to act. Ted had been participating in a so-called systematic theology project designated to reexamine some of his father's doctrines in the light of mainstream theology and to gain secular accreditation for Ambassador College. There also were reports

that Ted was engaged in a power struggle with WCG attorney Stanley Rader for influence over his father.

Time magazine reported in a June 19, 1978, article that Herbert admonished Ted in an open letter to the faithful that stated

I derived my authority from the living Christ. You derived what you had from me, and then used it totally CONTRARY to THE WAY Christ has led me.

Finally, on June 27, Herbert excommunicated Ted for conspiring to seize control of the WCG and Ambassador College. The next day, Herbert wrote to his congregation, saying his letter to them was "the most difficult letter I have ever been compelled to write." He continued, "I would rather have cut off my right arm than having to do this." In this lengthy letter, he revealed a lifetime of difficulties with Ted, leading to his dramatic expulsion from the WCG.



Garner Ted Armstrong at Ambassador College in Pasadena, California, in 1972. (AP/Wide World Photos)

This excommunication represented an irrevocable breach between father and son with dramatic consequences. Without the facile Ted, the success of the *World Tomorrow* broadcast was imperiled, Herbert was left without a successor, and his public anointing of his miracle son had come to naught.

Ted moved to Tyler, Texas, and formed, with several other former church ministers, the Church of God International, affiliated with his Garner Ted Armstrong Evangelistic Association. Ted launched his own magazine, *Twentieth Century Watch*, and television broadcasts. He also accused his father of committing financial improprieties, one of the factors that prompted the California attorney general to launch an investigation of the church in early January, 1979, for misappropriation of funds. The attorney general also requested that the California courts place the WCG in receivership for one year.

Although Ted's media charm kept his denomination alive, his scandalous behavior did not die. In 1995, a masseuse, who had secretly videotaped Ted's offensive sexual advances, brought a sexual assault suit against Ted. Ted was soon removed from the Church of God International but launched a new church, the Intercontinental Church of God. Despite several overtures, Herbert and Ted never reconciled, and Herbert died in 1986 at the age of ninety-three. On September 15, 2003, at the age of seventy-three, Ted died of pneumonia.

IMPACT

Herbert's excommunication of his son, Ted, was the most traumatic event in the history of the WCG. In its first forty years, the denomination had experienced explosive growth. Although its membership would reach 150,000, its worldwide reach through its magazine, *The Plain Truth*, and its radio and television program, *The World Tomorrow*, reached tens of millions of people. Ted was the star evangelist of this religious empire, Herbert's second-in-command, and his heir apparent. That Ted's transgressions finally compelled his father to excommunicate and disown him damaged the credibility of the church. Only four years earlier, Herbert had claimed that God appointed Ted his successor.

Moreover, Ted's excommunication deprived the

church of its most charismatic presence. He began his own splinter denomination, which, in turn, split into the Biblical Church of God (1979), Philadelphia Church of God (1989), Global Church of God (1992), and United Church of God (1995). By 1993, membership in the WCG had begun to drop sharply, and many of Herbert's doctrines were rejected. Within a couple of years, *The World Tomorrow* program was canceled and Ambassador College closed. In 1997, WCG became a member of the mainstream National Association of Evangelicals, a final rejection of Herbert's teachings.

Herbert and Ted Armstrong were significant figures in the development of Christian evangelism on radio and television. They pioneered religious broadcasting's use of certain advertising techniques—saturation programming, free giveaways, appearances with world figures, and Madison Avenue hyperbole—now staples in televangelism. Ted brought the glib manner of a television anchor to his broadcast delivery. Most of all, he perfected the sales pitch during the show, which accounted for much of the church's revenue.

Ted also was farsighted in urging more tolerance of other denominations, a more scholarly Ambassador College, and the easing of some of the denomination's most onerous restrictions. However, his good deeds were overshadowed by accusations that he used his religious message and appeal to accumulate personal riches and have extramarital affairs. Ted would tell his liaisons that his indiscretions mattered little in the light of the important prophetic messages he was bringing to the world. The troubles he brought to the Worldwide Church of God, and televangelism in general, would seem to say otherwise.

—Howard Bromberg

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Armstrong, Garner Ted. *The Real Jesus*. New ed. Tyler, Tex.: Emerald, 1984. In this book, often insightful but at times banal and bizarre, Ted Armstrong revises traditional teachings about Jesus, rejecting, for example, the holidays of Christmas and Easter and claiming that Jesus was the senior partner in a construction business.

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Tkach, Joseph. *Transformed by Truth*. Sisters, Oreg.: Multnomah, 1997. An account by Herbert Armstrong's eventual successor about the movement of WCG into the evangelical mainstream. Includes information on Ted's failed predic-

tions, his 1972 removal for "moral and doctrinal" failures, and his 1978 excommunication for "liberalism" and "modernizing" tendencies.

SEE ALSO: May-June, 1926: Evangelist Aimee Semple McPherson Claims She Was Kidnapped; Oct. 25, 1974: Evangelist Billy James Hargis Resigns College Presidency During Gay-Sex Scandal; Sept. 10, 1981: *Chicago Sun-Times* Reports That Cardinal Cody Diverted Church Funds; Oct. 23, 1985: Guru Bhagwan Shree Rajneesh Is Indicted for Immigration Fraud; Apr. 22, 1986: Faith Healer Peter Popoff Is Exposed as a Fraud; Mar. 19, 1987: Jim Bakker Resigns as Head of PTL Television Network; Feb. 21, 1988: Evangelist Jimmy Swaggart Tearfully Confesses His Adultery; Nov. 2, 2006: Evangelist Kent Hovind Is Convicted of Federal Tax Violations; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard.

July 23, 1978

UTAH MILLIONAIRE IS MURDERED BY HIS GRANDSON

Franklin James Bradshaw became a millionaire by building a chain of auto-parts stores and acquiring federal and state oil and gas leases over several decades. Frances Schreuder, his daughter, was a New York socialite who spent her days recklessly spending or installing herself in boardrooms. When her father tired of her lavish lifestyle and threatened to cut her out of his will, Schreuder coerced her own son to murder the Utah magnate.

LOCALE: Salt Lake City, Utah

CATEGORIES: Murder and suicide; families and children; business

KEY FIGURES

Franklin James Bradshaw (1902-1978), Salt Lake City businessman

Berenice Jewett Bradshaw (1902-1996), Franklin Bradshaw's wife

Frances Schreuder (1939-2004), New York socialite and a daughter of the Bradshaws

Marc Schreuder (b. 1961), son of Frances Schreuder and grandson of the Bradshaws

SUMMARY OF EVENT

During the mid-1970's, Frances Schreuder was living the high life in an apartment in the upper East Side of Manhattan in New York and was determined to climb the social ladder. She was aggressively working to make herself an important fixture in such high-profile groups as the New York City Ballet's board by courting administrator Lincoln Kirstein and principal choreographer George Balanchine. To keep up the appearance of having an elite social position and lifestyle, Schreuder also

was spending recklessly—reportedly paying out as much as \$40,000 at one time for one item, a pair of earrings from Tiffany's.

Evidence points to Schreuder having a greedy side even as a teenager. For example, she was a student at the prestigious Bryn Mawr College but was suspended in 1958 for check theft and forgery. Reports also suggest Schreuder, a mother of three, was less maternal than monstrous: She was described as manipulative and domineering, and she abused her children, Larry and Marc (children by her first marriage to Vittorio Gentile) and Lavinia (daughter of her second marriage with Frederik Schreuder). She would, it turned out, combine her greed and her abusive ways to concoct one of the most sensational murders of the decade.

Schreuder was living to extremes her father, Franklin James Bradshaw, would never indulge in himself. A self-made millionaire who made his fortune with a chain of auto-parts stores and by acquiring federal and state oil and gas leases, Bradshaw nevertheless lived frugally and carefully, even eccentrically, some would say. Despite being worth approximately \$10 million, his primary transportation vehicle was a rusty old pickup truck, he wore clothes from thrift stores, and his briefcase was an emptied beer box. In contrast, his daughter's wasteful lifestyle appalled him, and he threatened that if she did not curb the lavish spending, he would cut her from his will.

Incensed and fearful that her father would keep his word, Schreuder began plotting. In the summer of 1977, her sons, Larry and Marc, were working at their grandfather's Utah auto-parts warehouse. Schreuder directed the boys to steal money from the business. Marc later testified that she gave her sons poison and instructed them to put it in her father's oatmeal. Marc claimed he refused to poison his grandfather, but with Larry, he did follow through with the theft: The two teens stole about \$200,000 in checks, stock certificates, and cash and handed over a sizable portion of the stash to their mother.

Still not satisfied, Schreuder paid a hit man, Myles Manning, \$5,000 to murder her father. Manning took the money but never followed through

with the hit. Schreuder became more adamant that Marc do the job. When he resisted, she threatened to kick him out of the house if he did not comply with her wishes. Marc later testified that his mother cajoled with the words "Look Marc, it is not really killing. It is the right thing to do for us." Marc gave in: On July 23, 1978, he entered his seventy-six-year-old grandfather's Salt Lake City auto-parts warehouse and, at point-blank range with a .357 Magnum handgun, shot and killed Bradshaw.

Uninvolved family members believed a robber killed Bradshaw, but Schreuder's sister, Marilyn Bradshaw Reagan, was reportedly less than convinced. Reagan offered a \$10,000 reward for information regarding the murder of her father. Despite Marc's petitions for his mother to get rid of the evidence by destroying or dumping the murder weapon, Schreuder had turned the .357 over to a friend to whom she allegedly owed \$3,000, offering the firearm as repayment. The less-than-thrilled friend went to Reagan for the reward money instead. When Reagan delivered the weapon to authorities, fingerprints traced back to Marc and Frances Schreuder.

Arrested in 1981, Marc Schreuder went on trial in 1982—represented by Paul Van Dam, the lawyer who later became Utah's attorney general. Implicated as the mastermind, Frances Schreuder went on trial in 1983. Berenice Jewett Bradshaw, Schreuder's mother, reportedly spent up to \$2 million to provide legal support for her daughter and grandson. According to Van Dam and others, including biographer Jonathan Coleman, Marc was a tense and guarded young man who was reticent to testify against his controlling mother. Marc, Van Dam said, was "the most psychologically abused kid" he had ever seen. Marc did not decide to testify until the evening before the trial began.

Marc's agreeing to testify was no doubt linked to the work of sympathetic detectives and prosecution, and to Marc's realization that his mother was more than willing to see him take the full blame while she took the majority of her mother's financing of their defense. According to Coleman, Marc knew that he needed to distance himself from his mother's hold, and it is more likely that he decided

to testify because he wanted to protect his younger sister, Lavinia, from their mother.

Frances Schreuder consistently denied culpability, but despite her claims to having no involvement in the murder of her father, and despite her fight against extradition to Salt Lake City from New York, she was brought to trial in Salt Lake City, convicted of first-degree murder, and sentenced to life in prison. At Utah State Prison, until her parole in 1996, Schreuder behaved as a model inmate, earning two psychology degrees from Utah State University by way of the inmate-education program sponsored by her own mother.

Marc Schreuder, who at his mother's trial testified he had begged and pleaded with his mother not to force him to kill his grandfather but who acquiesced when she threatened to disown him, was convicted of second-degree murder and sentenced to five to ten years in prison. He actually served thirteen years, earning a degree in construction from Salt Lake Community College while incarcerated at Utah State Prison. He was paroled in 1995 and moved to Provo, Utah, where he began work for a nutritional and personal-care products company.

In 1996, at the age of ninety-four, Berenice Bradshaw died, leaving her daughter \$1 million in a trust fund to be dispersed annually. Marc and Frances attended Berenice's funeral, but they did not speak to one another. On April 7, 2004, the sixty-five-year-old Frances Schreuder died of chronic obstructive pulmonary disease at a San Diego, California, hospice house. Lavinia, living in San Diego, and Larry, living in Los Angeles, attended their mother's funeral. Marc Schreuder, who had reconciled with his mother the year before, attended as well. Interviewed that morning, he merely told reporters his mother should be left to rest in peace.

IMPACT

The crime and trial caused a national sensation. The picture of Frances Schreuder's arrest depicted her not as a socialite dripping with the thousands of dollars worth of jewels she was said to indulge in but as a dark and disturbed person—eyes glowering at the

camera with a sinister stare. The media offered extended coverage, two journalists published best-selling books, and television hosted two miniseries and a Court TV (now truTV) documentary on the scandal.

The scandal impacted Frances Schreuder's sons as well—particularly Marc, who, after suffering the mental abuse and manipulation by his mother for years, was sentenced to prison for the crime she convinced him to commit. Marc had, he told reporters, done everything he could to please his Svengali-like mother.

—Roxanne McDonald

FURTHER READING

Alexander, Shana. *Nutcracker: Money, Madness, Murder—A Family Album*. New York: Doubleday, 1985. A veteran journalist offers a narrative of the scandalous murder of Bradshaw with telling detail.

Coleman, Jonathan. *At Mother's Request: A True Story of Money, Murder, and Betrayal*. New York: Atheneum, 1985. Former editor Coleman brings a massive amount of research to this true-crime retelling of the Bradshaw-Schreuder murder scandal.

Davis, Carol Ann. *Couples Who Kill*. London: Allison & Busby, 2007. Among the eighteen entries providing a thorough examination of partners in crime is "Mother Knows Best," the study of Frances and Marc Schreuder and the psychodynamics of their collaborative murder.

SEE ALSO: July 27, 1917: Millionaire Socialite Dies Under Suspicious Circumstances; Sept. 5, 1967: Socialite Nancy Wakeman Shoots Her Politician-Husband; Apr. 15, 1974: Kidnapped Heir Patty Hearst Helps Rob a Bank; Mar. 21, 1976: Actor Claudine Longet Kills Ski Champion Vladimir Sabich; Mar. 10, 1980: Scarsdale Diet Doctor Is Killed by His Lover; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; Aug. 16, 1996: Belgian Media Reveal How Police Bungled Serial Murder Case.

August 4, 1978**BRITISH POLITICIAN JEREMY THORPE IS CHARGED WITH ATTEMPTED MURDER**

British Liberal Party leader Jeremy Thorpe was accused of hiring an assassin to kill Norman Scott, Thorpe's alleged former lover. Scott later said that Thorpe threatened to kill him if he revealed the affair. After his release from prison, the gunman said he had been hired to kill Scott. Thorpe and three codefendants were acquitted, but the incident ended Thorpe's political career.

ALSO KNOWN AS: Rinkagate**LOCALS:** Exmoor National Park and London, England**CATEGORIES:** Murder and suicide; government; politics; law and the courts**KEY FIGURES**

Jeremy Thorpe (b. 1929), British member of Parliament, 1959-1979, and leader of the Liberal Party, 1967-1976

Norman Scott (fl. 1970's), former British model

Andrew Newton (fl. 1970's), former British airline pilot

David Holmes (fl. 1970's), British deputy treasurer of the Liberal Party

George Deakin (fl. 1970's), British nightclub owner

John Le Mesurier (fl. 1970's), British businessman

SUMMARY OF EVENT

Flashy and opinionated, Jeremy Thorpe was elected to Parliament from Britain's North Devon District in 1959. He became Liberal Party leader in 1967 and remained popular enough to retain his seat when the Conservative Party drove the Liberals from the majority in 1970. However, in 1971, the start of a scandal would affect the rest of Thorpe's political career.

In 1971, former model Norman Scott alleged that he and Thorpe had been lovers between 1961 and

1963. His claim was a shock to the public. Male homosexuality had been decriminalized in England only in 1967. Though the Liberal Party's subsequent investigation cleared Thorpe, Scott maintained the truth of his allegations.

The situation remained at a standstill until 1975, the year Scott began to feel unsafe. He would later claim Thorpe had threatened to kill him for revealing the affair. In one incident, Scott had been walking a friend's dog, a Great Dane named Rinka, in Exmoor National Park (in the south of England) in October. During the walk he encountered former pilot Andrew Newton. Newton shot the dog dead but his gun misfired when he turned it on Scott.

At Newton's trial in 1976, Scott again claimed to have been Thorpe's lover during the 1960's, adding that Thorpe had threatened to kill him if he brought the relationship to light. Scott also sold the press personal letters, allegedly written by Thorpe to Scott, calling Scott by a pet name and discussing a planned trip. This time, Thorpe's political position was threatened, and he resigned his Liberal Party leadership in May of that year. Newton was convicted of the attempted murder and spent one year in prison. Thorpe's name was never mentioned in conjunction with Newton at this time.

However, when Newton was released from prison in 1977, he stirred the scandal back to life, insisting that he had, in fact, been hired to kill Scott. After Thorpe's name was associated with the case, the scandal became known as Rinkagate. Thorpe, who always maintained that his friendship with the former model had been platonic, repeatedly denied the accusations. By this time, Thorpe was married to his second wife, Marion. His first wife had died in a car accident in 1970, before the initial allegations were made. Thorpe firmly insisted on his innocence, refusing to resign his seat in Parliament.

Over a year later, on August 4, 1978, Thorpe and three codefendants, David Holmes, George Deakin,



Jeremy Thorpe outside a courtroom in London in June, 1979. (Hulton Archive/Getty Images)

and John Le Mesurier, were formally charged with plotting to murder Scott and dispose of his body. Only Thorpe was accused of hiring Newton to commit the murder. The prosecution listed as a motive the continuing damage Scott's allegations had been having on Thorpe's political career. Thorpe allegedly told fellow liberal Peter Bessell at a meeting of Parliament that Scott had to disappear. Thorpe also allegedly tried to get Liberal Party treasurer Holmes to murder Scott, but when that idea had fallen through, he had begun to plot against his alleged former lover with nightclub owner Deakin and carpet-company tycoon Le Mesurier. Finally, Thorpe was accused of having hired Newton to commit the crime and of paying Newton's £5,000 assassination fee from Liberal Party funds.

It was nearly a year before the case came before a British jury. At that time, the trial drew enormous public attention, focusing as it did on a government official's alleged sexual peccadilloes and outrageous behavior. Indeed, the case destroyed Thorpe politically. In the election, which preceded the trial by only a week, he lost his seat to a Conservative opponent, as voters had little patience with homosexual love affairs, scandals, and murder plots; furthermore, Thorpe's guilt generally was assumed. In an interesting addendum, the British Broadcasting Corporation (BBC) turned up surprising hints that Scott may not have been the only source of accusations against Thorpe.

During the 1979 trial, which lasted just over a month, Thorpe admitted he had discussed the possi-

bility of trying to scare Scott into silence, but he categorically denied the murder-for-hire charges. In fact, he and his codefendants were completely cleared by the jury on June 29.

Over the course of Thorpe's political career, England's prime ministry changed hands several times. Twice, Labour Party candidate Harold Wilson held the seat (1964-1970, 1974-1976). Wilson was something of a character himself, insisting that the Security Service, or MI5 (Britain's equivalent of the U.S. Central Intelligence Agency), plotted to drive him from office during the late 1970's. In 2002, the BBC reported that Wilson had supposedly had a minor clerk, Jack Straw, examine evidence in Scott's social security file to determine the truth of Scott's allegations against Thorpe. Straw, who became much more prominent in British politics, acknowledged reading the file on order of his superiors, but he did not believe he violated anyone's privacy. However, parts of Scott's file disappeared, bringing suspicion that it had been examined to incriminate Thorpe. If so, the motive would have been a purely political effort by Wilson to prevent an anti-Labour Party alliance between Thorpe's Liberals and the Conservative Tory Party. The media made much of the mystery when it came to light in 2002, but no political action was taken.

IMPACT

The impact of Thorpe's trial needs to be considered in the proper context. The gay and lesbian rights movement was fully under way in Britain by the time the scandal broke, but gay and lesbian public figures were unheard of. Thus, news of Thorpe's alleged homosexual trysts came as an enormous shock to the public. His actions were considered to be criminal behavior, even though they came to light several years after male homosexuality was decriminalized in the United Kingdom. Furthermore, the public refused to believe that a political figure such as Thorpe could be involved in something as sordid as a murder-for-hire scheme.

Thus, the popular press covered the event exhaustively, and most people considered Thorpe guilty, even though the jury exonerated him. The event remains part of contemporary popular history

Jeremy Thorpe Charged with Attempted Murder

in Britain; indeed, the BBC's investigation into the case in 2002 proves its staying power. The scandal was enough to end Thorpe's political career, even as it left several questions unanswered, including, Why did Newton confront Scott if not to murder him?

—Jessie Bishop Powell

FURTHER READING

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Purton, Peter. *Sodom, Gomorrah, and the New Jerusalem: Labour and Lesbian and Gay Rights, from Edward Carpenter to Today*. London: Labour Campaign for Lesbian and Gay Rights, 2006. Discusses the historical relationship between gay and lesbian rights and politics in Britain, placing the Thorpe scandal in context.

Thorpe, Jeremy. *In My Own Time: Reminiscences of a Liberal Leader*. London: Politico's, 1999. Thorpe provides perspective on his trial and acquittal but focuses more in this work on his years in office.

Waugh, Auberon. *The Last Word: An Eyewitness Account of the Trial of Jeremy Thorpe*. Boston: Little, Brown, 1980. Journalist Waugh delivers his own judgments on the Thorpe trial, contesting the judge's claim to the last word. Discussions of the British justice system are interspersed with trial reporting.

SEE ALSO: Dec. 8, 1906: Former U.S. Senator Arthur Brown Is Murdered by Lover; Sept. 4, 1932: Film Star Jean Harlow's Husband Is an Apparent Suicide; July 10, 1934: Sex Scandal Forces Resignation of Alberta Premier Brownlee; Oct. 7, 1964: President Lyndon B. Johnson's Aide Is Arrested in Gay-Sex Sting; Oct. 25, 1974: Evangelist Billy James Hargis Resigns College Presidency During Gay-Sex Scandal; Sept. 3, 1980: Congressman Bauman Is Arrested for Liaison with Teenage Boy; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His

Secretary Becomes Pregnant; Jan. 22, 1987: Pennsylvania Politician Kills Himself at Televised Press Conference; Aug. 19, 2004: Blog “Outs” Antigay Congressman Edward Schrock;

Jan. 21, 2006: British Politician Resigns After Gay-Sex Orgy; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard.

October 20, 1978

FIRESTONE RECALLS MILLIONS OF DEFECTIVE CAR TIRES

Consumer groups and the federal government received hundreds of complaints about Firestone 500 radial tires being defective. The tires also were directly linked to more than forty deaths and countless vehicle accidents. In the fall of 1978, under pressure from the National Highway Traffic Safety Administration and companies that bought the tire for resale, Firestone recalled the line, leading to one of the largest and most expensive consumer product recalls in American business history.

LOCALE: Washington, D.C.

CATEGORIES: Business; ethics; government

KEY FIGURES

Thomas A. Robertson (fl. 1970's), director of development for Firestone

Mario A. DiFederico (1921-2007), president of Firestone

SUMMARY OF EVENT

The 500 line of radial tires manufactured by Firestone had an increased probability of tread separation from a wheel's steel frame. Documents indicate that Firestone management, including the president of Firestone, Mario A. DiFederico, was aware of the tire's defect. Apparently, Firestone could not adequately test the problem in its manufacturing plants because the tread separation occurred as the tires aged.

Firestone opted to not disclose the defect to consumers, an estimated forty-one of whom died and hundreds of whom were in traffic accidents caused

by blowouts. After being less than cooperative with the U.S. National Highway Traffic Safety Administration (NHTSA), Firestone nevertheless decided to recall the tires in 1978, marking one of the largest and most expensive product recalls in the history of American business.

To compete with the radial tire that had been manufactured in Europe for several decades, the tire companies Goodrich and Michelin introduced radial tires to the United States during the late 1960's. Although more expensive and requiring greater technical skill to produce, radial tires were widely regarded to be superior to previous types of tires in the areas of fuel efficiency and longevity.

The Firestone Tire and Rubber Company, founded in 1900, trailed only Goodyear in its control of the domestic tire market at the beginning of the 1970's. Firestone began manufacturing its first radial tires, the 500 steel-belt line, in January, 1972. To deliver the product to the market as quickly as possible so that it could capitalize on the high demand for radial tires, Firestone converted machinery that was originally used to produce other types of tires, such as the biased-ply model. The biased-ply model was the most widely used tire in the United States prior to the introduction of the radial tire.

Firestone's radial tires initially received positive reviews by consumer magazines. The 500 steel belt became one of the most popular tires on the market. Over the course of the 500 line, Firestone produced and sold approximately twenty-four million tires at an estimated cost of about fifty dollars per tire. However, as Firestone soon realized, the tire had a defect. Firestone employees alerted upper manage-

ment that the tire had a problem involving tread separation. The 500 radial tire was prone to tread separation because moisture seeped into the tire and caused corrosion of the steel frame of the tire. Consequently, the tire was susceptible to blowouts, particularly at high speeds.

As early as 1973, just months after Firestone began selling the tires, dissatisfied customers were returning the product to dealers. Firestone's own director of development, Thomas A. Robertson, wrote in a September, 1973, internal company memorandum to top management expressing concern about the 500 radial. In the memo he wrote, "We are making an inferior quality radial tire which will subject us to belt-edge separation at high mileage." Firestone received negative feedback from other sources. Major tire buyers, such as General Motors, Ford, Atlas Tire, Montgomery Ward, and Shell, threatened to terminate their contracts with Firestone. In 1973, Atlas wrote to Firestone: "In the eyes of Atlas, it appears Firestone is coming apart at the seams and drastic action is required." The safety issue was not disclosed to company stockholders or the public; instead, Firestone tried to correct the problem while still manufacturing the tire with its known defect.

In 1976, the Center for Auto Safety, a lobbying group for consumers founded in 1970, informed the NHTSA of the disproportionate amount of complaints filed about the Firestone 500 radial tire: more than fourteen thousand. The following year, the NHTSA surveyed about ninety thousand tire owners regarding their satisfaction with different types and brands of tires, including the Firestone 500. Survey results revealed consistent dissatisfaction with the Firestone 500, more so than any other tire. Furthermore, the NHTSA presented data that indicated that the 500 radial tire was more than twice as likely to be returned to dealers than other tires.

In May, 1978, bolstered by the research findings, the NHTSA issued a recommendation to Firestone that the company recall all steel-belted radial tire models in the line. Millions of tires would be subject to recall, at an estimated cost of \$275 million. The annual net income of the company in 1977 was \$110 million; clearly, the recall would be a serious financial burden to Firestone.

Firestone opted to not abide by the recommendations made by the NHTSA. Instead, the company asserted that it had conducted its own testing and then denied any problem with the 500 radial tire. Firestone blamed problems with the tires on consumer misuse, such as speeding, overinflation or underinflation of tires, improper maintenance, and rough use.

Firestone management also appeared before a U.S. House of Representatives subcommittee and initiated a lawsuit against the NHTSA. At the same time, Firestone was listed as the defendant in a substantial number of civil lawsuits stemming from the injuries, fatalities, and damages caused by the faulty performance of the tire. In one case, the company settled for \$1.4 million.



U.S. transportation secretary Brock Adams, left, and National Highway Traffic Safety Administration head Joan Claybrook announce the Firestone tire recall. (AP/Wide World Photos)

On October 20, 1978, after Firestone was left with no other options, it voluntarily recalled 500-model tires produced in 1975 and 1976. The recalled tires were replaced with a newer model, the 721 line of radials, which received favorable safety reviews. Firestone also offered a discount to customers who were trading in tires that had been manufactured prior to 1975. The recall led to the replacement of an estimated ten million tires. The cost to Firestone, estimated at \$150 million, nearly bankrupted the company.

IMPACT

Firestone was fined \$500,000, one of the biggest fines levied against an American company up to that time, for its failure to disclose the safety issue to the public. While other tire makers experienced problems with the manufacturing of radial tires, these problems were not as large or as costly as those of Firestone.

Also in 1978, Firestone ceased production of the 500 steel-belt line; however, this was not the end of radial tires. Instead, radial tires are now the most commonly used tires in the industry. In 1979, Firestone president DiFederico resigned and was replaced by John Nevin, former chief executive officer of Zenith. Forced to make difficult decisions to save the floundering company, Nevin closed plants and laid off workers, eventually cutting the number of Firestone employees to half its total workforce. Firestone headquarters were relocated from Akron, Ohio, to Chicago, Illinois. In 1988, Nevin negotiated a buyout of Firestone by Bridgestone, a Japanese-owned company.

In 2000, after another NHTSA investigation and testimony before the U.S. Congress, a voluntary recall of approximately six million Firestone/Bridgestone tires was implemented. Several similarities exist between the 1978 and 2000 recalls. Tread separation was the defect and impetus behind both. As during the 1970's, Firestone/Bridgestone reportedly had been aware of the defect in 2000 as well. As was the case during the 1970's, Firestone initially denied any tire defect and reiterated that tire failure was caused by consumer misuse. However, whereas the 1978 recall largely centered on

passenger vehicles, the foci of the 2000 recall were the sport utility vehicle, especially the Ford Explorer, and lightweight trucks. Defective tires led to rollovers, especially, and caused between sixty-two and two hundred or more deaths. The cost of the 2000 recall was estimated to be \$350 million.

—Margaret E. Leigey

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January 26, 1979

FORMER VICE PRESIDENT NELSON ROCKEFELLER DIES MYSTERIOUSLY

Nelson A. Rockefeller, former U.S. vice president and four-term New York State governor, was found dead in his townhouse suite of an apparent heart attack. Present with Rockefeller when emergency medical personnel arrived was Rockefeller's twenty-six-year-old assistant, Megan Marshak, furthering speculation of a romantic affair between the two. The reason for Rockefeller's death remains a mystery.

LOCALE: New York, New York

CATEGORIES: Sex; politics; publishing and journalism

KEY FIGURES

Nelson A. Rockefeller (1908-1979), vice president of the United States, 1974-1977, and governor of New York, 1959-1973

Megan Marshak (b. 1952), Rockefeller's aide and alleged lover

Ponchitta Pierce (b. 1942), television journalist and Marshak's friend

SUMMARY OF EVENT

By the mid-twentieth century, Nelson A. Rockefeller was one of the towering figures in U.S. politics and public life. Born in 1908, he was the grandson of John D. Rockefeller, founder of the vast Standard Oil fortune, and Nelson Aldrich, an influential Republican senator from Rhode Island. These twin heritages of wealth and politics, along with patronage of the arts, were lifelong keynotes of Rockefeller's life. His foremost interest was politics.

When Vice President Gerald R. Ford became the thirty-eighth president of the United States in the wake of Richard Nixon's resignation in 1974, he nominated Rockefeller to be vice president. Ford was focused on healing the country after the Watergate scandal. As a centrist, Rockefeller seemed an obvious choice, but he first had to be confirmed by

both the House of Representatives and the Senate. The process took an unexpectedly long four months, with hearings that probed Rockefeller's financial holdings. He was sworn in on December 19, 1974.

Rockefeller had served, in some capacity, every U.S. president from Franklin D. Roosevelt to Gerald R. Ford, except one, and had been an accomplished four-term governor of New York. More than most politicians, however, his ultimate ambitions were focused on the presidency. In addition to his wealth and having a panel of knowledgeable advisers, he was energetic and charismatic and had many contacts on the international scene. From all

1970's



Nelson A. Rockefeller in 1964. (AP/Wide World Photos)



Megan Marshak, alleged lover of former vice president Nelson A. Rockefeller. (AP/Wide World Photos)

accounts, he felt he was a “natural” for the office, yet in his three serious tries for the presidency—in 1960, 1964, and 1968—he was unable to win his party’s nomination.

After becoming vice president, Rockefeller found the office’s round of ceremonial duties boring. His protégé, Henry Kissinger, was largely steering foreign policy, and Rockefeller expected to have a similarly large voice in shaping domestic policy. President Ford had his own ideas to the contrary, and so did his chief of staff, an ambitious forty-two-year-old, Donald Rumsfeld. During Rockefeller’s last year as vice president, he added a young journalist, Megan Marshak, to his staff. Marshak was in her early twenties; Rockefeller was sixty-eight years old. After she was on staff, Marshak was promoted rapidly and was often at Rockefeller’s side.

When Rockefeller left office at the end of Ford’s

term in January, 1977, Marshak was one of the few staff members who continued to work for him in private life. Upon leaving politics, Rockefeller announced that his political ambitions were over. He planned to devote his energies to two projects related to his vast collection of original art: marketing good reproductions of his collection and writing a book about the holdings. Marshak worked closely with him on these projects and seemed genuinely interested in the art collection. In public she had a respectful demeanor, but it was inevitable that rumors would arise about a romantic or sexual relationship between her and Rockefeller.

Rockefeller had a private town house apartment on Fifty-fourth Street in Manhattan. It was connected to a suite of offices next door. On the evening of Friday, January 26, 1979, emergency medical technicians were summoned to the town house. Present when they arrived were Rockefeller, unconscious and probably dead from a heart attack, and Marshak. Rockefeller was rushed to Lenox Hill Hospital. His wife, Happy, and his brother, Laurence, were called in. Also called were his physician, Ernest Esakof, and a Rockefeller family spokesperson, Hugh Morrow. Esakof announced Rockefeller’s death at 12:20 A.M. Marshak accompanied Rockefeller in the ambulance and held his oxygen bottle. She, too, was at the hospital but soon got out of the family’s way.

Soon, the press arrived. Morrow issued several different versions of what had happened. First, he had announced that Rockefeller died at his desk, alone except for a bodyguard. This story was soon dismissed after the press found out that Marshak was with Rockefeller when he died. Reports leaked out that she had been wearing a black caftan and Rockefeller had been wearing a suit and tie. The time factors, too, failed to add up. The time of the heart attack was placed at 10:15 P.M., but the emergency call was not made until one hour later. It was later discovered that Marshak did not make the 911 call. By her own account, the call was made by Marshak’s friend and neighbor, journalist Ponchitta Pierce, whom Marshak called to help when Rockefeller collapsed. Pierce made the phone call then left the apartment.

The Rockefeller family abhorred scandal and, after the flurry of conflicting reports by Morrow, said nothing further about the circumstances of Rockefeller's death. No autopsy was performed; thus, it remains unclear what caused his death. It remains unknown as well whether he died while having sex with Marshak, although this scenario, to many, seems likely. Marshak has never spoken publicly about the death of her boss.

The scanty facts available only added to the salacious speculation surrounding Rockefeller's death. Besides the common assumption that he and Marshak were having an affair, others claim that Marshak's presence was a cover for a liaison Rockefeller was conducting with someone else, possibly Pierce.

IMPACT

Rockefeller's death came at the cusp of a sea change in the press's coverage of prominent politicians' sexual behavior. Until this point, unless a public figure did something outrageous in public—such as the 1974 scandal involving Congressman Wilbur D. Mills and a stripper—journalists kept silent. The facts in the death of the former vice president were scanty, but the circumstances could not be ignored, and the press covered them accordingly. Within a decade, the press was relentless in its coverage of political sex scandals.

—Emily Alward

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April 18, 1979

ACTOR LEE MARVIN IS ORDERED TO PAY PALIMONY TO FORMER LOVER

The term “palimony” was coined during the trial of Michelle Triola against her former lover, actor Lee Marvin. After their breakup, Triola sued Marvin for a property settlement, claiming that she had given up a promising career to live with and care for him. The California Supreme Court ruled that unmarried couples could sue for property settlements even if no express contract exists, as long as some sort of legal agreement was made between partners.

ALSO KNOWN AS: *Marvin v. Marvin*

LOCALE: Malibu, California

CATEGORIES: Law and the courts; civil rights and liberties; women’s issues; social issues and reform; Hollywood

KEY FIGURES

Lee Marvin (1924-1987), American film star
Michelle Triola (b. 1933), American actor, dancer, and singer

Marvin Mitchelson (1928-2004), Triola’s divorce attorney

SUMMARY OF EVENT

Michelle Triola had lived with actor Lee Marvin for seven years beginning in 1964. He was married at the time. She would claim in her lawsuit against him that she had been his cook, housekeeper, and companion, and had taken care of him after he had been drinking, devoting herself to his welfare. She also claimed that he told her, “What I have is yours and what you have is mine,” and that they agreed to appear as husband and wife in public. During the time of their cohabitation, Triola used the name Michelle Triola Marvin. The court would later rule that because Triola took Marvin’s last name, Marvin is presumed to have implicitly agreed to support her as her husband.

At the time of the lawsuit, California law required that married couples equally divide the

assets of their marriages (assets were called community property). Although the couple was not formally married, Triola believed that she was entitled to compensation from Marvin because she fulfilled her obligations under their informal agreement and gave up her career as an entertainer to care for him. He disagreed with her contentions, and the dispute went to court. Celebrity divorce lawyer Marvin Mitchelson insisted that Triola receive her claim of Marvin’s earnings of more than one million dollars. The so-called palimony (from “pal” and “alimony”) suit led to a media scandal.

Even in the first decade of the twenty-first century, cohabitation by unmarried couples was a crime in several states, and adultery was a crime in about half of the states. Such criminal statutes, however, were rarely enforced. As used in criminal statutes, cohabitation includes nonmarital relationships that had been called “meretricious,” or sexual. Illicit relationships were once considered void in the realm of public policy. If an agreement between the partners is supported by a quid pro quo or what the law calls “consideration,” however, courts have become more and more liberal in upholding these agreements. In a nonspousal agreement that one partner will provide services in the home and the other will support the household, for example, the value of the services constitutes the consideration that validates the agreement.

An express agreement is one in which the parties state their understanding either orally or in writing. An implied agreement is inferred from behavior or conduct in which the parties act in such a way that it is reasonable to conclude that they must have reached an understanding. Unjust enrichment is the doctrine holding that one person should not profit inequitably at another’s expense. If one party has received something of value at another’s expense, or benefited unjustly, the nonenriched party may seek the remedy of restitution or reimbursement. To prevent unjust enrichment of one partner at the

other's expense, a partner who provides services may recover in *quantum meruit* or the reasonable value of the services rendered. The reasonable value of the services must exceed the reasonable value of the support received if it can be shown that the services were rendered with the expectation of monetary reward. That may be difficult to demonstrate. Another possible remedy involves a constructive trust, inferred from the behavior of the parties. It is imposed by the courts to do justice and to prevent the unjust enrichment of one party at the other's expense.

Triola's 1976 lawsuit relied, in part, on the legal doctrine of quasi-contract, or an implied-in-law contract imposed by the courts to prevent injustice. It is a special form of contract that lacks all the trappings of a formal written document such as mutual assent of the parties, but it is imposed on the parties by the courts to avoid unjust enrichment. Under this doctrine, courts may infer a legally enforceable agreement from the circumstances surrounding the dealings of the parties, even though the parties have not entered into any formal written agreement. Triola asserted that similar logic should be applied to her relationship with Marvin, and that their conduct should be viewed as an "implied agreement" granting her many of the same rights given by law to a spouse. The court, however, declined to treat unmarried cohabitants like married persons. In her suit, Triola argued that, aside from a marriage license, she and Marvin were essentially married from 1964 until 1970. As such, Triola contended that she was entitled to half of what he had earned during their relationship, or \$1.8 million including \$100,000 for loss of her own potential earnings. Her attorney, Mitchelson, demanded palimony and had to prove that Marvin breached an oral or implied contract to share his assets.

Initially, Triola lost her 1976 case on legal grounds. On appeal, the California

Supreme Court decided that her case should be heard again in the lower courts, sparking a number of similar cases in other states. On rehearing, the superior court ruled, on April 18, 1979, that Triola had failed to prove her alleged agreement, that there was no express or implied contract, and that there was no unjust enrichment. Judge Arthur K. Marshall denied her community property claim for half of the \$3.6 million that Marvin had earned during their seven years of cohabitation. However, Marshall did order Marvin to pay Triola \$104,000 for "rehabilitation purposes," that is, job training.

Marvin appealed, and on August 11, 1981, the California Court of Appeal reversed Marshall's decision, declaring that Triola was entitled to no money, including the \$104,000 she was awarded in 1979. The appeals court, although upholding the



Lee Marvin and Michelle Triola in 1966. (Hulton Archive/Getty Images)

concept of palimony, ruled that a cohabitant (Triola) in a nonspousal relationship has no community property claim. Instead, a cohabitant has a contract claim. Without evidence that there had been a contract between Marvin and Triola stipulating that Marvin would support her should their relationship end, Triola could not recover any money.

IMPACT

Although Triola lost her 1976 palimony case on technical grounds, *Marvin v. Marvin* nonetheless created new law when the court decided to address the issue of “property rights of a nonmarital partner in the absence of an express contract.” The court’s ruling, in effect, said that a nonmarital partner can attempt to establish an implied contract in the absence of an express contract. Furthermore, it ruled that the law cannot *assume* that an unmarried couple intends to keep their properties and earnings separate and, thus, the law must take into account all possible arrangements between an unmarried plaintiff and defendant. The court stated,

[W]e conclude that the mere fact that a couple have not participated in a valid marriage ceremony cannot serve as a basis for a court’s inference that the couple intend to keep their earnings and property separate and independent; the parties’ intention can only be ascertained by a more searching inquiry into the nature of their relationship.

In *Marvin v. Marvin*, the court also spoke of the growth of nonmarital partnerships in contemporary society. The court recognized the diversity among cohabitants and gave the trial courts an opportunity to tailor their remedies to the particular circumstances of the parties. Without specific guidelines for application of quasi-contractual remedies in nonspousal agreements, however, *Marvin* left uncertain the circumstances and limitations for each type of recovery. The court’s rationale also has been applied to same-gender couples.

The 1979 appeals court ruling, in which Marvin was ordered to pay for Triola more than \$104,000, was unique because it determined that Triola’s case had at least some merit. It therefore extended the

1976 ruling that the “nature of” a couple’s relationship should be probed in deciding the contractual intentions, if any, of both the plaintiff and the defendant.

—Marcia J. Weiss

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June 4, 1979

SOUTH AFRICAN PRESIDENT B. J. VORSTER RESIGNS IN MULDERGATE SCANDAL

South African president B. J. Vorster was found to have used government funds to finance a propaganda war to sway local and international opinion in favor of apartheid. Vorster's Afrikaner National Party established The Citizen, an English-language newspaper that supported apartheid. Vorster, along with other government ministers, resigned in disgrace.

ALSO KNOWN AS: Muldergate; Rhodiegate; Infogate

LOCALE: South Africa

CATEGORIES: Corruption; government; politics; publishing and journalism; social issues and reform; colonialism and imperialism

KEY FIGURES

B. J. Vorster (1915-1983), president, 1978-1979, and prime minister, 1966-1978, of South Africa

Connie Mulder (1925-1988), minister of information for South Africa

Eschel Rhodie (1933-1993), secretary to the Department of Information

SUMMARY OF EVENT

With increased international television access, media manipulation is one of the more common types of government corruption. The information scandal in South Africa, nicknamed Muldergate by local newspapers, involved such media manipulation. Coconspirators included officials Connie Mulder, Eschel Rhodie, and President B. J. Vorster. A significant amount of money had been funneled through the Department of Information and placed into outside accounts. The funds were used to finance a government-furnished newspaper to fight a propaganda war in favor of the Afrikaner National Party (NP) and apartheid, or government-sanctioned racial segregation. The secret operation was soon discovered, and investigations unfolded the story before the public eye.

As early as the mid-seventeenth century, English and Dutch colonizers settled in South Africa for the fertile lands, eventually establishing communities and laws that ensured white influence throughout the country. Apartheid laws were enacted in 1948, legalizing racial segregation. This represented an effort by the NP to take control of economic and social systems in South Africa. A strict set of laws was put into place as a means of separation, categorizing citizens based on appearance and acceptance within society. Regulations were placed on employment positions, voting, and marriage. Blacks were forced to carry identity documents—pass books—before they were permitted travel around the region. Land was divided into homelands, which further segregated communities by family origin. Mass disagreement with such policies eventually led to guerrilla warfare tactics from some citizens, with the government refusing to nullify apartheid laws. A civil war was beginning to seem like a possibility.

While South Africans fought for their rights, government officials did what they could to affirm legislation. At this time, Vorster was a supporter of the apartheid government, a member of the NP, and an official in Parliament. In 1966, he was elected prime minister, succeeding Hendrick Frensch Verwoerd, an active supporter of apartheid rule as well.

While an advocate and enforcer of apartheid, Vorster recognized that the white minority would not be able to stay in power indefinitely. He knew that campaigners for the African National Congress (ANC) were fighting to have their voices heard, demanding reform in South African society. It was feared by Vorster and the NP that as the struggle persisted, foreign political opinion could be swayed toward the plight of the people. Determined to get the support of English-speaking whites and black African states, Vorster needed a new platform. Specifically, the government needed a new English-speaking newspaper to counter the *Rand Daily Mail*, an English-speaking newspaper that reported



B. J. Vorster. (Hulton Archive/Getty Images)

on racial issues and was against apartheid. The NP believed the *Rand Daily Mail* was part of what the apartheid government called a “hate South Africa crusade.”

Rhodie was the secretary of information working under Vorster. Before working at the Department of Information (DOI), Rhodie helped establish *To the Point*, a secret government-funded magazine formed to counter foreign-news headlines unfavorable to the pro-apartheid government of South Africa. The newest secret project to create NP propaganda under the direction of Vorster would be called Operation Annemarie (named for Rhodie’s teenage daughter). Rhodie worked closely with the bureau of state security to ensure this illegal operation was kept secret. In addition, he brought in relatives to hold key positions so that secrets would not be leaked. Rhodie, Vorster, and Mulder, the minister of information, met at Cape Town in early 1974 to plan the covert operation. They agreed that typical campaign methods such as

films and flyers were no longer effective in the political world. It was then agreed that they would create *The Citizen*, an English-speaking newspaper that would attempt to sway public and foreign opinion toward the ideas of the NP.

To finance *The Citizen*, the DOI used budgeted money from the Department of Defense. It also involved millionaire Louis Luyt to handle the business end of the budget transaction. Luyt acted as the newspaper’s owner, and the NP government created ghost organizations to make the transfer of funds look less suspicious. The first issue of the paper came out in September, 1976.

Problems within the framework of the operation existed from the beginning, however, and one significant part of the plan was called into question in 1978. The conspirators were under the impression that the money was coming from the DOI, but the money had never been allocated to the department. In essence, there should have been no money available, and by the time it was realized, the funds, which were stolen, had already been spent.

Rumors of missing funds and a government-furnished newspaper soon reached other government officials, who immediately ordered an audit of the DOI. Mulder was brought before Parliament and claimed innocence in the matter. Supreme court justice Anton Mostert presented details of the information scandal and divulged intentions and identities in his report of November, 1978. Mulder’s claim of innocence was disproved in the report, and all other participants were implicated. Known as the Muldergate scandal, the secret project was labeled as a government-furnished campaign plot. Mostert’s report also exposed illegal activities such as bribes of international news agencies and the use of taxpayer monies to fund personal activities.

Ironically, the first paper to report Operation Annemarie was the *Rand Daily Mail*, which painted a colorful picture of the information scandal. Media coverage brought Vorster, Mulder, and Rhodie into the spotlight. Vorster resigned on June 4, 1979, and Mulder soon resigned as well. Taking the place of Vorster was his longtime competitor, P. W. Botha. Botha’s first official action as prime minister was to create a commission, led by Judge Roelof

Erasmus, to look into the corruption. Anonymous sources began coming forward with additional information on financial discrepancies and other fraudulent activities, making it impossible to argue the innocence of those involved. The final report of the Erasmus Commission was issued in June, 1979.

IMPACT

While Mulder and Vorster were forced out of office, Rhoodie did not admit to the accusations against him. Instead, he fled South Africa and moved first to Ecuador, then Great Britain, where he tried to attain political asylum. The attempt failed and Rhoodie fled once more, this time to France, where he was finally caught and incarcerated. He was soon extradited back to South Africa and tried. Rhoodie was acquitted on all charges and eventually wrote *The Real Information Scandal* (1983), which detailed his covert projects.

Muldergate caused great disappointment within the NP, which was depending on Vorster and Mulder to continue white domination in South Africa. The party knew that apartheid law would be at serious risk under Botha's leadership and that the future of racial segregation was in jeopardy. The ANC, led by Nelson Mandela, continued advocating against apartheid and eventually influenced the leadership of South African society. Nelson was president of South Africa from 1994 to 1999.

—Lauren Riggi and Brion Sever

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South African President Vorster Resigns

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September 26, 1979**LOVE CANAL RESIDENTS SUE CHEMICAL COMPANY**

During the 1940's and 1950's, Hooker Chemical buried approximately twenty-two thousand tons of toxic waste at its landfill in Love Canal, a neighborhood in Niagara Falls, New York. By the late 1970's, residents of Love Canal began noticing serious health problems in the neighborhood, including large numbers of miscarriages and birth disorders. In 1983, Hooker Chemical's parent company agreed to an out-of-court settlement with more than one thousand residents who had sued. The dumping scandal led to the creation of the multibillion-dollar federal Superfund program for cleaning up of toxic-waste sites around the United States.

LOCALE: Niagara Falls, New York

CATEGORIES: Law and the courts;
environmental issues; business; medicine
and health care; families and children

KEY FIGURES

Lois Gibbs (b. 1951), president of the Love Canal Homeowners Association

Robert P. Whalen (b. 1930), New York State health commissioner, 1975-1978

Hugh Leo Carey (b. 1919), governor of New York, 1975-1982

Jimmy Carter (b. 1924), president of the United States, 1977-1981

SUMMARY OF EVENT

In 1892, businessman William T. Love purchased the land that separated the upper and lower parts of the Niagara River, situated near the City of Niagara Falls, to dig a canal that would connect the two river branches. What came to be called Love Canal was never completed, however, and during the 1920's, the City of Niagara Falls purchased the property to use as a landfill. In 1942, Hooker Chemical (HC) in turn bought the sixteen-acre parcel for private use as a chemical disposal site. Be-

tween 1947 and 1952, the company buried approximately twenty-two thousand tons of hazardous waste at Love Canal. After the area was completely filled, the company backfilled the site and then encased it with four feet of clay to contain the toxic waste.

In 1953, HC sold the land to the Niagara Falls School District for one dollar. The property deed included a warning about the chemicals buried on the site and also released HC from any future legal responsibilities. Shortly thereafter, the school district built the Ninety-ninth Street Elementary School on the site of the former landfill and, as expected, residential homes began to be built near the school. By the 1970's, the Love Canal neighborhood had about



A sign warns against entering a fenced-off area of the Love Canal neighborhood. (AP/Wide World Photos)

1,800 single-family homes and 240 apartments for low-income residents.

Beginning during the late 1950's, Love Canal residents frequently complained to the city about burns suffered by their children and pets, strange odors, oozing sludge, and the existence of unknown substances on their properties. In cooperation with Niagara County, the city hired Calspan Corporation to investigate the complaints. The company reported that it had found toxic chemicals in the Love Canal area and provided the city with a list of corrective procedures. In response, the city did nothing.

During the mid-1970's, years of abnormally heavy rains caused chemicals to surface. Ominous pools of multicolored liquid appeared following storms. Burns and mysterious rashes became increasingly common, a section of the schoolyard collapsed, gardens and backyard trees died, and strange substances seeped through basement walls. The *Niagara Gazette* began investigating these problems in October, 1976.

In April, 1978, the *Niagara Gazette* published several newspaper articles about the buried toxic waste. The articles revived the residents' fight for the chemical cleanup of their neighborhood and also focused national attention on Love Canal. On August 2, Love Canal was declared unsafe by the commissioner of the New York State Department of Health (DOH), Robert P. Whalen. Citing high rates of miscarriages and birth defects, Whalen ordered the school closed and recommended that pregnant women and infants leave Love Canal immediately. However, residents were outraged at his suggestion. They believed the area was unsafe for all residents. That same year, the U.S. Environmental Protection Agency (EPA) completed its own investigation and determined that serious health risks indeed were endangering the community.

The community began to be more actively involved in the crisis. One community leader was Lois Gibbs, who started a petition to close the Ninety-ninth Street school. She believed her son's

"CHEMICALS LINGER IN THE SOIL"

American biologist Rachel Carson stunned the public when she condemned the widespread use of chemicals, namely pesticides, for causing the slow death of the environment—and the slow death of humans. Her warnings in Silent Spring (1962) presaged the toxic waste disaster at Love Canal.

For the first time in the history of the world, every human being is now subjected to contact with dangerous chemicals, from the moment of conception until death. In the less than two decades of their use, the synthetic pesticides have been so thoroughly distributed throughout the animate and inanimate world that they occur virtually everywhere. They have been recovered from most of the major river systems and even from streams of groundwater flowing unseen through the earth. Residues of these chemicals linger in the soil to which they may have been applied a dozen years before. They have entered and lodged in the bodies of fish, birds, reptiles, and domestic and wild animals so universally that scientists carrying on animal experiments find it almost impossible to locate subjects free from such contamination. They have been found in fish in remote mountain lakes, in earthworms burrowing in soil, in the eggs of birds—and in man himself. For these chemicals are now stored in the bodies of the vast majority of human beings, regardless of age. They occur in the mother's milk, and probably in the tissues of the unborn child.

All this has come about because of the sudden rise and prodigious growth of an industry for the production of man-made or synthetic chemicals with insecticidal properties. This industry is the child of the Second World War.

health problems were directly linked to the school being located on top of the toxic landfill. While going door to door obtaining signatures, she found that many residents also were suffering from similar health problems. In July, 1978, New York governor Hugh Leo Carey granted emergency powers to the DOH to handle the growing crisis at Love Canal, allocating \$500,000 for health studies on the residents of the area. On August 2, the DOH declared a medical state of emergency at Love Canal and ordered the temporary evacuation of all pregnant women and children under the age of two. The agency also closed the Ninety-ninth Street school.

CHEMICALS DISPOSED OF IN LOVE CANAL BY HOOKER CHEMICAL, 1942-1953

<i>Type of Waste</i>	<i>Physical State</i>	<i>Total Est. Quantity—Tons</i>	<i>Container</i>
Misc. acid chlorides other than benzoyl— includes acetyl, caprylyl, butyryl, nitro benzoyls	liquid and solid	400	drum
Thionyl chloride and misc. sulfur/chlorine compounds	liquid and solid	500	drum
Misc. chlorination—includes waxes, oils, naphthenes, aniline	liquid and solid	1,000	drum
Dodecyl (Lauryl, Lorol) mercaptans (DDM), chlorides and misc. organic sulfur compounds	liquid and solid	2,400	drum
Trichlorophenol (TCP)	liquid and solid	200	drum
Benzoyl chlorides and benzo-trichlorides	liquid and solid	800	drum
Metal chlorides	solid	400	drum
Liquid disulfides (LDS/LDSN/BDS) and chlorotoluenes	liquid	700	drum
Hexachlorocyclohexane (Lindane/BHC)	solid	6,900	drum and nonmetallic containers
Chlorobenzenes	liquid and solid	2,000	drum and nonmetallic containers
Benzylchlorides—includes benzyl chloride, benzyl alcohol, benzyl thiocyanate	solid	2,400	drum
Sodium sulfide/sulfhydrates	solid	2,000	drum
Misc. 10% of above		2,000	

Source: Interagency Task Force on Hazardous Wastes, New York State Department of Health, *Draft Report on Hazardous Waste Disposal in Erie and Niagara Counties*, New York, March, 1979.

On August 4, Gibbs and her neighbors organized the Love Canal Homeowners Association (LCHA) and began an aggressive campaign to prove that the toxic chemicals buried in Love Canal were directly linked to the unusually high number of health problems in the area. These health problems included epilepsy, asthma, cancers, urinary tract infections, miscarriages, and birth disorders. On August 7, U.S. president Jimmy Carter declared a federal state of emergency at Love Canal and ordered the relocation of all the families living on the first two blocks closest to the landfill. In September, the U.S. House

of Representatives allocated four million dollars toward the cleanup of the site. In November, more than two hundred chemicals, including benzene and dioxin, were found buried at Love Canal.

Throughout 1979, while state and federal agencies continued testing for chemical contamination and cleaning up the area, the LCHA continued its fight to have all remaining families relocated from Love Canal. On September 26, the first residents' lawsuits were filed, holding HC liable for the environmental disaster. By October 31, more than eight hundred suits were filed against HC, the city, the

county, and the board of education. Combined, these lawsuits sought approximately \$800 billion in damages. On December 20, the U.S. Department of Justice, on behalf of the EPA, also filed a \$124 million suit against HC's parent company, Occidental Chemical, a subsidiary of Occidental Petroleum.

Several months later, in May, 1980, the EPA announced that after extensive medical examinations of Love Canal residents, the agency found thirty-six individuals with chromosome damage. On May 19, LCHA president Gibbs and other LCHA members held two EPA employees hostage at the association's office and demanded that President Carter do something to help the residents of Love Canal. Two days later, Carter declared another health emergency that temporarily relocated the remaining families. On October 1, Carter signed a bill that made the relocations permanent.

Three years later (October, 1983), a lawsuit filed by 1,328 former residents of Love Canal against Occidental Petroleum was settled out of court for approximately \$20 million. In June, 1994, the company agreed to reimburse the state of New York a total of \$98 million for Love Canal cleanup expenses, and in December, 1995, the company agreed to pay \$129 million in damages to the federal government for costs associated with cleaning the site.

IMPACT

The Love Canal toxic-dumping scandal had far-reaching consequences not only for the residents of Love Canal but also for the country, its industry, and its government. Through hard work and perseverance, Gibbs and the homeowners' association fought to convince local, state, and federal authorities that the toxic chemicals buried underneath their homes were causing serious health problems. They demanded relocation and corporate accountability. As a result of their efforts, the public gained a new understanding of the hidden dangers of chemical exposure and the importance of proper chemical disposal.

Most significantly, the toxic-dumping scandal led to the creation of the Comprehensive Environmental Response, Compensation, and Liability Act

Love Canal Residents Sue Chemical Company

(CERCLA) that was passed on December 11, 1980. Commonly known as the Superfund Act, it oversees the cleanup of abandoned hazardous-waste sites in the United States. Love Canal was the first Superfund site. The total cost of the cleanup was approximately \$400 million and took twenty-one years to complete.

—Bernadette Zbicki Heiney

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October 10, 1979

FRENCH PRESIDENT GISCARD D'ESTAING IS ACCUSED OF TAKING A BRIBE

The investigative, satirical newspaper Le Canard enchaîné reported that French president Valéry Giscard d'Estaing had accepted a bribe in diamonds from the African military ruler Jean-Bédél Bokassa in 1973 while serving as minister of economy and finance of the French government. The scandal led to Giscard d'Estaing's downfall.

LOCALES: Paris, France; Bangui, Central African Republic

CATEGORIES: Corruption; forgery; publishing and journalism; government; international relations

KEY FIGURES

Valéry Giscard d'Estaing (b. 1926), president of France, 1974-1981

Jean-Bédél Bokassa (1921-1996), military ruler of the Central African Republic, 1966-1976, and emperor of the Central African Empire, 1976-1979

Roger Delpey (1926-2007), French writer and journalist

Claude Angeli (b. 1931), French journalist

SUMMARY OF EVENT

On October 10, 1979, the respected French satirical newspaper *Le Canard enchaîné* published an

article accusing President Valéry Giscard d'Estaing of having improperly received diamonds from Jean-Bédél Bokassa, the military ruler of the Central African Republic (CAR), in 1973. To understand the significance of the scandal that developed (rivaling the impact of the Watergate scandal in the United States), one must first understand the relationships then existing between France and the CAR.

The CAR is a former French colony that gained its independence on August 13, 1960. Located north of the Republic of the Congo-Brazzaville and the Democratic Republic of the Congo, east of Cameroon, south of Chad, and west of Sudan, this 240,324-square-mile country is slightly smaller than the state of Texas. From its independence to the first democratic elections of 1993, the country was ruled by a series of presidents who took power by force, often with the support of France. The first was David Dacko, who governed the country until his cousin, Bokassa, overthrew him on December 31, 1965. For the first few years of his rule, Bokassa was supported by many Western countries, particularly the United States, Switzerland, Spain, Belgium, and France, all of which sought access to the CAR's rich natural resources of gold, diamonds, uranium, copper, iron, manganese, cobalt, and nickel. The nation's immense mineral wealth, combined with Bokassa's imperial style of governing,

created an environment in which corruption and bribery could flourish.

Giscard d'Estaing's involvement in the scandal began when, as minister of economy and finance under President Georges Pompidou, he discovered the potential of the CAR as a vacation spot. In December, 1970, Giscard d'Estaing, an avid hunter, was invited to spend some time in the northern part of the CAR by his wife's cousin, Henry de la Tour d'Auvergne, who owned a large estate there. Entranced by the experience, he returned in 1971 and again in 1973, when Bokassa invited him to visit him in the capital, Bangui. As he had done for many political guests, including U.S. diplomat Henry Kissinger, Bokassa presented Giscard d'Estaing with two stars made of diamonds. Like most Western nations, France at the time had strict rules concerning gifts made to its public officials. The diamond stars that were given to him should have been registered with the French government, then sold for charity or sent to a museum. Unfortunately, Giscard d'Estaing failed to register the gift, later offering the unsatisfying, though possible, explanation that he had simply put them in a drawer and forgotten them.

The friendly relationship between the two politicians continued through the 1970's. Giscard d'Estaing met with Bokassa in France, again receiving gifts of ivory and diamonds, and returned to vacation at the estate of his wife's cousin in the CAR in 1976 and 1978. Around this time, Bokassa was re-making himself as Bokassa I, grandiose emperor of the Central African Empire, but his increasingly bizarre behavior did not produce a break with Giscard d'Estaing.

Finally, in 1979, civil unrest in Bangui was savagely repressed in a bloodbath that included the murder of more than one hundred schoolchildren, some of whom were further victimized when Bokassa reportedly consumed their flesh in a cannibal feast. Only after these outrages did Giscard d'Estaing's government move to oust the dictator, organizing a September coup that took advantage of Bokassa's absence on a trip to Libya to replace him with Dacko, the cousin whom Bokassa had overthrown in 1965.

Giscard d'Estaing Is Accused of Taking a Bribe

About a month after the coup, on October 10, 1979, the French newspaper *Le Canard enchaîné* published the story "Pourquoi Giscard a organisé la casse des archives de Bokassa" (why Giscard organized the destruction of Bokassa's archives), written by chief editor Claude Angeli. The article purported to show a copy of an order signed by Bokassa in 1973, directing the Comptoir National du Diamant (the organization producing diamonds in the CAR) to provide him with multiple diamonds for the stars to be presented to Giscard d'Estaing. If these diamonds were of jewelry quality, the two stars would have been worth millions of French francs—certainly enough to buy loyalty and too much to forget in a drawer. Of course, if the diamonds were of lower—industrial—grade, their value would have been far less.

The possibility of a major bribe led to a national media frenzy of speculation on the honesty of the French president. While the newspaper *Le Monde* virtually accused the president of dishonesty, the newspaper *Le Point* took a more moderate view, speculating that the value of the diamonds was low and that the signature on the order was forged.

Unfortunately, Giscard d'Estaing fed the fires of speculation and rumor by refusing to answer any questions about the diamonds, later asserting that he saw no point in defending his honor and claiming that anyone who knew him would never believe him capable of behaving in a dishonorable way. It was a gentleman's response to a slur on his character, and it was, of course, totally ineffective in the real world of French politics. Finally, on November 27, 1979, he addressed the issue in a televised interview. Openly contemptuous of those who accused him, he claimed that Bokassa's signature on the document was forged.

Following the president's pronouncement, the Direction de la Surveillance du Territoire (the French equivalent of the Federal Bureau of Investigation) investigated the source of the information published by *Le Canard enchaîné*. When it was determined that Roger Delpy, a journalist and writer, brought Bokassa's order to the newspaper, Delpy was promptly incarcerated as a dealer in forged

documents. However, the president's actions did not convince everyone of his innocence in the matter. He was voted out of office in 1981 and replaced by François Mitterrand.

IMPACT

At the end of his presidency, Giscard d'Estaing had the gifts he had received during his tenure in office examined by experts prior to their legal disposition. Among the items evaluated were the two stars given to the president by Bokassa. The stars were judged to be of inferior quality and sold for a little more than 100,000 French francs. However, were they really Bokassa's stars? Critics of the president believed that they had been altered, with the original high-quality diamonds replaced with lesser stones. His supporters continued to proclaim that the scandal was manufactured by Giscard d'Estaing's political enemies, who forged the document to damage the president's prospects for reelection.

History will probably never know whether or not Giscard d'Estaing used the diamonds for his own profit. However, his experience clearly delineated the emerging nature of modern politics, in which personal honesty and honor are no longer taken for granted and must be forever bolstered by meticulous record keeping and a scrupulous regard for appearances.

—Denyse Lemaire and David Kasserman

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October 11, 1979**SENATE DENOUNCES HERMAN E. TALMADGE FOR MONEY LAUNDERING**

U.S. senator Herman E. Talmadge was denounced by the Senate for his participation in a scheme to launder public money and campaign funds through a secret bank account and then convert the money for personal use. His censure in the form of a denouncement led to his political downfall and made him one of only nine senators to have been censured since 1789.

LOCALE: Washington, D.C.**CATEGORIES:** Corruption; government; politics; banking and finance**KEY FIGURES**

Herman E. Talmadge (1913-2002), governor of Georgia, 1948-1955, and U.S. senator, 1957-1981

Betty Talmadge (1923-2005), Herman Talmadge's former wife

Daniel Minchew (fl. 1970's), Herman Talmadge's aide

Robert S. Talmadge (1948-1975), Herman and Betty Talmadge's son

SUMMARY OF EVENT

On October 11, 1979, a six-month investigation of U.S. senator Herman E. Talmadge ended when the full U.S. Senate voted to censure, or denounce, him for his "reprehensible" conduct while in office. By a vote of 81-15, the full Senate chamber supported a punishment that was less than the more severe punishment of expulsion. During the investigation, dozens of witnesses, including Talmadge, his former wife Betty Talmadge, and many of his former and current aides testified not only about the senator's honesty but also about his unusual habits involving money.

The Talmadge investigation was one of the first following congressional reforms passed after the Watergate scandal of 1972-1974. The new ethics rules created the Senate Ethics Committee, which

was assigned the duty of investigating violations by senators. With scandal having dominated Washington politics through much of the 1970's, Talmadge became the first example of the U.S. Congress sweeping clean its own house after having forced a president to resign.

In one of the first investigations by the newly created Ethics Committee, six senators heard testimony about a complicated money laundering scheme initiated by Talmadge to hide his misuse of funds. Talmadge, a twenty-two-year veteran of the Senate, was charged with five violations of Senate ethics rules, including filing false expense reports and pocketing excess monies for personal use. The amounts ranged from twenty-eight to thirty-seven thousand dollars, with several thousand more dollars disappearing without a trace.

Talmadge, a conservative Democrat, also was charged with two campaign violations, including filing false disclosure forms in a case in which he failed to list all donations and campaign spending, and laundering campaign money for personal use. Finally, the senator was accused of not reporting gifts given him by supporters, as required by Senate rules, and for filing false tax returns for other gifts, a charge that led to an Internal Revenue Service investigation of his tax returns.

Senator Talmadge's legal troubles came at the tail end of a stormy political career. Son of former Georgia governor Eugene Talmadge, Herman Talmadge grew up in a segregated society with a father who earned political fame by threatening force to maintain segregation. The young Talmadge would follow in his father's racist footsteps during the 1940's, threatening to use a baseball bat against any African American who tried to integrate the state.

Talmadge attempted to seize power after the 1946 election, which his father won (his father died before taking office). The young Talmadge's grab for the governorship provoked a state constitutional crisis involving the lieutenant governor, the state

legislature, the Georgia Supreme Court, and the Georgia National Guard, which tried to seat Talmadge with force. Denied power through an attempted political coup, he engineered an electoral coup instead and won the governor's seat in 1948. His move to the U.S. Senate proved easier, as he challenged incumbent Walter George in the 1956 Democratic primary. The ailing George, intimidated by Talmadge's outrageous tactics and reputation, dropped out of the race, opening the way for Talmadge's easy victory. He would win three more elections before his censure in 1979.

Even with all the turmoil in Talmadge's political past, the Senate investigation would be the most difficult test of his career. Talmadge testified before the Ethics Committee and rejected the charges against him. He sought to undermine the credibility of those testifying against him, then provided a series of explanations for his behavior. During the investigation, he admitted to having a drinking problem, delaying the committee hearings as he attended a month-long alcohol treatment program. After leaving the program, Talmadge went before the committee and asked the senators to end the investigation, but they refused to do so. When asked about the large sums of cash he had in his possession, Talmadge explained that the money came from small donations, five to ten dollars, from his Georgia supporters. Talmadge said that he had lived on these small donations for more than five years, not having to rely on his Senate salary to pay for housing and food.

Talmadge's next defense was his hard work on the Senate Agriculture Committee, his past service, and his close relationship with colleagues. The senators on the Ethics Committee were not swayed by his arguments, noting that it was his past conduct that they were investigating. For Talmadge, it would be his personal rather than his professional past that would haunt him throughout the hearings. The bitter divorce from his wife of thirty-seven years included her claim of considerable compensation for their years of married life. The terms of the settlement alerted the media to the senator's financial misdeeds and eventually to the Senate investigation. Betty Talmadge would also strike another

blow at her former husband's defense when she testified before the committee.

Although Betty was not expected to have personal knowledge of her husband's money laundering scheme, she was expected to reveal details of his spending and unusual money-collection techniques. Married to the senator for more than three decades, she had little interest in hiding his dirty dealings and described in detail how he kept large sums of money throughout the house.

According to Betty, her husband kept rolls of hundred-dollar bills in his pockets and distributed those bills to her and others. Talmadge also stored envelopes full of money in his dresser drawers, in amounts totaling more than fifteen thousand dollars. According to Betty, her husband transported large sums of cash from Washington, D.C., to his Georgia home, then left the money in his coat pockets. She had seen and used the money, taking several thousand dollars out on one occasion for her personal expenses. Betty then gave the committee more than seven thousand dollars in one-hundred-dollar bills she said she had taken from her husband's coat, providing an element of proof to her accusations.

The most damaging witness, other than his wife, against the senator was one of his top aides, Daniel Minchew, who served in Talmadge's Senate office and his reelection campaign. Minchew had created a secret bank account at the behest of Talmadge, who used the account as a slush fund. Because the account was not in the senator's name, it allowed him to deny knowledge of it or how the money reached the account, denials that came the moment the account was discovered.

According to Minchew, the secret account included monies from false reimbursements and excess campaign funds that the senator then used for personal expenses. Minchew claimed that he had given large sums to Robert S. Talmadge, the senator's son (Robert drowned in 1975). Minchew admitted to withdrawing money from the account for expenses.

Talmadge had his defenders, including several of his then-current and former aides. They disputed Minchew's claims about Talmadge's knowledge of

excessive expenditures. These aides claimed that because the senator signed expense reports without reading them, his staff had overcharged without Talmadge being aware. However, another aide testified he had witnessed Talmadge transferring eighty thousand dollars from an office bank account to the senator's personal account, supporting Minchew's testimony that Talmadge was mixing personal and government money.

IMPACT

Given the conflicting testimony, the Ethics Committee, composed of three Democrats and three Republicans, recommended that the full Senate censure Talmadge through denouncement rather than expel him from Congress. His Senate colleagues recognized that he violated ethics rules by improperly signing expense reports.

While it appeared Talmadge had escaped any long-term consequences that normally would have followed expulsion, the Senate vote undermined his influence among his colleagues, forcing him from his chairship of the Senate Agriculture Committee and weakening his hold over the Georgia electorate. In the 1980 general election, Talmadge faced the head of Georgia's Republican Party, Mack Mattingly, who made the senator's legal troubles one of the core issues in the campaign. Mattingly barely defeated Talmadge, winning by a few thousand votes, and became the first Republican senator from Georgia since the 1870's.

—Douglas Cloutre

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SEE ALSO: Jan. 23, 1904: Senator Joseph R. Burton Is Convicted of Bribery; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; June 25, 1956: President Truman's Appointments Secretary Is Convicted of Tax Conspiracy; Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; June 17, 1972-Aug. 9, 1974: Watergate Break-in Leads to President Nixon's Resignation; July 31, 1972: Thomas F. Eagleton Withdraws from Vice Presidential Race; Oct. 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace; Oct. 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall; Sept. 21, 1977: Carter Cabinet Member Resigns over Ethics Violations; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers; Sept. 23, 1987: Plagiarism Charges End Joe Biden's Presidential Campaign.

November 29, 1979, and January 31, 1983**BASEBALL COMMISSIONER SUSPENDS MICKEY MANTLE AND WILLIE MAYS FOR CASINO TIES**

Motivated by a desire to distance Major League Baseball from any trace of gambling, Commissioner Bowie Kuhn banned retired superstars Willie Mays and Mickey Mantle from working for both major league clubs and gambling casinos at the same time. Mays, in 1979, and Mantle, in 1983, had accepted lucrative public relations positions for Atlantic City, New Jersey, casinos. The sanctions were lifted by Peter Ueberroth, who succeeded Kuhn as commissioner in 1985.

LOCALES: New York, New York; Atlantic City, New Jersey

CATEGORIES: Corruption; gambling; sports

KEY FIGURES

Willie Mays (b. 1931), retired Hall of Fame baseball player

Mickey Mantle (1931-1995), retired Hall of Fame baseball player

Bowie Kuhn (1926-2007), commissioner of Major League Baseball

Peter Ueberroth (b. 1937), commissioner of Major League Baseball

SUMMARY OF EVENT

In 1979, former San Francisco Giants and New York Mets star player Willie Mays accepted a lucrative job offer from the newly opened Bally's Park Place Hotel Casino Resort in Atlantic City, New Jersey. In reaction, baseball commissioner Bowie Kuhn banned Mays from being employed by any baseball club while he worked for a gambling enterprise. Four years later, former New York Yankees star Mickey Mantle took a similar position with Claridge Casino Hotel, also in Atlantic City. He, too, was banned from baseball. In taking these actions to separate baseball and gambling, Kuhn followed in the footsteps of baseball's first commissioner, Kenesaw Mountain Landis, a staunch oppo-

nent of corruption in baseball. Kuhn's sanctions provoked controversy because Mays and Mantle were two of the greatest players in baseball history. To remove them from working for baseball in their retirement years seemed to many an overreaction.

Despite their historic accomplishments on the baseball field, both Mantle and Mays entered retirement after the 1968 and 1973 seasons, respectively, with few marketable skills. Both served as goodwill ambassadors for Major League Baseball. Also, Mays was a special instructor for the New York Mets and Mantle for the New York Yankees. Mantle also had a brief and undistinguished career as a sports announcer. Both had done promotional work for various businesses.

Mays was earning \$100,000 for a two-year contract with the Mets when Bally's representatives approached him with an offer: one million dollars over ten years for Mays to do public relations and entertain the casino's big spenders. The position did not ask Mays to promote gambling directly, and New Jersey state law forbid him from gambling. It is believed that the casino required about 120 days of work per year from Mays.

From the moment Commissioner Kuhn learned of Bally's interest in Mays, he expressed his deep concern to Bally and the Mets. The office of baseball commissioner had been created after the notorious Black Sox scandal of 1919. Eight members of the Chicago White Sox had been accused of taking money from gamblers to throw the World Series. When the judicial system failed to produce convictions, the new commissioner, Landis, banned the eight players from any connection with baseball. Using his power to protect "the best interests of baseball," Landis restored confidence in the integrity of the sport.

After Landis's death in 1944, gambling was considered not a major problem. Kuhn, however, warned Mays that he could not remain a special hitting instructor for the Mets and work for a casino.

Mays argued that he had been doing public relations work already, that gambling was legal in New Jersey, and that as part-time coach he could not possibly corrupt the outcomes of games. For Kuhn, the mere appearance of a gambling-baseball link was unacceptable, and he encouraged Mays to stay with baseball. Proclaiming the need to provide for his family, Mays began his public relations work for Bally's on November 29, 1979.

When Mantle accepted a similar offer from Claridge on January 31, 1983, Kuhn reminded him of the consequences. Mantle was earning only \$20,000 from the Yankees as a spring-training batting instructor in addition to doing public relations work for a Dallas insurance company. Claridge offered Mantle \$100,000 per year to attend a wide variety of public and charitable functions and to play golf with good customers. Nevertheless, Kuhn forbid Mantle from working in baseball.

Mantle and Mays put public pressure on Kuhn by avoiding all baseball functions, including Old Timers' games and the yearly Hall of Fame ceremonies. An exasperated Kuhn explained that his decision did not prohibit all association with baseball. The two stars, however, repeatedly referred to being "banned" and "kicked out of baseball." Mantle, Mays, and sympathetic sports-writers accused Kuhn of hypocrisy because team owners in the past had invested in casinos, and George Steinbrenner of the Yankees and John Galbreath of the Pittsburgh Pirates participated in the horse-racing business. Kuhn defended himself by citing his policy of forcing owners to divest of all interests in casinos, and he had recognized that gambling on horses also was unseemly. To that end he had frustrated an attempt by Edward DeBartolo to purchase the Chicago White Sox in 1981 because of his ownership of race-tracks.

The ostracizing of Mantle and Mays did not help Kuhn's increas-

ingly rocky tenure as commissioner, as he also faced labor strife and the advent of free agency. The owners did not reelect Kuhn to a third term and instead chose Peter Ueberroth as his successor. Ueberroth had been recognized as the genius behind the profitable 1984 Los Angeles Summer Olympics. He took over from an embattled Kuhn in October, 1984. On March 18, 1985, Ueberroth welcomed Mantle and Mays back into baseball. The new commissioner asserted he was not soft on gambling but that there was a need for new rules. A grateful Mantle noted that "no one likes to be banned."

IMPACT

Mantle and Mays earned their Hall of Fame credentials during the 1950's and 1960's when players' salaries were shockingly low. Soon after they retired they witnessed far-less-able players earn enormous sums of money because of the introduction of free agency rules. The two stars' acceptance of the casino offers was perfectly understandable. Mays later admitted another benefit of the casino job: It exposed him to the workings of the business world and, thus, compelled him to be better disciplined to survive in that setting.



Mickey Mantle, left, and Willie Mays in 1962. (Hulton Archive/Getty Images)

Kuhn's puritanical stance on gambling connections and other related issues led to his demise as commissioner, but his fierce resolve is understandable. Gambling has been an ever-present threat to the reputation of baseball. In 1989, allegations surfaced that Pete Rose, the manager of the Cincinnati Reds and baseball's all-time hits leader as a player, had placed bets on baseball games, including those involving his own team. In an age when baseball was wracked by labor disruptions and faced increasing competition for the public's entertainment dollars, it could not afford the Rose scandal, nor any other.

Commissioners and club owners desperately sought to maintain the profitability of the multi-billion-dollar business. At the same time, Kuhn and his successors wrestled with how to preserve baseball's almost mythological status in the United States and the devotion of its fans to its heroes, including Mays and Mantle.

—M. Philip Lucas

FURTHER READING

- Burk, Robert E. *Much More than a Game: Players, Owners, and American Baseball Since 1921*. Chapel Hill: University of North Carolina Press, 2001. Solid and concise history of baseball as a business that provides an overview of the commissioner's and baseball's role in curtailing gambling.
- Castro, Tony. *Mickey Mantle: America's Prodigal Son*. Washington, D.C.: Brassey's, 2002. Contains a solid account of Mantle's difficult retirement years.
- Fimrite, Ron. "Mantle and Mays." *Sports Illustrated*, March 25, 1985. Celebrates the return of both Mantle and Mays to baseball after they were

reinstated by Ueberroth, with a focus on the star players' retirement activities.

- Ginsberg, Daniel E. *The Fix Is In: A History of Baseball Gambling and Game Fixing Scandals*. New York: McFarland, 2004. A valuable overview of a neglected aspect of baseball history.
- Kuhn, Bowie. *Hardball: The Education of a Baseball Commissioner*. New York: Times Books, 1987. Commissioner Kuhn's perspective on the casino controversy with Mays and Mantle.
- Mantle, Mickey. *The Mick*. New York: Doubleday, 1985. A straightforward narrative of Mantle's life that includes discussion of his dealings with Kuhn.
- Mays, Willie. *Say Hey: The Autobiography of Willie Mays*. New York: Simon & Schuster, 1988. Contains Mays's version of his "banishment" from baseball.

SEE ALSO: Apr. 2, 1915: Players Fix Liverpool-Manchester United Soccer Match; Sept. 21, 1919: White Sox Players Conspire to Lose World Series in "Black Sox" Scandal; Dec. 26, 1926: Ty Cobb and Tris Speaker Are Accused of Fixing Baseball Games; Spring, 1947: Baseball Manager Leo Durocher Is Suspended for Gambling Ties; May 3, 1950: U.S. Senate Committee Begins Investigating Organized Crime; Fall, 1969-Winter, 1971: Japanese Baseball Players Are Implicated in Game Fixing; Sept. 23, 1977: Horse-Swapping Fraud Staggers Belmont Park Raceway; Feb. 28, 1986: Baseball Commissioner Peter Ueberroth Suspends Players for Cocaine Use; Aug. 24, 1989: Pete Rose Is Banned from Baseball for Betting on Games; Mar. 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use.

1980

BIOGRAPHER CLAIMS ACTOR ERROL FLYNN WAS A NAZI SPY

While a number of biographies have discredited as untrue writer Charles Higham's claims of film star Errol Flynn's pro-Nazi loyalties, Flynn nevertheless has acquired a posthumous reputation as having been a Nazi spy. Later biographers counter that Flynn supported leftist causes, including the Cuban Revolution, indicating that Flynn was a political leftist and not a fascist.

LOCALE: United States

CATEGORIES: Espionage; publishing and journalism; public morals; military

KEY FIGURES

Errol Flynn (1909-1959), Tasmanian-born film star

Charles Higham (b. 1931), English-born biographer, writer, and poet

Hermann F. Erben (Gerit H. Koets; 1897-1985), Austrian-born medical doctor and photographer

SUMMARY OF EVENT

It is plausible to suggest that British writer Charles Higham's book *Errol Flynn: The Untold Story* (1980) is not so much a biography as it is an exposé. Whereas biographies, at least in the truest sense, seek to offer an account of the events of a person's life written by someone other than the figure in question, an exposé often aims to uncover revelatory, surprising, or shocking information about a particular person. That Higham's *Errol Flynn* presents more like an exposé than a biography is substantiated to some degree by Higham himself. He claims in his prologue that the revelation of Tasmanian-born film star Errol Flynn's apparently traitorous activities motivated his own personal sense of grief and shock, as well as his objective to "blow Flynn's cover."

Higham reportedly based his scandalous claims of Flynn's activities as a spy on evidence he ob-

tained under the U.S. Freedom of Information Act of 1966. Higham claims he found evidence of Flynn's political espionage and Fifth Column activities at the National Archives in Washington, D.C., as well as documentation supporting the same from both the U.S. State Department and the Federal Bureau of Investigation (FBI). Higham's book also includes a list of declassified FBI documents that Higham argues either directly or indirectly implicates Flynn in espionage activities during World War II. Additionally, Higham claims that Hermann F. Erben admitted to him that he indoctrinated Flynn into Nazism, a claim Higham does not substantiate.

While subsequent biographers—perhaps most notably Tony Thomas in *Errol Flynn: The Spy Who Never Was* (1990)—have since denounced as fabrications Higham's allegations of Nazi collaboration against Flynn, Flynn's political affiliations continue to fascinate biographers and fans alike. In fact, a growing body of evidence supports the claim that Flynn maintained expressly leftist political leanings. Such claims include assertions that Flynn was a supporter of the Spanish Republic during the Spanish Civil War (1936-1939) and of the Cuban Revolution during the late 1950's.

Just as Higham's exposé undoubtedly sustained Flynn's posthumous, though apparently erroneous, reputation as a Nazi collaborator and spy during World War II, the enduring interest in debunking Higham's allegations continues to prolong that reputation. Most of the post-1980 biographical accounts of Flynn's life recapitulate Higham's assertion of Flynn's double life as a Nazi conspirator, accounts that, in turn, contribute to the endurance of this allegation within contemporary popular culture.

The special appendix of Buster Wiles's 1988 autobiography *My Days with Errol Flynn*, "The Flynn Controversy," written by William Donati, accuses Higham of having falsified his primary-source material to prove his own thesis: that Flynn admired

Adolf Hitler, was both Nazi sympathizer and agent, and was bisexual, anti-Semitic, and a murderer. Moreover, Donati, like Tony Thomas in *Errol Flynn: The Spy Who Never Was*, argues that the true source of the Flynn controversy was never really Flynn at all but rather his association with photographer Erben. Flynn reportedly met Erben for the first time in Salamaua, New Guinea, on April 14, 1933.

That Flynn narrated and appeared in a documentary produced by Victor Pahlen called *The Truth About Fidel Castro* [sic] *Revolution* (1959) is accepted, in part, as evidence of his outward support of the Cuban Revolution against the regime of General Fulgencio Batista y Zaldívar. Flynn and Pahlen reportedly owned a movie theater in Havana when revolutionary Fidel Castro arrived in the city on January 8, 1959, to spearhead plans to install a revolutionary government. Castro himself appears in the film.

Moreover, Flynn himself appears to have substantiated claims that he supported the Cuban Revolution. In *My Wicked, Wicked Ways* (1959), for instance, he writes that he considered Castro a friend. Furthermore, Flynn also traveled to Cuba to experience the revolution at first hand. Indeed, he scooped the world press by securing the first interview with Castro following the revolution. Other public declarations that seem to indicate Flynn's leftist leanings include his appearance on a Canadian television program called *Front Page Challenge*, which aired on January 13, 1959. During the program, Flynn stated, among other things, that Castro will rank in history with some of the greatest leaders of all time.

IMPACT

Most post-1980 biographical narratives about Flynn, whether in book form or on film, include the scandal motivated by Higham's biography in their accounts dedicated to the events of Flynn's life. As such, it is possible to argue that such accounts continue to sustain and strengthen the controversy itself because the question of Flynn's anti-British and anti-U.S. political affiliations did not surface publicly during Flynn's life but rather some twenty-one years after his death.

In 2006, director Simon Nasht released the film *Tasmanian Devil: The Fast and Furious Life of Errol Flynn*. Written by Robert de Young and produced by Sharyn Prentice, the film highlights the lesser known aspects of Flynn's personal life and professional career, including his documentary filmmaking enterprises with Castro (*The Truth About Fidel Caestro Revolution*). The project received script development funding from Film Victoria (Australia) and ABC TV (Australia). In fact, publicity for the project claimed television presales were brokered with ABC TV (Australia), the British Broadcasting Corporation (BBC; Britain), ZDF/Arte (Germany/France), AVRO (the Netherlands), YLE (Finland), DR TV (Denmark), and TV Ontario (Canada). That these projects persist shows a real and continuing international fascination with the private and public life of Flynn.

—Nicole Anae

FURTHER READING

- Flynn, Errol. *My Wicked, Wicked Ways*. New ed. London: Aurum, 2005. Flynn's telling autobiography, first published in 1959, was cowritten by Earl Conrad, author of *Errol Flynn: A Memoir*. Flynn writes tellingly of his association with and support of Fidel Castro, even considering him a friend.
- Higham, Charles. *Errol Flynn: The Untold Story*. New York: Doubleday, 1980. In this scandalous biography, Higham alleges that Flynn was a fascist sympathizer and Nazi spy during World War II.
- McNulty, Thomas. *Errol Flynn: The Life and Career*. Jefferson, N.C.: McFarland, 2004. McNulty's documentary analysis of Flynn's life and career includes rare and some previously unpublished photographs.
- Thomas, Tony. *Errol Flynn: The Spy Who Never Was*. New York: Citadel Press, 1990. This account denounces as fabrications Charles Higham's allegations that Flynn was a fascist sympathizer and Nazi spy.
- Wiles, Buster. *My Days with Errol Flynn: The Autobiography of a Stuntman*. Santa Monica, Calif.: Roundtable, 1988. The appendix written

by William Donati, “The Flynn Controversy,” accuses Higham of falsifying his primary-source material to prove his own thesis: that Flynn was both a Nazi sympathizer and an agent for the Nazis.

SEE ALSO: Summer, 1936: Film Star Mary Astor’s Diary Becomes a Public Sensation; Feb. 6, 1942:

Film Star Errol Flynn Is Acquitted of Rape; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim’s Nazi Past Is Revealed; Dec. 1, 1987: Yale Scholar’s Wartime Anti-Semitic Writings Are Revealed; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks; Aug. 12, 2006: Novelist Günter Grass Admits to Youthful Nazi Ties.

February 2, 1980

MEDIA UNCOVER FBI STING IMPLICATING DOZENS OF LAWMAKERS

In 1978, the Federal Bureau of Investigation began a sting operation to investigate organized crime and the trafficking of stolen property. The agency set up a fictitious company, Abdul Enterprises Ltd., as a cover and staffed it with federal agents posing as wealthy Arab businessmen. In 1979, the focus of the operation shifted to the investigation of corrupt U.S. politicians taking money for political favors. A number of legislators were caught in the sting, but the scandal led to accusations against the FBI for its investigative techniques and for possible entrapment. The media also were criticized for reporting on the operation before anyone had been criminally indicted.

ALSO KNOWN AS: Abscam

LOCALE: Washington, D.C.

CATEGORIES: Corruption; government; law and the courts; organized crime and racketeering

KEY FIGURES

Melvin Weinberg (b. 1925), convicted con artist employed by the FBI

Angelo Errichetti (b. 1928), New Jersey state senator, 1976-1981, and mayor of Camden, 1973-1981

Harrison A. Williams (1919-2001), U.S. senator from New Jersey, 1959-1982

John W. Jenrette, Jr. (b. 1936), U.S. representative from South Carolina, 1975-1980

Richard Kelly (1924-2005), U.S. representative from Florida, 1975-1981

Raymond Lederer (b. 1938), U.S. representative from Pennsylvania, 1977-1981

Michael Myers (b. 1943), U.S. representative from Pennsylvania, 1976-1980

Frank Thompson (1918-1989), U.S. representative from New Jersey, 1955-1980

SUMMARY OF EVENT

In 1978, the U.S. Department of Justice (DOJ) authorized a request by the Federal Bureau of Investigation (FBI) to set up a sting operation, code-named Abscam (for Abdul scam), to investigate organized crime and the trafficking of stolen property. The FBI hired Melvin Weinberg, a convicted con artist, to manage the operation from the FBI office in Hauppauge, Long Island. In return for his services, the FBI purportedly paid him \$150,000 and voided his three-year prison sentence.

The FBI then set the stage for the sting by setting up a fictitious company, Abdul Enterprises Ltd., as a cover. The business was staffed by undercover agents posing as wealthy Arab businessmen. In the spring of 1979, the focus of the operation shifted to the investigation of government corruption on local, state, and federal levels. This decision was

based on a promise made by New Jersey state senator and Camden mayor Angelo Errichetti that he could provide undercover agents with a list of politicians who were willing to provide the services of the federal government in return for cash. These services included granting asylum in the United States, money laundering, obtaining gambling licenses, and investment schemes.

As part of the operation, an undercover agent called Sheikh Kambir Abdul Rahman arranged meetings with thirty-one politicians named by Errichetti. The meetings, which were secretly videotaped by the FBI, took place in several different locations, including a property in Washington, D.C., a yacht in Florida, and hotel rooms in Pennsylvania and New Jersey.

On Saturday, February 2, 1980, the National Broadcasting Company (NBC) broke the story of the FBI's Abscam investigation during its evening news segment. *The New York Times* and other me-

dia outlets reported on the operation the following day. Within a day, the FBI investigation into political corruption turned into a major scandal. In total, six federal lawmakers, three city-level officials, one federal employee, and one state senator-city mayor were convicted on felony bribery and conspiracy charges for their role in the illegal activities. On October 30, the DOJ indicted U.S. senator Harrison A. Williams for bribery and conspiracy. He was convicted on May 1, 1981, received a three-year prison sentence, and finally resigned from the Senate on March 11, 1982. He was the only U.S. senator implicated and was the first senator to be imprisoned in almost eighty years.

Five U.S. representatives also were convicted for bribery and conspiracy in connection with the sting operation. These Congress members included John W. Jenrette, Jr., who was tape-recorded telling a colleague that he had been given fifty thousand dollars in exchange for special favors. He received a

two-year prison sentence and resigned on December 10, 1980. Richard Kelly accepted a bribe of twenty-five thousand dollars from federal agents during the sting operation. He was convicted for bribery and served thirteen months in prison. Raymond Lederer was convicted for bribery and sentenced to three years in prison. Michael Myers was videotaped accepting a fifty-thousand-dollar bribe by undercover agents on August 2, 1979. He was convicted for bribery and sentenced to three years in prison. On October 2, 1980, he was expelled from the House, making him the first Congress member to be expelled since 1861. Frank Thompson also was convicted for bribery and conspiracy. He received a three-year prison sentence and resigned from the House on December 29, 1980.



A videotape from a television screen showing Representative Michael Myers, second from left, holding an envelope containing \$50,000, which he just accepted from an undercover FBI agent in the Abscam sting operation. (AP/Wide World Photos)

Five other government officials were convicted of bribery and conspiracy. These included Errichetti, three Philadelphia City Council members, and a U.S. Immigration and Naturalization Service inspector. It is important to note that on appeal, all of the aforementioned convictions were upheld.

Other notable politicians associated with Abscam include U.S. senator Larry Pressler from South Dakota and Representative John Murtha of Pennsylvania. When approached by undercover agents, Pressler simply refused to take the bribe and then reported the incident to the FBI. Murtha, on the other hand, expressed an interest in the fifty-thousand-dollar bribe because he wanted to use the money to improve the local economy in his congressional district. Because of these extenuating circumstances, Murtha was never indicted on bribery charges.

IMPACT

The Abscam scandal had far-reaching consequences, mostly negative. The operation was much maligned by government critics who accused the FBI of entrapping those thought to be involved in the affair. Entrapment is a significant accusation, given that criminal defendants could win acquittal if they can prove that they had no previous disposition to violate the law but were pressured into such violations by the urging of law enforcement officers. However, in the case of Abscam, various appeals courts ruled repeatedly that the operation did not constitute entrapment. Critics also questioned the hiring of a convicted felon to manage the investigation.

In response to these accusations, on January 5, 1981, Attorney General Benjamin R. Civiletti issued specific guidelines, the *Attorney General Guidelines on FBI Undercover Operations*, a complete set of guiding standards to direct the FBI in the best way to conduct undercover investigations. Es-

PUBLIC RESPONSE TO ABSCAM

Public opinion regarding the FBI's Abscam investigation ranged from support for the agency's successful probe to scorn for the agency's undercover tactics to catch Congress members taking bribes. In the following letter addressed to President Ronald Reagan, dated March 11, 1983, and made available through the Freedom of Information Act, an anonymous citizen questions the legality of the FBI's tactics:

Dear Mr. Reagan:

I am interested in finding out the methods used by the F.B.I. during their ABSCAM investigations. I am specifically interested in knowing the answers to these questions.

What kind of law allows the F.B.I. to bribe people?

Why was the F.B.I. not indicted for attempted bribery?

Why is this type of procedure not considered entrapment?

Can any other agency in the Justice Department use this type of procedure to catch potential criminals?

I would appreciate you answering these questions. I would also like you to send me any other information concerning this topic. Thank you for your time.

established to protect civil liberties, the guidelines, the first of their kind in U.S. law enforcement, are updated periodically in response to changing types of crime and evolving approaches to law enforcement.

The Senate also held its own probe into the operation and the FBI's investigative techniques. In December, 1982, the Senate's final report supported the FBI but also cautioned the public that the kind of techniques it used in the Abscam affair might infringe on a person's right to privacy.

For Americans who were already disenchanted with government because of the Watergate scandal and U.S. president Richard Nixon's resignation, Abscam led to further disappointment and disgust. Although criminals were brought to justice because of the operation, the case had the ultimate effect of making Americans even more distrustful of their elected officials. Voters began to critically question the integrity of their representatives. Conversely, and more positively, the scandal also exemplified how well the U.S. system of government worked. The politicians who broke the law were charged, convicted, sentenced, imprisoned, removed from

office, and publicly shamed, thus showing that no person, even a government official or one elected, is above the law.

—Bernadette Zbicki Heiney

FURTHER READING

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Roberts, Robert North. *Ethics in U.S. Government: An Encyclopedia of Investigations, Scandals, Reforms, and Legislation*. Westport, Conn.: Greenwood Press, 2001. A comprehensive encyclopedia documenting political scandals, ethical controversies, and investigations in the United States between 1775 and 2000. Includes discussion of Abscam.

Tolchin, Susan J., and Martin Tolchin. *Glass Houses: Congressional Ethics and the Politics of Venom*. Boulder, Colo.: Westview Press, 2001. This book examines the ethical pressures routinely confronted by politicians and how politicians handle those pressures. Several case studies are reviewed, including Abscam.

U.S. Congress. Senate. *Final Report of the Select Committee to Study Law Enforcement Undercover Activities of Components of the Department of Justice to the U.S. Senate*. 97th Congress, 2d session. Senate Report 97-682. Washington, D.C.: Government Printing Office, 1981. Contains analysis of ethical issues raised by the Abscam prosecutions. A basic, but important, compendium of primary sources.

SEE ALSO: Jan. 23, 1904: Senator Joseph R. Burton Is Convicted of Bribery; May, 1930: Postmaster's Division of Airmail Routes Creates a Scandal; Mar. 17, 1937: Atherton Report Exposes San Francisco Police Corruption; May 3, 1950: U.S. Senate Committee Begins Investigating Organized Crime; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; Oct. 7, 1963: Vice President Lyndon B. Johnson Aide Resigns over Crime Connections; May 14, 1974: *Washington Post* Reveals That the Nixons Received Jewelry Gifts; 1976-1977: U.S. Congress Members Are Implicated in Koreagate Scandal; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; Oct. 19, 1982: Car Manufacturer John De Lorean Is Arrested in a Drug Sting; June, 1988-June, 1989: Insider-Trading Scandal Rocks Japanese Government; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; Dec. 23, 1998: Prominent Belgians Are Sentenced in Augusta-Dassault Corruption Scandal; July 1, 2005: Federal Agents Raid Congressman Randall Cunningham's Home.

March 10, 1980

SCARSDALE DIET DOCTOR IS KILLED BY HIS LOVER

Herman Tarnower, the creator of the famous Scarsdale diet, was shot and killed by his lover, Jean Harris, the head of an exclusive Virginia girls' school. Harris became jealous over Tarnower's relationship with a younger woman. The well-publicized trial included scandalous testimony on the doctor's sex life and his fourteen-year relationship with Harris.

LOCALE: Purchase, New York

CATEGORIES: Murder and suicide; law and the courts; sex

KEY FIGURES

Herman Tarnower (1910-1980), cardiologist who created the popular Scarsdale diet

Jean Harris (b. 1923), head of a girls' school in Virginia

Lynne Tryforos (fl. 1980's), Tarnower's secretary

SUMMARY OF EVENT

Herman Tarnower, a cardiologist, practiced medicine in Scarsdale, New York, where he developed his famous diet and best-selling book, *The Complete Scarsdale Medical Diet* (1979), cowritten with Samm Sinclair Baker. Tarnower did not specialize in weight-reduction programs but believed in good nutrition. His diet derived from concern for his patients' health and from numerous requests for copies of his weight-loss plans.

Jean Harris, an educator and head of the Madeira School for Girls in McLean, Virginia, suspected that Tarnower, her lover of fourteen years, was leaving her for a younger woman. A confrontation between Tarnower and Harris ended with Tarnower being shot and killed. Harris claimed she had intended to commit suicide but instead accidentally shot Tarnower when he attempted to take the gun away from her.

Harris's early career was marked by intense devotion to her work and very little social life. That changed at a party in December, 1966, when a

friend introduced her to Tarnower. Harris, divorced and with two children, was attracted to the gregarious doctor and began dating him in March, 1967. The couple continued to see each other for the next fourteen years. Although they considered marrying each other, Harris ultimately rejected the idea because Tarnower clearly enjoyed being unmarried. Also, Harris wanted to remain independent. Tarnower, who was not possessive, encouraged Harris to see other men while he began to date other women. Harris, however, would not date others, creating an imbalance in the relationship. She initially did not seem to mind Tarnower's interest in other women, and he certainly did not attempt to conceal his other sexual affairs. Harris knew as well that Tarnower was seeing his secretary, Lynne Tryforos.

Harris said that she began receiving disturbing phone messages from an anonymous caller around the time Tarnower was beginning to date Tryforos. Harris was told by the caller that she was getting old and needed instruction in sex, messages that were demeaning and humiliating and made her feel powerless and pathetic. Curiously, Harris did not suspect that Tryforos made the calls; she could not even identify the caller's gender. Harris and Tryforos, though, did engage in several angry phone calls at other times.

In 1979, *The Complete Scarsdale Medical Diet* became a best seller, making Tarnower a millionaire. Harris had provided significant help during the production of the book, and Tarnower thanked her in his acknowledgments. For Harris, however, the acknowledgments meant little at this time: Tarnower had decided to take Tryforos instead of Harris with him on his book tour, leaving her feeling excluded from her lover's life. Depressed and exhausted, she despaired of competing with Tryforos for his attention. She also hated the idea of him choosing a woman who was so poorly educated and who seemed to lack sophistication. Others, however, said Tryforos made a good impression as

a modest and impeccably groomed professional woman.

Harris had found her career as head of a girls' school stressful, especially at Madeira, where she spent a good deal of time restoring the school's fading reputation. At such moments, she relied on Tarnower for reassurance, but he seemed unconcerned about her worries, even as she feared she might be fired after receiving a poor performance review in May, 1979.

The following year, on March 10, 1980, Harris's suicidal thoughts intensified after she had run out of the antidepressant medication that Tarnower had prescribed for her. Suffering emotionally, she wanted to take her own life, and to do so at Tarnower's residence in Purchase, New York.

Harris said that she found Tarnower sleeping upon her arrival at his house. When she woke him, he advised her to get some sleep. She then went into

his bathroom and noticed hair curlers that were not hers. She threw them at a dresser and broke its mirror. Tarnower, now awake, hit her on the face and told her to leave. She pulled out the gun in her purse, put it to her head, and, as she fired, Tarnower deflected the shot, which hit his hand. The two continued to struggle, leading to a shot to the doctor's torso. Harris admitted to the police who were first on the scene that she shot Tarnower. He died later that night, and Harris was arrested for his murder. She was released on bail and then entered a psychiatric treatment facility. She repeatedly denied that she intended to murder Tarnower and insisted on testifying on her own behalf at her trial, which began on November 21, 1980. She pleaded not guilty by reason of temporary insanity and claimed Tarnower's death was accidental. In the meantime, sales of *The Complete Scarsdale Medical Diet* soared during public discussion of the case.

While it could not be proven that Harris planned to murder her lover, a jury found her explanation of Tarnower's death unconvincing. Expert testimony for the prosecution suggested that the doctor had been shot in bed and that his wounds were inconsistent with the story of a struggle for the gun. Although an expert for the defense challenged the prosecution's expert, the defense expert admitted he was not completely certain of his analysis of Tarnower's death. The prosecution's experts, however, said they had no doubts about their analyses.

After eight days of deliberation, the jury found Harris guilty of second-degree murder. She was sentenced to fifteen years to life in Bedford Hills Correctional Facility, a maximum-security women's prison in New York. Harris appealed her verdict three times to no avail, and her requests for clemency were denied until December 29, 1992, when New York governor Mario Cuomo commuted her sentence. She had suffered two heart attacks in prison.



Jean Harris en route to sentencing at the Westchester County Courthouse, 1981. (AP/Wide World Photos)

IMPACT

The Harris-Tarnower murder case received enormous press attention. Harris, a high-achieving professional woman, seemed nevertheless in thrall to the arrogant but charismatic Tarnower. Her conflicted nature made her an appealing figure with a complex psychology. Reporters wrote about Tarnower's success with women, a success that seemed built upon his candor. Women had to take him as he was: a man who did not promise fidelity but who nevertheless created a charm that attracted women such as Harris, who sought relationships with powerful men.

Although Harris did not believe she could survive prison, she managed to do so, and she even wrote three books: *Stranger in Two Worlds* (1986), her autobiography; *They Always Call Us Ladies: Stories from Prison* (1988), which looks at an inhumane prison system in which guards and administrators abuse their authority; and *Marking Time* (1991), a collection of letters written to her biographer, also a friend.

A model prisoner, Harris worked with incarcerated mothers and presented parenting and sex-education classes. She founded the prison's Children's Center. Following her release from prison, she lectured and worked to raise funds for educating the children of incarcerated women.

—Carl Rollyson

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April 27, 1980

MOBSTER'S ARREST REVEALS POINT SHAVING BY BOSTON COLLEGE BASKETBALL PLAYERS

Several Boston College basketball players conspired with gamblers and mobsters to engage in an illegal gambling scheme known as point shaving, that is, conspiring to avoid winning by a certain spread, or margin, predicted by gamblers. After the arrest of mobster Henry Hill revealed the shocking conspiracy, Boston center Rick Kuhn was sentenced to ten years imprisonment, reportedly the heaviest penalty ever given to an athlete for point shaving.

LOCALES: Mineola, New York; Boston, Massachusetts

CATEGORIES: Corruption; drugs; gambling; law and the courts; organized crime and racketeering; sports

KEY FIGURES

Henry Hill (b. 1943), member of the Lucchese crime family and an FBI informant

Rick Kuhn (b. 1955), Boston College basketball player

James Burke (1931-1996), member of the Lucchese crime family

Paul Mazzei (b. 1944), gambler, convicted drug dealer, and friend of Henry Hill

Anthony Perla (fl. 1980's), gambler, brother of Rocco Perla

Rocco Perla (fl. 1980's), gambler, brother of Anthony Perla, and a friend of Rick Kuhn

James Sweeney (fl. 1980's), Boston College basketball player and a friend of Rick Kuhn

Ernie Cobb (fl. 1980's), Boston College basketball player

SUMMARY OF EVENT

The arrest of mobster Henry Hill in 1980 led to the discovery of point shaving at Boston College during the 1978-1979 basketball season. Several gamblers and mobsters were involved in the scheme

with three Boston basketball players. The athletes would win or lose games within a certain point margin to increase gambling profits. The unearthing of the scandal shocked the sports world and impacted the regulation and enforcement of illegal gambling in athletics.

The point-shaving scheme, devised in the summer of 1978, involved an intricate web of individuals, ranging from low-end gamblers and drug dealers to powerful criminal figures. Hill, a member of New York's Lucchese crime family, became acquainted with gambler and cocaine dealer Paul Mazzei in 1972 while both were incarcerated in Pennsylvania's Lewisburg federal prison for extortion. Hill and Mazzei designed the point-shaving scam while they were in prison.

After being released from prison in July, 1978, Hill met with Mazzei in Pittsburgh, Pennsylvania, to further plan the gambling scheme. It was at this time that Hill was introduced to Mazzei's drug affiliates, Anthony Perla and his brother, Rocco Perla. Anthony informed Hill and Mazzei that Boston College would be the ideal venue for implementing the point-shaving plot because of Rocco's friendship with Boston College center Rick Kuhn. After Kuhn agreed to participate in the scheme, he coaxed his friend and fellow player James Sweeney to help carry out the plan.

Mazzei and the Perla brothers wanted Hill to involve his Lucchese crime family bosses James Burke and Paul Vario in the scheme as financial backers. Their involvement would help increase profits and, because of their wide influence, ensure control over bookies and nonpaying debtors. After receiving the consent and support of Burke and Vario, Hill further developed the details of the scheme: The Lucchese family would finance the gambling plot, and Mazzei would transfer the funds to the Perlas to pay the Boston College players involved.

Kuhn was given the responsibility of deciding which games to fix and of ensuring that the games' scores would result in the desired point spreads necessary for payout. Common methods that were used for controlling the point spread in basketball games included fouling other players and missing free throws. The scheme was finalized shortly after Hill and the Lucchese crime family conducted a heist of \$5.8 million from a vault at New York's John F. Kennedy International Airport.

The point-shaving plan was first put into action during the game between Boston College and Providence College on December 6, 1978. The game ended unfavorably for the gamblers when Boston won outside the wagered point margin. The gamblers considered the Providence game a failure because of their lack of control over players scoring on the court. The gamblers were convinced that more Boston players had to be involved for the scheme to work. Boston's top scorer, Ernie Cobb, and several bookies were coerced into the scam.

Before the start of the next fixed game, the scheming Boston players were threatened by Hill and Burke to adhere to the plan. Kuhn, Sweeney, and Cobb began to realize the growing risks of working with the mob, including violent repercussions, but the players also feared legal authorities and being sanctioned by the National Collegiate Athletic Association.

The Boston players continued to shave points and produce a substantial profit for the gamblers between December, 1978, and the following March, and were instrumental in fixing a total of nine games after the failed game against Providence. To counter any growing suspicions of their point shaving, the gamblers rigged several games to break even in their payouts. A significant upset in gambling profits occurred during a game with Holy Cross, in which a basket by Cobb placed Boston beyond the wagered point margin at the end of the game; this error led to Burke's withdrawal from the scam. Boston ended its season with a 22-9 record, and the gamblers profited from six of the nine games that were fixed. Hill allegedly made close to \$100,000, and his associates made up to \$250,000. Each Boston player reportedly earned an average of

Point Shaving by Boston College Basketball Players

\$10,000. The players and gamblers parted ways at the end of the season, but only for a short time.

The point-shaving scandal would bring the players and gamblers together once again during the early 1980's. Hill was arrested on April 27, 1980, in Mineola, New York, for six drug-related felonies and was later charged in connection with the heist at the airport in 1978. Hill agreed to cooperate with authorities for two big reasons: First, the evidence against him was overwhelming, and second, Lucchese family members and others involved in the airport heist were murdered to keep them from revealing details of the crime should they be arrested.

Fearing for his safety, Hill entered the witness protection program and became an informant for the Federal Bureau of Investigation (FBI), providing critical information on the Lucchese family's criminal activities. Under the terms of the contract with the FBI, Hill was required to provide a full and honest account of all his crimes to avoid conviction and imprisonment. He revealed the Boston College point-shaving scandal to shocked authorities.

IMPACT

The scam remained undetected until Hill's testimony to the FBI and became known publicly only after Hill agreed to sell his story to *Time* magazine for \$10,000. After the article was published in *Time*, the Lucchese family issued a \$100,000 hit on Hill. The FBI was forced to increase security measures to protect its informant.

On October 27, 1981, the federal trial began in a Brooklyn court. Burke, Mazzei, Anthony and Rocco Perla, and Kuhn were charged with conspiracy, bribery, and racketeering. Hill's testimony in the case helped the prosecution seal convictions against four of his former associates. In 1982, Burke received a prison sentence of twenty years and Mazzei was sentenced to ten years. Anthony Perla was sentenced to ten years (later reduced to six years), Rocco Perla received a four-year prison term and was fined, and Kuhn was sentenced to ten years, the longest prison term ever given to a college player for point shaving. Kuhn's prison term was later reduced to four years; he was released in 1986. Cobb was not indicted until 1983 and was

found not guilty in 1984. Vario also was acquitted of all charges. Sweeney avoided being charged in the scandal because he cooperated with authorities and testified against the others in court.

Although the scandal stunned the sports world and damaged the reputation of Boston College, point shaving continues unabated in college sports. Players still risk being expelled from their respective colleges or universities and face indictment and imprisonment, yet the schemes continue.

One positive outcome of the scandal was the development of several deterrence and detection techniques. These new techniques include monitoring the amount and frequency of wagers and comparing team odds with expected point margins, all in the hope of catching perpetrators in their acts of crime.

—Sheena Garitta

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Late July, 1980**PRESIDENT'S BROTHER, BILLY CARTER, REGISTERS AS A PAID AGENT FOR LIBYA**

Billy Carter, the brother of U.S. president Jimmy Carter, reportedly received \$220,000 in loans from the government of Libya between 1978 and 1980. The U.S. Justice Department agreed not to indict the president's brother but required him to register as a Libyan agent. Given that Libya was a suspected terrorist state, Billy's association with the Libyan government damaged his brother's 1980 campaign for reelection.

LOCALE: Washington, D.C.**CATEGORIES:** Corruption; international relations; politics; government; law and the courts**KEY FIGURES**

Billy Carter (1937-1988), brother of U.S. president Jimmy Carter

Jimmy Carter (b. 1924), president of the United States, 1977-1981

Bert Lance (b. 1931), director, U.S. Office of Management and Budget

Benjamin Civiletti (b. 1935), U.S. attorney general, 1979-1981

SUMMARY OF EVENT

Billy Carter, the younger brother of U.S. president Jimmy Carter, was notorious throughout his brother's presidency for his involvement in a variety of scandals. The most serious was his association with Libya, deemed by the United States to be a state sponsor of terrorism.

Billy achieved notoriety immediately after his brother became president. He attracted the media and tourists to his service station in the Carter family's hometown of Plains, Georgia. There, he regaled his audiences with his colorful language, beer drinking, and outrageous commentary. He became a popular entertainer, making up to \$500,000 a year appearing on television talk shows and at sports events around the country while his popularity

lasted. However, Billy soon became an embarrassment to the president because of his perceived corruption.

A congressional investigation involving Bert Lance, President Carter's director of the Office of Management and Budget (OMB), uncovered evidence of corrupt financial practices during Jimmy Carter's 1976 presidential campaign. Lance, as president of the National Bank of Georgia, had approved loans and a line of credit in the amount of \$3.65 million to Billy and Jimmy Carter and the Carter Peanut Warehouse, which Billy managed. On September 23, 1976, Lance increased the line of credit for the Carter Warehouse to \$9 million. Despite Lance's resignation as OMB director on September 21, 1977, both he and Billy remained under investigation.

In November, 1978, Billy was called to testify and produce records showing how the loan money was spent. Carter Warehouse records showed much less money spent for the warehouse business than was received in loans approved by Lance. The investigators questioned Billy as to whether the loan money was transferred illegally into his brother's 1976 campaign fund. Five times during his testimony, Billy asserted his Fifth Amendment rights and refused to answer questions on grounds of possible self-incrimination. Lance was acquitted. He then returned to Calhoun, Georgia, and again became chairman of the National Bank of Georgia. He acquired new partners and investors, four of whom were influential Arab businessmen.

Questions about Billy's financial dealings drew more attention when he made several visits to Libya between 1978 and 1980. Billy's first visit in 1978 was an all-expenses-paid trip with Georgia legislators and businessmen seeking investments and business deals with Libya. In addition to his travel expenses, Billy received several gifts valued at about \$3,000. In 1978, Libya was providing only 10



Billy Carter just prior to his appearance before a session of the special Senate Judiciary subcommittee regarding his dealings with Libya. (AP/Wide World Photos)

percent of United States oil imports, and it wanted to increase that percentage. The U.S. National Security Council briefed Billy and cautioned him against saying or doing anything that would disturb the delicate peace negotiations that were under way in the Middle East. An investigation by the U.S. Justice Department in 1980 revealed that Billy had accepted the Libyans' offer of a commission for using his influence to arrange the sale of additional oil to the United States. The Libyans promised him loans up to \$500,000 in advance of any earned commissions. Billy later admitted that he had received \$220,000 in loans from Libya.

Following his 1978 visit to Libya, Billy arranged a reception for Libyan delegates visiting Georgia and organized the Libyan-Arab-Georgia-Friendship Society to promote further business relations.

At that time, Libya was trying to purchase C-130 transport planes from the United States, but President Carter had blocked the sale because of Libyan terrorist activities. Libya wanted Billy to influence his brother to cancel that embargo.

In January, 1979, Congress was pressuring the Justice Department to investigate President Carter's possible involvement with his brother's Libyan dealings. The U.S. attorney general privately tried to persuade Billy to register as an agent for Libya under the Foreign Agents Registration Act, which allows citizens to lobby for the interests of a foreign government. Billy refused, saying that the Libyans were his friends and that he was not a foreign agent.

In March, under increasing pressure from the U.S. Congress, the Justice Department began a for-

mal investigation to determine whether Billy was violating the law in his dealings with Libya and whether the president was participating in the Libyan deals. President Carter denied any knowledge of his brother's financial dealings with Libya.

In August, Billy spent an entire month in Libya, celebrating the tenth anniversary of Muammar al-Qaddafi's successful revolution and takeover of the Libyan government. By June, 1980, the Justice Department was certain that Billy's loans from Libya were compensation for using his influence upon the president to further Libya's interests. By July, daily media reports featured what came to be called "Billygate" and began to compare President Carter's alleged cover-up of his Libyan dealings to President Richard Nixon's Watergate scandal.

On July 22, both the U.S. Senate and the U.S. House of Representatives called for a full investigation and pressed Carter to disclose everything he knew of his brother's Libyan activities. Carter admitted that he had asked Billy to use his influence with his Libyan friends to help arrange the release of American hostages held in Iran. Later, the president released secret cables from Libya concerning oil dealings and the purchase of C-130 transport planes. Carter also acknowledged that Billy had been given access to those cables and other U.S. State Department documents. The Senate investigation further revealed that Billy's connection with Libya may have been linked with Robert Vesco, a fugitive financier who was fighting extradition back to the United States. Vesco told Senate investigators that he had helped arrange the initial contacts between Billy and the Libyans.

The Senate investigation committee, growing impatient with U.S. attorney general Benjamin Civiletti's so-called foot-dragging on the Billy Carter investigation, called for Civiletti's resignation. In late July, Civiletti brought Billy in for questioning. After Billy admitted that he had received \$220,000 from Libya, the attorney general informed him that he was facing criminal charges for influence peddling on behalf of Libya. Civiletti recommended again that Billy register as a Libyan agent. Billy then contacted White House counsel Lloyd Cutler, who referred him to two Washington,

Billy Carter Registers as a Paid Agent for Libya

D.C., attorneys. Billy's attorneys met with Justice Department lawyers and worked out an agreement whereby he would register as a Libyan agent and thus avoid criminal prosecution. Under threat of criminal prosecution, Billy finally registered as an agent for the Libyan government.

IMPACT

The Billygate scandal was highly publicized in 1980, the year of President Carter's reelection campaign for the presidency. Comparison of Billygate to Watergate was inevitable because Jimmy Carter had run his 1976 campaign on promises of a corruption-free, honest, and open government that would be completely different from Nixon's. Billygate had a broad impact because Billy's activities brought the president's own integrity into question.

President Carter admitted that he could not control his brother's activities. Billy had no official position from which he could be fired or asked to resign, as had Lance and others in the Carter administration. President Carter's competence was already in question because of his administration's failures to alleviate problems in the economy, such as high interest rates and a high unemployment rate, as well as address the oil and gas crisis, and Carter seemed unable to resolve the Iranian hostage situation. Billygate made the president's integrity as well as his competency an important issue in the 1980 campaign. Consequently, Carter lost his bid for reelection and Republican Ronald Reagan became president.

—Marguerite R. Plummer

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July 28, 1980

MAGAZINE REVEALS BASEBALL STAR STEVE GARVEY'S MARITAL PROBLEMS

Steve and Cyndy Garvey were known as a clean-living, conservative couple whose perfect family life mirrored their perfect looks. Freelance journalist Pat Jordan's article about them in Inside Sports magazine includes Cyndy discussing her dissatisfaction with the marriage and wishes for an affair. The Garveys sued the magazine and Jordan for libel, invasion of privacy, and breach of contract but settled out of court. The article was the beginning of the end of the Garveys' marriage and perfect image.

LOCALE: Los Angeles, California

CATEGORIES: Publishing and journalism; popular culture; families and children; women's issues

KEY FIGURES

Steve Garvey (b. 1948), professional baseball player

Cyndy Garvey (b. 1949), television talk-show cohost

Pat Jordan (b. 1941), freelance writer

SUMMARY OF EVENT

Steve and Cyndy Garvey were media darlings during the late 1970's, appearing in various magazine spreads with their two young daughters. The pair, married since 1971, frequently appeared on television together talking about their perfect family and their devotion to one another. Steve, who was a star baseball player with the Los Angeles Dodgers, had political aspirations and was considered the perfect family man, and Cyndy was starting make a name for herself as the cohost, with Regis Philbin, of the Los Angeles morning television show *AM Los Angeles*.

In the spring of 1980, freelance writer Pat Jordan was contracted by *Inside Sports* magazine to write a

story about the couple, popularly known as Ken and Barbie, a reference to the popular toy dolls with seemingly perfect physiques and lives. The unflattering article, "Trouble in Paradise," which appeared on newsstands on July 28, 1980, in *Inside Sports*, was based primarily on taped conversations with Cyndy. Jordan depicted the couple as drifting apart, and Cyndy was portrayed as an angry, somewhat empty woman who felt trapped by her image. Cyndy also appeared as a neglected "baseball wife" considering an affair. In her 1989 memoir *The Secret Life of Cyndy Garvey*, she reveals that she already had an affair before the interview with Jordan in 1980.

Cyndy also claims in her memoir that Jordan told her that his article would be about the struggles of baseball families, so she assumed that other baseball wives would be interviewed for the piece as well. This would not be the case. She also claims that the conversation between herself and Jordan was so relaxed that she did not even realize that he had begun to tape-record their discussion.

The article breaks down the couple's story into sections such as "The House," "The Wife," "The Job," and "The Husband." It notes that they have money, but not taste. Cyndy is quoted as saying, for example, "I'll only go with my husband to talk shows if I have a vehicle of my own. I can sing you know. I can dance, I can talk. I can chew gum." She also shares her feelings of frustration about her husband being withdrawn, even distant, when he is not on the road with the Dodgers, and she shares her anger about having been alone when their first child, a girl, was born; Steve was playing for the Dodgers in the World Series at the time of their daughter's birth. She also is cynical about her husband's political ambitions, noting that in a decade she would be a "senator's wife."

Jordan portrayed Steve more sympathetically, however, casting him as a calculating person, but a person who also loves his wife and who cannot understand why she is upset. Jordan wrote, "Steve Garvey is infatuated with his wife. He has loved her



Steve and Cyndy Garvey with their daughters, Whitney and Krisha, in 1978. (Hulton Archive/Getty Images)

in the same way for 10 years, and now that that is no longer enough for her, he is confused."

Cyndy took most of the blame for the revelations in the damaging article. Many readers felt sympathy for Steve. Cyndy recalls in her memoir a time when she was listening to a radio call-in show on her way home from work. Callers said she was an "ingrate" and a "bimbo." In a letter to the editor in the November 30, 1980, issue of *Inside Sports*, Dani Torre, married at the time to New York Mets manager Joe Torre, wrote that "Cyndy needs help" and "Bravo to the real good boys who play ball, and their women, who plan babies for the off-season."

The Garveys sued Jordan and Newsweek, Inc. (owners of *Inside Sports* magazine) for libel, invasion of privacy, and breach of contract, arguing that Jordan broke an oral agreement that his feature would be “favorable” to the couple and would focus on the “special challenges” they faced in their marriage. Cyndy later wrote that she was the one who had insisted on suing, while Steve had been concerned that the suit would interfere with his attempt to maintain his streak of consecutive games played. The *Los Angeles Herald-Examiner*, also named in the lawsuit, wanted to reprint the *Inside Sports* article but was blocked from doing so, temporarily. The Garveys sought the court’s help in preventing the newspaper from publishing the piece. Attorneys for Newsweek and the *Herald-Examiner* appealed, and the paper was cleared to publish the story. (The *Los Angeles Times* reprinted the story first, though, the day after the *Herald-Examiner* was given permission to do so by the court.)

In July of 1981, the Garveys announced they had settled the suit out of court. The couple’s lawyer stated publicly that the suit was settled for “a lot of money,” which was not the case. Lawyers for Newsweek struck back. They noted that the Garveys’ attorney violated a written confidentiality agreement between parties in the lawsuit. The Garveys, Newsweek attorneys added, “dropped this \$11.2 million suit for about 1 cent on the dollar.” In September of that same year, the Garveys separated; they divorced in 1985.

IMPACT

Steve continued playing baseball until May, 1987, ending his career with the San Diego Padres. Cyndy wrote her memoir. She tells her readers in the book that she had been physically abused by her father and was emotionally abused by Steve, whom she referred to as “a sociopath who doesn’t take responsibility for his actions.” She added, “If Ted Bundy [a serial murderer] is a 10, then Steve’s a 7.” Her memoir brought much-needed attention to domestic violence. Cyndy also claims that Steve did not provide child support (a claim he denied). That same year, two women sued Steve, claiming he was the father of their children. He later

admitted that he had fathered children with two other women.

The paternity cases, coupled with Cyndy’s comments about him in the *Inside Sports* article, made Steve into a national joke of sorts. A popular bumper sticker of the time read, “Honk if you’re carrying Steve Garvey’s baby.” Later that year, Cyndy was sentenced to 130 days in jail for violating a court order that allowed Steve to visit the children. Steve did not run for public office, but he started his own company, Garvey Communications, in 1988 and also works as a motivational speaker.

It was no secret during the height of Garvey’s baseball career that he hoped to enter politics after retiring from baseball. Cyndy says in the article that she had been hoping for a more rewarding broadcasting career. “Trouble in Paradise” was the first crack in the Garveys’ image of perfection, leading to the picture-perfect couple’s separation within a year.

Neither Steve nor Cyndy recovered professionally from the bad press that began to appear after *Inside Sports* revealed the true couple behind the image. The divorce and the paternity suits ended Steve’s political ambitions, and Cyndy’s television career went nowhere. She had moved to New York in 1983 to host *The Morning Show* and was joined by Philbin, but she left the show in 1984. Steve and Cyndy’s marriage, seemingly untouchable, became the stuff of tabloids, talk-show television, and one-line jokes.

—Julie Elliott

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she claimed was emotionally abusive and having affairs for much of their marriage.

Garvey, Steve. *My Bat Boy Days: Lessons I Learned from the Boys of Summer*. New York: Scribner, 2008. Steve Garvey reminisces about his early years in baseball.

“Going to Bat for a Marriage.” *Time*, August 25, 1980. Discusses the immediate aftermath of the *Inside Sports* article as well as the lawsuit against Jordan and attempts to stop the story from being reprinted.

Jordan, Pat. “Trouble in Paradise.” *Inside Sports*, August 31, 1980. The article revealed that Cyn-dy’s frustrations with being a baseball wife and with being lonely and needing affection. This article was the first to hint of anything negative in the Garvey marriage.

Reilly, Rick. “America’s Sweetheart.” *Sports Illustrated*, November 27, 1989. Discusses the messy divorce between the Garveys as well as Steve’s numerous affairs and the paternity cases against him.

SEE ALSO: Nov. 23, 1946: Tennis Star Bill Tilden Is Arrested for Lewd Behavior with a Minor; Dec. 7, 1980: Rita Jenrette’s “Diary of a Mad Congresswife” Scandalizes Washington; Apr. 28, 1981: Tennis Star Billie Jean King Is Sued for Palimony; Dec., 1982: Julie Andrews and Blake Edwards Deny Being Gay; Sept. 22, 1997: Sportscaster Marv Albert Is Tried for Sexual Assault; July 1, 2003: Basketball Star Kobe Bryant Is Accused of Rape.

September 3, 1980

CONGRESSMAN BAUMAN IS ARRESTED FOR LIAISON WITH TEENAGE BOY

Republican representative Robert E. Bauman, a board member of the American Conservative Union and an outspoken advocate of traditional values, was arrested and charged for soliciting sex with a sixteen-year-old male prostitute. His arrest shocked his constituents and colleagues and led to the end of his career in politics.

LOCALE: Washington, D.C.

CATEGORIES: Law and the courts; prostitution; sex crimes; public morals; government; politics

KEY FIGURE

Robert E. Bauman (b. 1937), U.S. representative from Maryland, 1973-1981

SUMMARY OF EVENT

In the fall of 1980, the conservative Christian backlash against the gay and lesbian rights movement was in full swing in the United States. November

would see Ronald Reagan, backed by the Religious Right, elected president by a landslide. On Capitol Hill, being antigay was the accepted de facto political position, and prominence in conservative groups was a stepping-stone to political advancement.

Robert E. Bauman was riding the tide. A seven-year veteran of the U.S. House of Representatives, Bauman’s political history was staunchly conservative and Christian. He was a founding member of the American Conservative Union in 1964 and was director of the conservative lobbying group Young Americans for Freedom. He and his wife worked together for numerous conservative political causes, and they outwardly presented an ideal picture to conservative voters. Bauman, a Roman Catholic, served in the Maryland state senate from 1971 to 1973 and was elected to the U.S. Congress in 1972, beginning his term in 1973. He was up for reelection in 1980 when scandal derailed his career and life.

The gay and lesbian rights movement was well established in Washington, D.C., by 1980, and it showed no signs of leaving town just because a conservative Republican was about to win election to the White House. One of the most popular gay bars in the city was Chesapeake House, operated by John Rock. When Rock opened the bar, he initially featured female and male strippers, but by 1980 he focused on entertainment for gay men.

Bauman allegedly frequented the bar and picked up lovers there. Around six months before the scandal broke, his wife found his gay porn magazines and confronted him. He began counseling with a priest and believed he was on the road to “recovering” from his sexual orientation. However, the Federal Bureau of Investigation (FBI) had been following him. On September 3, 1980, he was arrested for oral sodomy with a sixteen-year-old male prostitute he had picked up in the District of Columbia. In his autobiography *Gentleman from Maryland: The Conscience of a Gay Conservative* (1986), Bauman points out that the FBI had been investigating several members of Congress at this time, and that only he was charged. He believes his behavior came under attack for political reasons, even though he admits that his arrest was justified. Bauman was formally charged on October 3.

In his autobiography, Bauman discusses his trysts. He explains that his conservative background caused him to try to repress his homosexuality. Married and with four children, he also drank heavily, then went to confession to purify himself for church. He hoped that if he could control his political career, his personal life would not matter. He marketed himself as pro-family, which meant anti-gay, but eventually his behavior caught up with him.

Conservatives were shocked by Bauman’s arrest. Known as the House watchdog for his ability to stall Democratic measures, he had been a conservative his entire life, starting down his chosen path in military school, where he had vowed to himself that he was not gay. He continued to deny his homosexuality into adulthood and throughout his political career. As a member of the House, he voted for three bills containing antigay legislation, and he co-sponsored the Family Protection Act (1977), anti-

gay employment legislation. The few constituent letters he received in support of gay and lesbian rights were answered with a Roman Catholic, anti-gay response: condemnation of homosexual acts though not the individuals practicing them (“love the sinner, not the sin”).

Bauman pleaded no contest to charges of solicitation of a minor and was convicted of a misdemeanor. He made a statement to the press that he was fighting the demons of homosexuality and alcoholism, and he spent the next three years undergoing psychiatric treatment. He remained in the 1980 political race, ultimately losing by only 2 percentage points, one of only four Republican representatives to lose their seats that year. Because the loss was so close, he attempted to return to Congress with a run in the 1981-1982 Republican primary but withdrew from the race after realizing he would always face attacks for his criminal past and his homosexuality. His wife eventually requested an annulment, and it was only after the annulment was granted that Bauman started to admit his homosexuality to himself. That was in 1982.

IMPACT

Bauman was clear about his not choosing to be gay. In fact, he fought against his sexuality for much of his life and came to terms with his sexual orientation only after years of psychotherapy. His case is an argument for those who insist sexual orientation is a matter of biology, rather than choice. He agreed that he was forced out of the closet and hoped his case would draw attention to the roughly 10 percent of the U.S. population that is gay or lesbian and that gays and lesbians can be conservative as well as liberal. In 1985, he attempted to found a gay Republican congressional group that would have been a predecessor to Log Cabin Republicans, but his efforts failed because most gay Republicans at the time were too afraid of exposure to join such a group.

Bauman’s critics believe that his being “forced out” of the closet takes away from the value of his candor in his autobiography, in which he recounts his journey through alcoholism and into accepting his homosexuality. Bauman, however, did not use his arrest and subsequent outing in the media to

transform into a liberal or abandon his Catholicism. Some say his autobiography outed liberal gay representative Barney Frank, but Frank had been out to his friends and close associates for some time and came out publicly without losing stature once Bauman's book broadcast the information.

Indeed, in his book, Bauman addresses his own situation uniquely. He began to speak out for gay rights, having experienced some of the prejudice that comes with being gay. His positions were not popular with fellow conservatives, but in spite of this, he refused to change his politics. He could no longer claim to be a traditionalist conservative who supports a hands-off government in most respects except "enforcing" public morality. However, he remained basically conservative, especially in financial issues. After the scandal, he began to write books on financial issues and to work for the group Sovereign Society, which is dedicated to conservative money issues. He remained Catholic as well, in spite of Catholicism's staunch antigay position.

—Jessie Bishop Powell

FURTHER READING

Bauman, Robert. *The Gentleman from Maryland: The Conscience of a Gay Conservative*. New York: Arbor House, 1986. Bauman discusses his homosexuality and addresses the conflict between his expressed antigay views and his later coming out, and his change in perspective on gay and lesbian rights.

Danforth, John C. *Faith and Politics: How the "Moral Values" Debate Divides America, and How to Move Forward Together*. New York: Viking Press, 2006. Argues the Republican Party must move away from fringe issues to unite. Contrasts with the views of the Religious Right-dominated party that brought Bauman into office.

Gunderson, Steve, and Rob Morris, with Bruce Bawer. *House and Home*. New York: Dutton, 1996. Discusses the outing of Republican representative Gunderson of Wisconsin. Examines his political positions and his political career. Shows that scandal does not necessarily follow revelations of homosexuality.

Marcus, Eric. *Making Gay History*. New York: HarperCollins, 2002. Includes a three-part interview with Bauman, discussing the scandal and his life as a conservative Republican since coming out of the closet.

Tafel, Richard. *Party Crasher: A Gay Republican Challenges Politics as Usual*. New York: Simon & Schuster, 1999. Argues that gays and lesbians do not have to be Democrats to remain loyal to both their politics and their sexuality.

SEE ALSO: 1970: Study of Anonymous Gay Sex Leads to Ethics Scandal; Oct. 25, 1974: Evangelist Billy James Hargis Resigns College Presidency During Gay-Sex Scandal; Jan., 1977: Singer Anita Bryant Campaigns Against Lesbian and Gay Rights; July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock; July 20, 1983: Congress Members Censured in House-Page Sex Scandal; Sept. 19, 2000: Ex-gay Leader John Paulk Is Photographed Leaving a Gay Bar; Aug. 19, 2004: Blog "Outs" Antigay Congressman Edward Schrock; Dec. 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal; Sept. 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard; July 11, 2007: Florida Politician Is Arrested for Soliciting an Undercover Male Police Officer.

October 9, 1980

BENDIX EXECUTIVE RESIGNS AMID RUMORS OF AN AFFAIR

Mary Cunningham was an executive at Bendix Corporation who advanced from executive assistant to vice president for strategic planning in only fifteen months. She resigned after a series of well-publicized rumors claimed that her rise in the company was a direct result of her romantic relationship with Bendix chairman William Agee. Cunningham and Agee married in 1982.

LOCALE: Southfield, Michigan

CATEGORIES: Business; sex; women's issues

KEY FIGURES

Mary Cunningham (b. 1951), vice president of strategic planning at Bendix Corporation

William Agee (b. 1938), chairman of Bendix Corporation

William Panny (b. 1930), president of Bendix Corporation

SUMMARY OF EVENT

Mary Cunningham had more than two dozen job offers from major financial corporations after she received her master's degree in business administration from the prestigious Harvard Business School in 1979. Cunningham rejected all the offers and instead opted to take what some corporate recruiters and Harvard Business School classmates might consider a less important position within corporate America. In June, 1979, she accepted a position as an executive assistant to William Agee, chairman of Bendix Corporation, a *Fortune* 500 aerospace manufacturer in Southfield, Michigan.

Cunningham, who had striking good looks and was described by several independent sources as beautiful, brilliant, and ambitious, worked closely with Agee on a series of corporate initiative projects. Agee soon became her mentor at the company. One year later, in June, 1980, Agee promoted Cunningham to vice president of corporate and public affairs. Her corporate responsibilities increased, and her relationship with Agee grew stron-

ger. Some Bendix executives became envious of their relationship, and they considered her an obstacle to their access to Agee (she seemed to consume a good deal of his valuable time, often at their expense). In addition, some managers criticized her work. In particular, they were critical of a report she wrote on work at one of the company's automobile plants. Her detractors believed that her report did little to improve conditions in the plant. Despite their criticisms and concerns, Cunningham's reputation continued to soar with Agee.

Agee increased Cunningham's corporate responsibilities at Bendix. Many people within the organization believed that she had done very little there to deserve the vast amount of power that Agee had given her. She rose too rapidly, they said, through the organization in too short a time period.

The corporate grapevine can be deadly. Quiet rumors began to swirl around the company that Cunningham and Agee were having a relationship outside the workplace. Some executives registered their disapproval with William Panny, the president of Bendix, who reported directly to Agee. Allegedly, Panny was getting ready to inform the board of directors about the relationship, now a scandal, and its organizational impact. In early September, 1980, before Panny was able to talk to the board, he was fired by Agee. In what might appear to be an expression of sympathy over Panny's firing, Jerome Jacobson, the vice president of strategic planning, left Bendix as well. Unsigned letters were sent to Bendix board members about the Agee-Cunningham affair. Agee vehemently denied any romantic link with Cunningham in his conversations with corporate executives and board members.

On September 24, Agee held a meeting with about six hundred Bendix employees. One item on the agenda was his internal reorganization plan to replace Jacobson. Agee announced that he had appointed Cunningham as Jacobson's replacement, an executive decision that would bring their relationship into the limelight. Soon, the story of their

personal relationship and news of her executive-level promotions attracted national media attention.

Cunningham quickly began to stem the tide of public opinion against her. She initially entertained the idea of resigning from the company. For her, a leave of absence would be the perfect solution. It would give her some political and public leverage by allowing her to resign if the board wanted to dismiss her. Moreover, a board would be hard-pressed to reverse itself so soon after it voted to promote her earlier in the week. Ever the strategist, Cunningham sent a letter to the board of directors on September 28, asking that board members grant her a leave of absence. A small subcommittee of the board declared it had “full confidence” in her, but the majority of the board determined that her continued employment at Bendix would compromise the company.



Mary Cunningham. (Hulton Archive/Getty Images)

Bendix Executive Resigns Because of an Affair

On October 9, some fifteen months after being hired at Bendix, Cunningham resigned as a corporate officer. In her resignation letter, she stated that an “unusual convergence of events” prevented her from carrying out the duties of her position and, therefore, she was severing her employment with Bendix in the best interest of all parties.

IMPACT

Despite her resignation, Cunningham had no problem finding another job in the corporate world. In March, 1981, she was hired as vice president of strategic planning for Seagram and Sons. She continued her friendship with Agee, and about fifteen months later, in June, 1982, she and Agee were married.

In September, Agee led Bendix to a \$1.5 billion hostile takeover bid of Martin Marietta, another aerospace manufacturer. However, Bendix failed in its attempt for two reasons: Agee seriously miscalculated the situation, which resulted in golden parachutes (for Bendix employees), and Martin Marietta was rescued by United Technologies Corporation by means of the infamous Pac Man defense (a strategy in which a company being bought mounts a defense to purchase the takeover company). Cunningham, now a former Bendix employee, was at Agee’s side during the negotiations. Her presence sent the wrong signal to people in high-level corporate circles and, according to some familiar with the case, even helped break the deal between Bendix and Martin Marietta. In fact, a Martin Marietta board member reportedly stated, “We’ll burn this company to the ground before we let that (woman) have it.” That board member was speaking of Cunningham. In the end, Bendix was sold to Allied Technology, and Agee lost his job at Bendix in February, 1983.

—Joseph C. Santora

FURTHER READING

Cunningham, Mary, with Fran Schumer. *Powerplay: What Really Happened at Bendix*. New York: Linden Press/Simon & Schuster, 1984. Cunningham gives her side of the story and details her relationship with William Agee.

"Mary Agee." *U.S. News & World Report*, February 28, 2005. A brief follow-up article on Mary Cunningham (now Agee), twenty-five years after the Bendix scandal.

"Mary Cunningham Redux." *Time*, March 9, 1981. A newsmagazine article on the scandalous affair, published six months after Cunningham's resignation from Bendix.

Pfeffer, Jeffrey. *Managing with Power: Politics and Influence in Organizations*. Boston: Harvard Business School Press, 1992. This book is a classic on power in organizations. It devotes a brief section to the conflict between Agee and Cunningham and Bendix president William Panny, and it assesses Agee's ability to gain advantage by "striking first."

Sloan, Allan. *Three Plus One Equals Billions: The Bendix-Martin Marietta War*. New York: Arbor House, 1983. This book discusses Bendix Corporation's attempt to take over Martin Marietta. Also considers Agee and Cunningham's affair and their conflict with William Panny.

SEE ALSO: Mar. 29, 1962: Billie Sol Estes Is Arrested for Corporate Fraud; Feb. 4, 1976: Lockheed Is Implicated in Bribing Foreign Officials; Apr. 15, 1992: Hotel Tycoon Leona Helmsley Enters Prison for Tax Evasion; Mar. 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal; Sept. 18, 2006: *Newsweek* Reveals That Hewlett-Packard Spied on Its Own Board.

December 7, 1980

RITA JENRETTE'S "DIARY OF A MAD CONGRESSWIFE" SCANDALIZES WASHINGTON

Shortly after her husband, a three-term Democratic representative from South Carolina, resigned his House seat after being convicted as part of the Abscam sting operation, Rita Jenrette provoked a scandal with her account of her time as a "Congresswife" in Washington, D.C. The magazine excerpt and subsequent book, My Capitol Secrets, tell the tale of profligate behavior, alcohol abuse, influence peddling, rampant promiscuity, and wild sex.

LOCALE: Washington, D.C.

CATEGORIES: Publishing and journalism; sex; politics; corruption

KEY FIGURES

Rita Jenrette (Rita Carpenter; b. 1949), former Republican Party operative from Texas

John W. Jenrette, Jr. (b. 1936), U.S. representative from South Carolina, 1975-1980

SUMMARY OF EVENT

After graduating from the University of Texas in 1971, Rita Jenrette made an immediate impact in the Texas Republican Party with her savvy knack for political strategy. She was a lecturer in political science at Trinity University and, by 1975, she headed the Republican National Committee's Opposition Research branch, a division of the party that, in the wake of the post-Watergate turmoil and the downfall of the Richard Nixon White House, investigated Democratic nominees for problematic pasts and designed often incendiary attack ads to promote Republican nominees for office.

In 1976, the strikingly beautiful Jenrette (she was a regional beauty queen and briefly toyed with a singing career) surprised many by marrying not a Republican but a left-leaning Democrat, John W. Jenrette, Jr., a U.S. representative from the well-to-do environs of Myrtle Beach, South Carolina. John had ridden to election in 1974 on the wave of anti-Nixon sentiment and the public's distrust of the Re-

publican Party and was, by 1976, one of the rising stars of the Jimmy Carter-era Dixiecrats. Engaging, savvy, youthful, and vigorous, John advanced quickly within the party power structure and was elected the majority whip of the U.S. House of Representatives by 1978. For a time, the Jenrettes were among the most sought-after power couples in Washington, D.C., as Rita maintained her credentials as a Washington insider working for the Food for Peace Program and other agencies. However, everything would soon change dramatically.

In 1978, the Federal Bureau of Investigation (FBI), reeling from public outrage over revelations of corruption in the Nixon administration that brought down a presidency, initiated a sting operation targeting powerful and influential state and national politicians. The sting had federal agents pose as Middle Eastern business operatives representing a fictitious sheik trying to bribe these corrupt politicians into securing special considerations. The considerations included political asylum and money laundering for a dummy sheik (the operation was code-named Abscam, from the words “Abdul scam”). In hotel rooms under videotaped surveillance, public officials, including state governors, U.S. representatives, and U.S. senators, were offered huge sums of money in return for such assistance. In 1980, John Jenrette was among the more than thirty politicians indicted in connection with the FBI sting. He claimed the operation was entrapment. Nevertheless, he was convicted for accepting \$50,000 in bribe money and was sentenced to thirteen months in federal prison. He was defeated for reelection later in the year and resigned from Congress on December 10, just ahead of his term’s expiration.

It was during the subsequent public outcry that Rita Jenrette first gained national attention. At the televised congressional hearings, the charismatic Jenrette, long comfortable in front of cameras, electrified the proceedings by testifying how she had found \$25,000 in one of her husband’s shoes. Later, capitalizing on her newfound celebrity, she ap-



Representative John W. Jenrette, Jr., and Rita Jenrette outside the capitol in Washington, D.C., in 1976. (AP/Wide World Photos)

peared on *The Phil Donahue Show*, a popular television talk show of the time. Her husband called in to the show from jail (the format of Donahue’s live show involved such audience participation). The subsequent conversation, charged with emotion, made riveting television.

Far more scandalous and damaging was Jenrette’s decision to publish her memoir. On December 7, 1980, *The Washington Post Magazine* ran an excerpt of her as-yet-unpublished manuscript. The excerpt, “Diary of a Mad Congresswife,” was a lengthy exposé about her time in Washington; its publication created a sensation. It revealed the private lives of Beltway insiders, including her own husband’s numerous affairs, in unflinching and uncensored detail. Perhaps most famously, the article offered an account of the time she and her husband

made love on the steps of the Capitol Building behind a pillar during a break of a particularly long all-night House session. It was a story that, much later, she said she invented. However, the story of love-making on the Capitol steps secured her instant notoriety and made her husband the target of comedians and political pundits. Indeed, the satiric comedy troupe The Capitol Steps used the alleged incident as the inspiration for its name, seeing in the couple's dalliance a metaphor for reprehensible public behavior among politicians so eccentric that it bordered on the absurdly comic. Far more disturbing than Jenrette's sexual revelations, however, were her reports of how politicians abused alcohol, even during sessions of Congress, and willingly dealt influence using sex. The Jenrettes divorced in 1981.

"Diary of a Mad Congresswife" secured for Jenrette a book deal, and within one year her memoir, *My Capitol Secrets*, was published. She became an instant celebrity. She posed for *Playboy* magazine in April, 1981, and *Playboy* also ran expanded versions of *The Washington Post Magazine* excerpt. Not surprisingly, the book became an immediate best seller. It depicted politicians as quasi-rock stars who attracted a bevy of groupies, specifically women—among them lobbyists, reporters, and staffers—attracted by the aphrodisiac of power and willing to use sex as a strategy for access to these men. Jenrette spoke of rented apartments, clandestine affairs carried out in rented houses and limousines, quickies, and "nooners." Her book was cited by the emerging conservative political movement during the early Ronald Reagan years as evidence of the sorry moral condition of the Washington, D.C., establishment, meaning the entrenched interests of the liberal wing of the Democratic Party.

Jenrette tried to parlay her notoriety into an acting career—appearing in several low-budget films during the 1980's (with titles like *Zombie Island Massacre*, 1984, and *The Malibu Bikini Shop*, 1986). In May, 1984, she appeared again in *Playboy*, this time on the cover in a racy pictorial with her lover at the time, hunky actor-model Phillip Anderson. Given that she was often dismissed as trying to cash in on her husband's political crimes, she was seldom given much critical respect, although her

appearance in Los Angeles in a 1982 revival of the drawing room comedy *The Philadelphia Story* garnered her plaudits and several regional acting awards. She appeared briefly (in 1989) as a field reporter for the entertainment news show *A Current Affair*, but by the end of the decade her celebrity appeared to have been exhausted.

IMPACT

Most obviously, Jenrette exemplifies the fifteen-minutes-of-fame principle. Indeed, there is much to suggest that she manipulated the media to secure her celebrity and to cash in on what was one of the more disturbing political scandals of the Carter years. Her turn to nude modeling and then to a string of lamentable B movies did not add much luster to her reputation. Because her tell-all book did not name specific political figures, it was more sensational than legitimate exposé.

Jenrette's notoriety includes being one of the few women at the center of a political scandal to put together a second career, notably, a professional career in business. During the early 1990's, with her broadcasting career at a dead end, Jenrette was still only in her forties. Determined to succeed and to use her considerable education in business and marketing, she completed a rigorous three-year program at the Harvard Business School. By 1994, she began a lucrative career in real estate in the Manhattan area, overseeing more than a decade of high-powered negotiations in excess of a billion dollars in transactions and involving some of New York's best-known business figures. Secure in her position as one of Manhattan's most influential real estate brokers, Jenrette has said her life in Washington represented a different person, and that her strategy of cashing in on her notoriety and playing to the media as a sex object represented poor judgment. She understands she can never entirely erase her past poor judgment, but it is one that she is content to live with.

—Joseph Dewey

FURTHER READING

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of Jenrette's years in Washington, D.C. Creates a disturbing picture of Washington political opportunism and amorality.

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Thompson, Hunter S. *Generation of Swine: Tales of Shame and Degradation in the '80's*. New York: Simon & Schuster, 2003. Classic appraisal of the decade by a distinguished cultural critic and "gonzo" journalist. Provides significant context for understanding politicians' rise and precipi-

tous fall into obscurity by providing a scathing indictment of the political sex scandals of the era.

SEE ALSO: 1927: President Warren G. Harding's Lover Publishes Tell-All Memoir; Sept. 5, 1967: Socialite Nancy Wakeman Shoots Her Politician-Husband; May 23, 1976: *Washington Post* Exposes Congressman Wayne L. Hays's Affair; Sept., 1976: Jimmy Carter Admits Committing Adultery in His Heart; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers; Late July, 1980: President's Brother, Billy Carter, Registers as a Paid Agent for Libya; Dec., 1982: Julie Andrews and Blake Edwards Deny Being Gay; July 19, 1985: Mayflower Madam Pleads Guilty to Promoting Prostitution; July 9, 2007: Senator David Vitter's Name Is Found in D.C. Madam's Address Book.

April 15, 1981

JANET COOKE ADMITS FABRICATING HER PULITZER PRIZE-WINNING FEATURE

Journalist Janet Cooke's article "Jimmy's World," the story of an eight-year-old heroin addict, earned for her a Pulitzer Prize in 1981. Inconsistencies in her credentials led colleagues to question the veracity of her prize-winning story, which she confessed to having fabricated. The journalistic fraud, one of the first such scandals in the United States, tainted the credibility of journalists but also led to updated truth-in-reporting standards for news media.

LOCALE: Washington, D.C.

CATEGORIES: Communications and media; drugs; hoaxes, frauds, and charlatanism; publishing and journalism

KEY FIGURE

Janet Cooke (b. 1954), reporter for *The Washington Post*

SUMMARY OF EVENT

In August and September of 1980, *The Washington Post* published eight articles about the scourge of heroin use. The last article in the series, "Jimmy's World," was written by journalist Janet Cooke and published in the September 28 edition of the newspaper.

"Jimmy's World" focuses on the life of an eight-year-old heroin addict named Jimmy by Cooke. Cooke describes Jimmy's life as one "of hard drugs, fast money and the good life he believes both can bring." Jimmy, Cooke writes, is motivated by the pursuit of material wealth—through illegitimate methods. His only interest in school is to learn enough mathematics so he can buy and sell drugs in his neighborhood.

In 1969, U.S. president Richard Nixon had described drugs as "public enemy number one in the United States." By 1971 he had officially declared a so-called war on drugs. However, the drug war be-

came stagnant after Nixon's resignation following the Watergate scandal. By the presidential election of 1980, drug use, which never subsided, was back on the national agenda.

In the article, Cooke tells readers that Jimmy became a heroin addict at the age of five. He had asked his mother's live-in boyfriend when he would be allowed to "get off." According to the article, his mother's boyfriend "let him snort a little" and was surprised when "the little dude" Jimmy "really did get off." The article asserts that Jimmy was hooked within six months. The article also suggests that Jimmy's mother knew of her son's addiction. Cooke, who is African American, claims that his mother viewed his drug use as an inevitable aspect of the life of a black child growing up in the city.

The article also thoroughly describes specific circumstances in the life of Jimmy's mother that affected her life and the life of her son. According to Cooke, Jimmy's mother never knew her father. She had been sexually abused by her mother's live-in boyfriends (Jimmy was the son of one of these men), and she turned to drugs for escape. Eventually, she turned to prostitution and property crime to support her drug addiction. Cooke ends her article by writing that at the end of a long day in which

Jimmy answered her questions about his life, his behavior and demeanor began to change; he became "jittery" and "ill-behaved," clearly suffering with withdrawal symptoms. Cooke describes how the mother's live-in boyfriend calls Jimmy over to him and injects him with his next drug fix.

Citizens and community leaders in the Washington, D.C., area were outraged by the living conditions and drug abuse Cooke featured in her article. District of Columbia mayor Marion Barry and Police Chief Burtell Jefferson ordered a districtwide search for a child who fit Jimmy's description. Social service agencies and schools were told to instruct their employees to look for children with needle marks on their bodies and for children exhibiting behaviors that resembled withdrawal from drugs.

The managing editors of *The Washington Post* were asked to produce information about where Jimmy could be found, but they refused on the grounds that it would violate the confidentiality of the sources used in the feature. As a goodwill gesture, *The Washington Post* established a team of eleven reporters who were given the task of finding other children who suffered like Jimmy, reasoning that if there was one Jimmy there had to be others.

Given the reality of the case, it is not surprising, then, that city officials and journalists could not locate Jimmy or any other child like him.

An assistant managing editor at *The Washington Post*, Bob Woodward, himself a Pulitzer winner for helping to break the Watergate affair, nominated Cooke's article for a Pulitzer Prize. He deflected mounting criticism of Cooke and maintained the story was true. On April 13, 1981, Cooke won a Pulitzer for her story. Upon hearing about her receipt of the prestigious award, editors at the newspaper *Toledo Blade* (Cooke's former employer) noticed inconsistencies in the biography of her that accom-



Janet Cooke reacts to news that she won a Pulitzer Prize. (AP/Wide World Photos)

panied the prize-winning article. They contacted *Washington Post* editors and told them of the errors. Cooke admitted to her editors that she had indeed falsified information on her résumé.

The veracity of “Jimmy’s World” was now in question. Initially, Cooke was adamant that the story was accurate. However, she soon admitted that she had fabricated the story. She resigned from *The Washington Post* on April 15, and her prize was rescinded by the Pulitzer committee. In a statement made upon resigning, Cooke conceded, “The [article] was a serious misrepresentation which I deeply regret. I apologize to my newspaper, my profession, the Pulitzer board and all seekers of the truth.”

IMPACT

In the aftermath of the discovery that Cooke had fabricated her prize-winning story, *The Washington Post* conducted a full-scale investigation of the debacle. Its findings and analysis suggested that Cooke’s ambition to succeed and advance at the newspaper had blinded her to her ethical and moral obligations to the newspaper and its readers. The findings of the investigation also suggested that the paper’s editorial staff was partially responsible in that they had become so entrenched in wanting stories that were contextually relevant to the evolving social and political agenda concerning drug use that they, too, had allowed their editorial judgment to be compromised.

Sociologists Craig Reinerman and Ceres Duskin, however, offered another explanation as to how one of the country’s most powerful newspapers published a fake story. In a 1998 journal article, Reinerman and Duskin maintained that a major aspect of the problem was journalistic beliefs and preconceptions about drugs and the nature of drug use. The authors wrote that in covering drug-related stories, the mass media had erred on the side of sensationalism by “rhetorically re-crafting worse cases into typical cases, and profoundly distorting the nature of drug problems in the interest of dramatic stories.”

Reinerman and Duskin supported their position by showing that there were certain key aspects of

the case that should have led the editors of the paper to question the validity of the story. The sociologists argued that questions were not raised largely because the specific elements of the story fit rather nicely with dominant social assumptions about drug use and addiction. For instance, they noted that it should have been questionable that a five-year-old child would ask to have a needle stuck into his arms daily for the weeks that it would take the child to become addicted to heroin.

Reinerman and Duskin also stressed that it is unlikely that a journalist would have unlimited access to drug users and sellers and even more unlikely that an addict would allow a journalist to watch him or her shoot heroin into the arm of a young child. It would be unlikely as well that the typical mother, even the typical mother on heroin, would allow someone to shoot heroin into the arm of her child.

On a positive note, the affair led media outlets to revisit their standards for reporters and editors. It also intensified discussion of the rights of reporters to conceal facts about their sources.

—Kevin Buckler

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April 28, 1981

TENNIS STAR BILLIE JEAN KING IS SUED FOR PALIMONY

Tennis champion Billie Jean King was sued by her former lover Marilyn Barnett, who was seeking financial support from King under California's landmark palimony decision in Marvin v. Marvin (1976). King first denied that she and Barnett had been lovers but admitted a few days later to their relationship. King also said that she never promised to support Barnett financially.

LOCALE: Los Angeles, California

CATEGORIES: Law and the courts; sex; social issues and reform

KEY FIGURES

Billie Jean King (b. 1943), former professional tennis player

Marilyn Barnett (fl. 1980's), secretary and lover of Billie Jean King

Larry King (fl. 1980's), Billie Jean King's husband

SUMMARY OF EVENT

By the time Billie Jean King's tennis career was winding down during the mid-1970s because of her increasing physical problems, she was involved in a romantic relationship with her secretary, former hair stylist Marilyn Barnett. The affair reportedly lasted about two years, and at the end of that time King discontinued Barnett's formal employment. The two remained friends, and Barnett continued to reside in King's Malibu house, which Barnett rented.

Larry King, a lawyer and King's husband since 1965, presumably did not know about the relationship with Barnett. In addition to staying at the Malibu house, Barnett had been using the Kings' credit cards to pay many of her expenses. When the Kings tried to evict her from the Malibu home in 1981, Barnett revealed the love affair and sued Billie Jean King for spousal support, in this case, palimony.

Barnett's suit, filed April 28, was the first major lawsuit involving a same-gender application of the

palimony doctrine. This doctrine was reaffirmed by the California Supreme Court in a 1976 decision involving actor Lee Marvin and his former live-in lover, Michelle Triola. Barnett claimed in her own suit that she had been promised lifetime financial support, even though King had already offered to settle with her financially.

Long before the palimony suit, King had transformed tennis by campaigning tirelessly for equal treatment for women players. She had the clout of her championship credentials to back up her crusade. By the age of seventeen in 1961, she had won her first Wimbledon doubles tournament and five years later triumphed to win the first of twelve Grand Slam singles titles. These were great accomplishments for a woman who as a young player had been described as “short, fat, and aggressive” by a tennis coach.

Among the disparities King sought to address was a financial one. Male players earned far more in prize money than female players. To inspire change, King threatened to boycott the U.S. Open in 1973, and in 1974 the open became the first tournament to provide equal prize money to men and women. King’s other accomplishments include being the first female tennis player to win more than \$100,000 in prize money in a single year (1971), organizing the Women’s Tennis Association, and founding the magazine *womenSports* (later *Women’s Sports and Fitness*). She also coauthored several books on how to play tennis. She also faced considerable negative publicity, however, for her longtime advocacy of cigarette-company sponsorship of women’s tennis, namely the Virginia Slims Tour, which she cofounded.

In 1973, former Wimbledon men’s champion Bobby Riggs had challenged King to a match, hoping to demonstrate that male players of any age



Billie Jean King with her husband, Larry King, speaks to reporters about Marilyn Barnett’s palimony lawsuit. (AP/Wide World Photos)

were superior to women in the sport. At the age of fifty-five, he was some twenty-five years older than King and had already defeated a former women’s champion, Margaret Court. The media dubbed the match the battle of the sexes, and the game was watched by an estimated forty million people on television. King decisively defeated Riggs in three straight sets.

In a 1981 press conference, King first denied the romantic affair with Barnett, then she publicly admitted to being bisexual, thus making her one of the first major athletes to acknowledge any kind of gay or lesbian relationship. Prior to the press conference, however, King and her husband had been discrediting Barnett, at one time suggesting that she had been “in and out of institutions” and had attempted to kill herself. One particular accident from October, 1980, was interpreted by some people as a suicide attempt by Barnett. She had been found lying on the sand below the balcony of her Malibu home. She had a broken back, and the incident left her paralyzed below the waist. She began to use a wheelchair for mobility but could not work to support herself.



Marilyn Barnett in court in December, 1981, after being sued by the Kings to vacate their home. (AP/Wide World Photos)

Barnett ultimately lost her palimony lawsuit when it was dismissed on November 19, 1982. The suit failed, in part, because she and King were not cohabitants in the sense outlined in *Marvin*. The court found no evidence that King and Barnett joined their finances. A related case, *Jones v. Daly*, was in the courts in 1981. In that case, a California appeals court ruled against gay palimony or, as it came to be known, galimony.

It was not until many years later that King finally admitted that she was lesbian. Many lesbians and gays had been disappointed and angered when she termed her affair with Barnett a “mistake.” They thought she was trying to avoid the question of her sexuality. She then added that the mistake was being unfaithful to her husband, not having an affair with another woman.

IMPACT

Citing high attorney’s fees to defend against the lawsuit, King, who was almost forty years old by this time, returned to the tennis tour. She remained active in the sport as a coach and in other capacities, and she regained the reputation she had prior to the scandal. However, by admitting her bisexuality in 1981, King lost millions of dollars in potential earnings as a product spokesperson and sportscaster, a job at which she already had been working. She estimated that the fallout from the scandal cost her about \$1.5 million.

Barnett’s palimony suit initially forced the legal system to address several same-gender palimony cases, but many of the cases were not resolved successfully because no precedent existed for such cases. On a personal and social level, the palimony suit did not harm King’s future impact on lesbian and gay activism. King became something of an icon for many in the gay community, and she supported causes such as the Human Rights Campaign and the fight against AIDS. In 2001 she received an award from the influential media watchdog group GLAAD (Gay and Lesbian Alliance Against Defamation) for “furthering the visibility and inclusion of the [gay] community in her work.”

King has been quoted as saying that one reason she refrained from telling the truth earlier was that her parents were homophobic. Also, she feared disclosure would mean the end of her participation in women’s tennis. Her eventual openness about her own sexuality eased the way for other professional tennis players to come out as lesbian, notably Martina Navratilova and Amélie Mauresmo.

King and her husband divorced in 1987. He had publicly supported her, but their marriage was irretrievably broken by the revelation of her affair. The marriage apparently had been shaky since the early 1970’s.

—Roy Liebman

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May 23, 1981

ITALIAN JUSTICE MINISTER RESIGNS BECAUSE OF CRIME CONNECTION

Propaganda Due, a secret Masonic lodge reportedly involved in criminal activities, was found to have nearly one thousand of Italy's political and economic elite as members. The resulting scandal became one of the biggest in Italy and shook the coalition government of Prime Minister Arnaldo Forlani when it became known that Justice Minister Adolfo Sarti had applied for membership.

LOCALE: Italy

CATEGORIES: Organized crime and racketeering; corruption; government; politics

KEY FIGURES

Arnaldo Forlani (b. 1925), prime minister of Italy, 1980-1981

Licio Gelli (b. 1919), businessman and head of Propaganda Due Masonic lodge

Adolfo Sarti (1928-1992), Italian justice minister, 1980-1981

Roberto Calvi (1920-1982), chairman of the Banco Ambrosiano of Milan and Vatican banker

Michele Sindona (1920-1986), Vatican and Mafia banker

Silvio Berlusconi (b. 1936), prime minister of Italy, 1994-1995, 2001-2006, 2008-

SUMMARY OF EVENT

On March 17, 1981, the Italian financial police (one of the four branches of the national police force) raided Licio Gelli's villa in the Tuscan countryside. Ostensibly a mattress manufacturer and owner of a furniture store in the city of Arezzo, the seemingly reformed Gelli, also a fascist, turned out to be the head of a right-wing Masonic lodge known as Propaganda Due, or P-2. Lodge members were intent on preventing a feared takeover of the Italian government by Il Partito Comunista Italiana, or PCI (the Italian Communist Party), the largest communist party outside the Soviet Union.

The financial police had been directed to search Gelli's villa by the Bank of Italy. Investigators had fortuitously come across Gelli's name in connection with Mafia financial dealings with Michele Sindona, a banker. In the course of the raid, the police came upon a list of 964 members of a previously unknown and, as later determined, influential and rogue Masonic lodge. The list was a who's who of right-wing politicians and civic officials and clergy members, including figures from industry,

journalism, law, and all branches of the police forces and military.

Gelli had been a convinced and active fascist and remained a supporter of Italian fascist dictator Benito Mussolini. After World War II, Gelli was put on a list of fascists to be kept under observation. He remained there well into the 1950's. After becoming a businessman and giving no cause for alarm, he was removed from the list. As events would prove, however, he was a right-wing organizer who was dedicated, as were virtually all members of P-2, to preventing PCI from coming to power in Italy's government.

In 1965, Gelli decided to join the Grand Lodge of Masons in Rome in 1965. In contrast to the United States, where Masons reveal their membership by wearing rings and insignia, Italian Masons have always taken the greatest care not to reveal their membership in the order. By 1969, the suave and urbane Gelli succeeded in forming the breakaway sub lodge P-2. Gelli held court in a five-star hotel in Rome. Through his Banco Ambrosiano and with the consent of Roman Catholic archbishop Paul Marcinkus, Roberto Calvi was bankrolling Gelli's lifestyle and activities. It was estimated at the time of Banco Ambrosiano's collapse during the early 1980's, Gelli and P-2 owed the bank close to \$300 million.

Gelli's lodge exercised significant influence over the various sectors of Italian high society, of which P-2 members were a part. In addition, P-2 had editorial control of Italy's leading newspaper, the Milanese *Corriere della Sera*, after controlling interest in the newspaper had been purchased by Calvi's Banco Ambrosiano.

By 1970, Gelli had developed membership in P-2 to the point where he could organize an attempted coup d'etat of PCI, the decadent, weak government he perceived ripe for a takeover by the major party in Italy. Scholars of P-2 are convinced that Gelli was employed by the U.S. Central Intelligence Agency (CIA), which ordered a stop to the coup just after it had begun and just short of the president of the republic becoming a prisoner. After the aborted coup, P-2 went deeper underground.

Throughout the 1970's, Italy was racked by the

political violence of the Red Brigades. However, it was P-2 that likely planned and financed the worst act of violence in Italy's postwar history: the 1980 bombing at the Bologna railway station. The widespread outcry forced government agencies to act vigorously against domestic terrorism. Identification of Gelli in conjunction with the investigation into the Sindona and Calvi banking scandals ultimately generated the search of Gelli's villa and the discovery of the P-2 membership list. P-2 was officially declared a criminal organization.

In 1981, a coalition Italian government was cobbled together and headed by the nondescript Christian Democrat prime minister, Arnaldo Forlani. Forlani appointed a likewise unprepossessing party stalwart, Adolfo Sarti, who was a former minister of public education, of defense, and of justice. The seized P-2 membership list had been turned over to Forlani. Despite his attempts to keep the membership from becoming public, word about the raid leaked and the media's response to Forlani's stonewalling was ear splitting.

One journalist, Mino Pecorelli, who clearly had damning insider information and was producing one compromising article after another in 1981, was murdered in Rome in broad daylight. The murder was considered a threat and warning to journalists in general. A high-ranking Mafia figure, arrested well after the fact and revealing inside secrets in exchange for reduction of his sentence, stated that P-2 had commissioned Pecorelli's murder, which was executed by the Mafia.

A primary aim of P-2 was to control the judiciary as well as law enforcement so that P-2 members could count on escaping trial or, failing that, receive lighter than normal sentences. P-2 came close to achieving that particular aim when it was discovered among papers confiscated in the raid on Gelli's villa that Sarti, the recently appointed minister of justice in the short-lived Christian Democratic-coalition government, was an applicant for P-2 membership. When his application became known, demonstrating the high reach of P-2, Sarti was forced to resign from the cabinet.

Gelli was in Argentina at the time of the police raid on his villa. He was likely serving as a mule,

that is, delivering money laundered in one or more of Calvi's many off-shore banks in Roman Catholic countries in Central and South America. For this work, Gelli took commissions and siphoned P-2 funds for his own secret Swiss bank account. Now indicted and wanted by the Italian police, Gelli remained incognito and outside Italy until he needed money. He returned to Europe and was arrested by Swiss police while entering Switzerland with a fake passport in an attempt to withdraw three million dollars from his account.

Gelli succeeded in bribing his way out of a Swiss jail and fled to prevent his extradition. He was eventually arrested and extradited to Italy, where he was tried. Although the major charges against him could not be proven and he was not sentenced to prison, Gelli was placed under house arrest for lesser P-2-related charges. He lived under house arrest until 2007 when, because of his age and ill health, was permitted freedom of movement within Italy.

IMPACT

As a consequence of the P-2 scandal, the days of governmental control by the center-right Christian Democratic Party, which had ruled Italy since 1948, became numbered. Following the collapse of the Forlani government in 1981, the reverse of P-2's aims became reality: Sandro Pertini, a Socialist, was elected president of Italy. Given the crisis conditions, Pertini appointed as prime minister the first non-Christian Democrat, Giuseppe Spooling of the Republican Party. When that coalition failed, Pertini appointed as prime minister fellow Socialist Bettino Craxi, in 1983. Craxi's party, it turned out, was financed by Calvi, his fellow Milanese and a P-2 member.

Following the next big scandal, P-2 member and

politician Silvio Berlusconi, accused of bribery, formed the Forza Italia Party and was appointed prime minister for the first time in 1994 and then again in 2001 and 2008. Berlusconi's center-right coalition lasted the entire election period and enabled him to enter Italian history as the longest-serving prime minister in postwar Italy.

—Robert B. Youngblood

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May 29, 1981

COURT FINDS THAT FORD IGNORED PINTO'S SAFETY PROBLEMS

The California Courts of Appeal determined that Ford Motor Company was responsible for the death and injuries sustained in an accident involving a Ford Pinto that was rear-ended and caught on fire. The court determined that Ford was aware of the potential fire hazard because of design flaws built into the Pinto but that the company failed to address the safety issue and repair the problem. Critics of the legal case argue that the Pinto was no more prone to catch fire upon a rear-end impact than other similar cars of the time.

ALSO KNOWN AS: *Grimshaw v. Ford Motor Co.*

LOCALE: San Diego, California

CATEGORIES: Business; law and the courts; trade and commerce

KEY FIGURES

Lily Gray (d. 1972), driver of the stalled Ford Pinto

Richard Grimshaw (b. c. 1959), plaintiff, who was a passenger in the Ford Pinto

Harley Copp (fl. 1980's), head of Ford's crash-testing program

SUMMARY OF EVENT

On May 28, 1972, a Ford Pinto driven by Lily Gray stalled on a Southern California freeway near San Bernardino. Gray's Pinto hatchback was rear-ended by another car on the freeway and immediately caught fire. Testimony at trial indicated that when the car was struck from behind, the gas tank ruptured. Gray died several days later of complications from her burn injuries. Thirteen-year-old Richard Grimshaw, the sole passenger in Gray's Pinto and Gray's neighbor, sustained serious burns to 90 percent of his body, including his face. His nose, an ear, and several fingers were incinerated, and he was permanently disfigured.

Grimshaw as well as Gray's heirs—her husband and two daughters—sued Ford Motor Company in civil court, alleging that the company manufactured the Pinto even though it knew the car was unsafe. In February, 1978, after a six-month trial, a jury awarded Grimshaw more than \$2.5 million in compensatory damages and \$125 million in punitive damages. The Grays received \$559,680 in compensatory damages. Gray's family was statutorily prohibited from seeking punitive damages. Determining that the amount awarded to Grimshaw was excessive, trial judge Leonard Goldstein reduced Grimshaw's punitive damage award to \$3.5 million, at the time the largest such award in U.S. legal history. Ford appealed the decision, particularly the punitive damages, and claimed legal mistakes were made during the trial.

On May 29, 1981, the California Courts of Appeal in San Diego affirmed the lower court's decision, including the punitive damages award. Writing for the court was Judge P. J. Tamura. His opinion included a review of the history of the Pinto. The car was initially conceived in 1968 by Lee Iacocca, vice president at Ford, and was sold beginning in September, 1970. The Pinto was hurried into production to rival imported subcompact automobiles. As such, it was designed to weigh less than two tons and was priced at less than \$2,000. Because of the haste in readying the car for retail, the product development time frame was shortened. Styling determinations were made prior to engineering decisions, which ultimately meant that the engineering design would need to accommodate the already determined styling design.

Designers had placed the gas tank behind the rear axle instead of above the rear axle, a more common location for gas tanks at the time. Also, the Pinto had an insubstantial bumper, and the area between the bumper and the axle was narrower than in other cars. The structure of the car lacked reinforcement,

and several bolts in the differential housing were left exposed. When combined, these design elements increased the likelihood that the Pinto would catch fire in a rear-end collision. The back of the vehicle would crumble and lead to a punctured gas tank and fuel leak.

The appellate judges agreed that Ford was responsible for Grimshaw's injuries and Gray's death. The court noted that Ford's upper management knew that the Pinto performed poorly in crash tests yet approved its manufacture. The automobile was unable to withstand a rear-end impact from a car traveling 20 miles per hour without rupturing its gas tank. Harley Copp, the former head of Ford's crash-testing program, testified in court that Ford executives, including Iacocca, were aware of the Pinto crash-test results but advanced the car's manufacture regardless. Copp said that executives knew of inexpensive modifications that could fix the gas leakage problem. These modifications included reinforcing the car's structure to reduce collapse at impact, adding more space between the axle and bumper, and better protecting the gas tank from puncture. Even though Ford's costs would have been less than \$20 per car, no changes were made.

Other damaging evidence suggested that Ford used a cost-benefit analysis to decide whether to correct the gas-leakage concern. A 1973 report indicated that Ford determined it would be less expensive to pay for any lawsuits associated with injuries and deaths in accidents than to correct the design flaws. Ford used estimates provided by the National Highway Traffic Safety Administration, which showed that the monetary value of a burn death was \$200,000 and the value of a severe burn injury was \$67,000. Ford calculated the expense of potential lawsuits involving 180 burn deaths and 180 burn injuries: approximately \$50 million. Ford also found that the cost to correct flaws in

Court Finds Ford Ignored Pinto's Safety Problems

11 million cars and 1.5 million trucks would be about \$11 per vehicle, for a total of about \$137 million, far more than the estimated \$50 million in potential lawsuit awards. As such, Ford decided that the costs of making repairs outweighed the benefit of protecting car occupants from potential injuries or death.

An appellate court found that Ford acted in callous disregard of public safety, yet it upheld the reduced punitive damages award, ruling that the amount was reasonable in relation to Ford's net worth of approximately \$8 billion. The court also ruled that the ratio between punitive damages and compensatory damages was fair, and ruled that the amount of the award would deter similar unethical and reckless business practices by Ford or any other automobile manufacturer.

The court also rejected the appeals of Grimshaw and Gray's heirs. It determined that the judge in the lower court did not abuse his authority by reducing the punitive damages to \$3.5 million. The court also rejected the claim by the Grays that they, too, should be entitled to seek punitive damages against Ford.



A 1977 model Ford Pinto. (AP/Wide World Photos)

IMPACT

The Ford Pinto has a legacy of being one of the most dangerous cars ever made, but it is a legacy that remains questionable and, some argue, even unfair. At the time the Pinto was first produced, no government safety standards existed to ensure against fuel leakage in rear-end collisions. Also, early estimates of the number of deaths from rear-end collisions in Pintos—estimates that ranged from five hundred to nine hundred—were likely exaggerated. A 1991 law journal article claims that the number of deaths is much lower—even as low as twenty-seven—and that the car was no more prone to fire after an accident than other similar subcompact vehicles of the time.

—Margaret E. Leigey and Madeleine Stelzmler

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September 10, 1981

CHICAGO SUN-TIMES REPORTS THAT CARDINAL CODY DIVERTED CHURCH FUNDS

After almost two turmoil-ridden decades as archbishop of one of the largest Roman Catholic dioceses in the United States, John Patrick Cody was accused in a series of articles in the Chicago Sun-Times of having diverted tax-exempt church funds to the benefit of two family members. U.S. attorneys had been investigating the cardinal since late 1980.

LOCALE: Chicago, Illinois

CATEGORIES: Publishing and journalism; corruption; law and the courts; religion

KEY FIGURES

John Patrick Cody (1907-1982), Roman Catholic archbishop of Chicago

Andrew M. Greeley (b. 1928), Catholic priest, sociologist, novelist, and public critic of Cody

Carlton Sherwood (b. 1946), investigative journalist

Helen Dolan Wilson (b. 1908?), Cody's stepcousin by marriage

David Wilson (fl. 1980's), Helen Dolan Wilson's son

Joseph Louis Bernardin (1928-1996), Catholic archbishop of Cincinnati

SUMMARY OF EVENT

John Patrick Cody was a difficult person. Particularly after the Second Vatican Council decreed that the governance of the Catholic Church should become more democratic, his authoritarian style of leadership had become increasingly out of step with the times. Rumors existed that the priests of the Archdiocese of New Orleans sang a *Te Deum* (a Catholic hymn of praise) in delight at being rid of him when he was transferred to Chicago. Cody himself regarded this change as key to his ambitions because Chicago was a cardinalatial see, that is, an archdiocese whose incumbent was traditionally made a cardinal by the pope. Some priests even

claimed Cody saw Chicago as a stepping-stone to becoming the first pope from the United States.

By 1981, Cody had become an embattled ruler surrounded by angry subjects. His own priests had accused him of deception and dishonesty, and the laity was writing letters of complaint to the Vatican about his high-handed policies. The endless conflicts had made major inroads into Cody's health, and his once rosy cheeks had grown sallow and hollow with the ravages of congestive heart failure. However, he refused to even consider allowing a younger bishop to take over any of his duties and did all he could to conceal his worsening health from both his archdiocese and the Holy See. A stint working in the Vatican as a young priest had taught him the ins and outs of court intrigue, and he had plenty of information that could be used against the Vatican if the congregation of bishops were to attempt to move against him. He even had threatened to reveal some choice secrets in 1979 when Cardinal Sebastiano Baggio, cardinal-prefect of the congregation of bishops, had tried to compel him to resign shortly before the death of Pope Paul VI.

Only the aging Pope Paul's death, followed by the successive elections of the two John Pauls, saved Cody from being replaced, or at least forced to accept a coadjutor (a situation in which Cody would have become a figurehead and his nominal subordinate would have exercised the actual authority of the archdiocese). John Paul I reigned for a mere thirty-three days, not enough time to consolidate his power and move against Cody, and John Paul II did not wish scandal in one of the most important dioceses in the free world to distract from his moral efforts against the Soviet bloc. Thus, any further opposition to Cody would have to come not from the Vatican hierarchy but from the grass roots within his own archdiocese.

How the information about Cody's questionable financial dealings reached the *Chicago Sun-Times*, one of the city's two leading daily newspapers, is

uncertain, but Father Andrew M. Greeley remains suspect. Almost from the beginning of Cody's tenure as archbishop, Greeley had been an outspoken critic of the cardinal's methods of administration. Greeley's novel *The Cardinal Sins*, which was published in 1981, featured a villain who was a thinly disguised version of Cody and came to an ignominious (shameful) end. Greeley was accused of plotting to "get" Cody on the basis of some private papers he had entrusted to the archives of Notre Dame University in South Bend, Indiana. However, he later claimed the papers were no more than musings about possibilities, not a plan for action.

Carlton Sherwood, an investigative journalist, wrote a series of articles about Cody, and his first consultation was with Greeley. The first of these articles, published by the *Chicago Sun-Times* on September 10, 1981, announced that a federal grand jury investigation was already under way into Cody's administration of church finances. The U.S. Attorney's Office had been investigating Cody's administration of the archdiocese's treasury since the fall of 1980, one year before the *Chicago Sun-Times* series appeared.

The federal investigation centered on Cody's relationship with Helen Dolan Wilson, an elderly woman whom he called a cousin but in fact was the stepdaughter of his aunt. They had been raised together, and after Helen had been divorced by her husband, he had seen after her and her young children. When her son, David Wilson, had become older and entered the insurance business, Cody had given him diocesan insurance contracts for the successive dioceses he headed. By the time Cody was transferred to Chicago, David had left the insurance business, and the two entered a real estate partnership that involved selling archdiocesan properties for secular use.

Although there was some effort to portray Helen as Cody's mistress, both of them insisted that their relationship was in the manner of brother and sister. Of far greater interest was the financial nature of their relationship. Although Helen had never held any position more responsible than that of church secretary, and her former husband had left her nothing, she enjoyed a condominium in one of Chi-

cago's Gold Coast high-rises and a vacation home in a tony area of Florida, as well as numerous furs, jewels, and other expensive possessions. Cody's extreme secretiveness about his administration of the archdiocese's finances, combined with his closing of several archdiocesan facilities on the basis of supposed lack of money, lent credence to the conclusion that he had diverted it to Helen and her family.

The question was of interest to the U.S. attorney because of the tax-free status of religious institutions and funds. If Cody had transferred church money to private use, he would have violated U.S. tax code. The newspaper series claimed that up to one million dollars had been diverted by Cody.

Cody's response to the accusations only escalated the situation. He regarded any call for accountability as an affront to his authority as archbishop. Rather than document his handling of the archdiocese's finances, he accused the *Chicago Sun-Times* of anti-Catholicism. Many Chicago Catholics, even some who had previously been unhappy with Cody's administration, felt obligated to come to the defense of the archbishop against supposed attacks on the Church as a whole. Cody also made himself so inaccessible that a federal marshal could deliver a subpoena to court only by cornering the cardinal in a church sacristy as he was vesting for an important Mass.

Cody's position was saved only by revelations that Greeley had been involved in pointing Sherwood toward the cardinal's financial dealings. Cody's supporters were able to spin it as a supposed plot, and they suggested that Archbishop Bernardin of Cincinnati, a widely popular prelate whose name had been put forth as a possible successor to the see of Chicago, had been a coconspirator with Greeley. By shifting attention to Bernardin, Cody was able to gain just enough of a reprieve that his worsening health would forestall any further investigation.

IMPACT

In the end, Cody never was formally indicted of any crime. He spent the first several months of 1982 convalescing in the archbishop's residence when he was not actually in the hospital. On April 25, he died

in his sleep of a heart attack, and many in the archdiocese breathed a collective sigh of relief. Pope John Paul II appointed Bernardin as Cody's successor and subsequently created Bernardin a cardinal at the next consistory. Bernardin made it plain on his first public appearance as archbishop of Chicago that he regarded his mission as that of a conciliator, and he invited all who held grudges against Cody to set their burdens down.

To lay to rest questions of fiscal wrongdoing, Bernardin hired the accounting firm of Arthur Anderson (implicated in the Enron scandal of 2001) to examine the archdiocese's books. It found that while Cody had occasionally mingled funds in ways that were not in accordance with generally accepted accounting principles, there was no evidence of actual fraud or diversion of funds. However, Bernardin would spend the rest of his tenure in Chicago dealing with the long-term damage to relationships within the local church, and the stress may have contributed to his death by pancreatic cancer.

—Leigh Husband Kimmel

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May 11, 1982

PHILIPPINE PRESIDENT MARCOS FORCES THE ENTIRE SUPREME COURT TO RESIGN

In the Philippines, the bar examination score needed to practice law was determined by the national supreme court. After allegations that the passing score of a supreme court justice's son had been fixed, President Ferdinand Marcos obtained the resignations of all fourteen members of the court. Although the charges of juridical corruption may have been valid, Marcos's action also helped him further consolidate his dictatorial power in the country.

LOCALE: Manila, Philippines

CATEGORIES: Law and the courts; corruption; hoaxes, frauds, and charlatanism; politics; government; cultural and intellectual history

KEY FIGURES

Ferdinand Marcos (1917-1989), president of the Philippines, 1965-1986

Enrique Fernando (1915-2004), justice of the supreme court of the Philippines, 1967-1985, and chief justice, 1979-1985

Vicente ERICTA (b. 1915), associate justice of the supreme court of the Philippines, 1981-1982

Ameurfina Melencio Herrera (b. 1922), associate justice of the supreme court of the Philippines, 1979-1992

SUMMARY OF EVENT

By 1982, Ferdinand Marcos had been dictatorial president of the Philippines for a decade, having declared martial law on September 22, 1972. Although martial law was lifted in 1981, the wily Marcos consolidated his power and firmly controlled the institutions of government, media, and society. Nevertheless, criticism of his authoritarian regime had increased steadily, on both international and domestic fronts. The Philippine supreme court scandal of 1982 allowed Marcos to further strengthen his grip over the judiciary, while provid-

ing his critics with another reason to attack the corruption of his regime.

The Philippine bar examination is of great importance and prestige in Philippine society. It has been continually administered since 1901, the same year the supreme court of the Philippines was established, as a mark of determination to turn the Philippines into a modern and meritocratic nation. The bar is the licensing exam to become a lawyer and enter the highest professional and economic echelons of Philippine society. It is a mark of the prestige and rigor of the exam that it is administered by the fifteen-member supreme court, a unique professional distinction in the Philippines.

The exam is a comprehensive, rigorous test of a law student's knowledge. Passage rates are adjusted annually; a high score on the exam brings great prestige and the promise of success in the legal and political communities. In a manner similar to the civil service exams of imperial China, the Philippine bar exam is considered the highest standard for aspiring professionals. The supreme court traditionally released a list of highest scores on the nationally administered exam; those obtaining the highest scores were known as bar topnotchers.

Bar topnotchers have played a storied role in Philippine society. Manuel Roxas, who placed first in the 1913 bar exam, would become the first president of the Philippines. Sergio Osmeña and Manuel Quezon, who finished second and fourth in the 1903 bar exams, respectively, would also become Philippine presidents. Other Philippine presidents who first came to prominence as bar topnotchers include Jose Laurel (1915), Carlos Garcia (1923), Arturo Tolentino (1934), Diosdado Macapagal (1936), and Emmanuel Pelaez (1938). Marcos himself launched his political career on the basis of his brilliant first-place result on the 1939 exam. Likewise, numerous supreme court justices and senators proudly boasted as their first, and perhaps most important, success a top score on the national exam.

Although there had been previous scandals regarding the exam, the most sensational occurred in 1982. At the time, there were fourteen justices on the court, with one seat vacant. The scandal surfaced in April when Justice Ameurfina Melencio Herrera wrote a confidential letter to the court in which she alleged a serious impropriety. Herrera claimed that the exam score of Gustavo Ericta, the son of Justice Vicente Ericta, had been altered to obtain a passing grade. As a result, Herrera resigned from the bar committee and returned her honorarium fee. The letter was leaked to the press, creating an outcry.

Upon investigation it was revealed that Justice Ramon Fernandez told Justice Ericta that his son failed the exam. Justice Ericta then suggested that his son's grade be changed, which was permitted by Chief Justice Enrique Fernando. Ericta's grade on the commercial law portion of the test was revised from 56 to 58 percent, which resulted in a total score of 73 percent, just above the passing grade of 72.5 percent. Controversy swirled for weeks, with justices blaming each other for the impropriety. In a press conference, Chief Justice Fernando took responsibility for allowing the altering of Ericta's exam results and broke into tears.

After a few weeks of intense publicity, all fourteen justices offered their resignations. On May 7, twelve justices resigned, and a few days later the other two justices, who had been outside the country, followed.

The year 1982 was already proving to be crucial for Marcos. With the 1980 election of U.S. president Ronald Reagan, Marcos was assured of friendship with his most important ally, the United States. In fact, in 1982, Marcos made his first state visit to the United States in sixteen years, entailing two expensive weeks and much pomp and publicity. Feeling emboldened, Marcos was cracking down on his increas-

ingly vocal critics in the Philippines. He repressed church progressives who denounced his government, even insulting Cardinal Jaime Sin, the archbishop of Manila. Marcos arrested two prominent labor leaders and kept close watch on domestic political opponents such as Assemblyman Salvador Laurel and those in exile, most notably Benigno Aquino, Jr.

Marcos was eager to make use of this scandal for political advantage. By acting firmly against the supreme court, he could appear as an opponent of corruption and strengthen his hold over the judiciary. Marcos asked the justices to appear before him on May 8. On May 11, Marcos accepted all fourteen resignations and announced that he would search for a new supreme court. He consulted with retired chief justices Roberto Concepcion, Querube Makalintol, and Cesar Bengzon. Then, on May 15, he reinstated all the resigned justices of the court with the exception of Ericta and Fernandez, who were most directly implicated in the scandal. Two justices were appointed to fill their places, and a third justice was appointed to fill a previously vacant fifteenth spot. Fernando publicly expressed gratitude for his reappointment.



Ferdinand Marcos. (Library of Congress)

IMPACT

This scandal illustrates the adroit and calculating nature of the Marcos regime. By demanding the resignation of all fourteen justices, all of whom he had appointed, Marcos made it appear he was cracking down on personal corruption in his government, even while he was enriching himself through illicit means. Also, reinstating the justices made it appear he was being lenient, even though he was repressing political opponents and dissenters. Moreover, by reappointing the justices, he could claim even greater authority over a supreme court that was already considered subservient to him.

Ironically, Marcos's calculation may have backfired, in at least one respect. In August of 1983, Marcos's chief political opponent, exiled senator Benigno Aquino, Jr., was assassinated upon returning to the Philippines. Marcos's government was widely believed to be behind the murder. To absolve his regime, Marcos appointed a special commission headed by former justice Fernando to investigate the assassination. Many assumed that the compliant Fernando would exonerate Marcos. However, Fernando's own credibility had been shaken to a good degree by the Ericta scandal, and the Fernando-led commission retired after only a few weeks, claiming a lack of credibility. It was to be replaced by the Agrava Fact-Finding Commission, which dismissed the government's version of the killing and blamed a conspiracy of Marcos's military officers for the death of Aquino. In a little more than two years, Marcos would be chased out of power by an outraged populace in the People's Revolution.

—Howard Bromberg

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July 20, 1982

CONSERVATIVE POLITICIAN JOHN G. SCHMITZ IS FOUND TO HAVE CHILDREN OUT OF WEDLOCK

News media reported that ultraconservative California politician John G. Schmitz had fathered two children outside his marriage. His lover, Carla Stuckle, revealed his paternity after she was charged with child neglect. The revelation led to Schmitz's downfall in politics.

LOCALE: Orange County, California

CATEGORIES: Public morals; families and children; government; politics; sex

KEY FIGURES

John G. Schmitz (1930-2001), California state senator, 1964-1970 and 1978-1982, and U.S. representative, 1970-1973

Carla Stuckle (d. 1994), Republican campaign volunteer

SUMMARY OF EVENT

John G. Schmitz was a college instructor, California state senator, U.S. representative, and 1972 Republican presidential candidate who had outspoken views on family values, abortion, immigration, welfare, desegregation, homosexuality, and other controversial topics, branding him an ultraconservative politician. Consequently, the discovery in 1982 of his lengthy extramarital affair with former student and longtime Republican campaign volunteer Carla Stuckle, with whom he had two children, exposed Schmitz as a hypocrite and effectively ended his political career. Stuckle shocked the nation by naming Schmitz as the father of both children. His paternity became headline news on July 20. What ensued was a media frenzy and a political spiral downward for Schmitz.

A devout Roman Catholic of German descent, Schmitz was born in Milwaukee, Wisconsin, and graduated from Marquette University in 1952. He became a second lieutenant and pilot in the U.S. Marine Corps and eventually was stationed in El Toro, California. Schmitz became a local celebrity

when he interrupted an assault on a woman with his stern voice and not a weapon. Schmitz's political career was set in motion after his heroics became front-page news.

Schmitz left the Marine Corps in 1960 and settled in Orange County, California—known for its relative wealth and conservative views—with his wife, Mary Suehr Schmitz. The couple raised a family of seven children and emphasized traditional family values. Schmitz joined the Marine Reserves and became a colonel. He also taught philosophy and political science at Santa Ana College, where he met Stuckle, a student who had emigrated from Germany. Eventually, Schmitz and Stuckle would have a secret nine-year affair and two children.

In the meantime, Schmitz became known for his outspoken and fiercely conservative views. While many Orange County residents found his anti-feminist, anti-Semitic, antigay, segregationist overtones offensive, he earned favor with a few wealthy Republicans, who supported his election to the California state senate in 1963 (he served from 1964 to 1970). After receiving several awards as Legislator of the Year from the Republican Assembly, he was elected by his district to replace U.S. Representative James Utt, who died suddenly, close to the end of his term in 1970. A few months later, Schmitz was elected to a full term in the U.S. Congress, where he continued with his critical—and often witty—comments. No one was spared, including the seated Republican president, Richard Nixon, who also was from Orange County. Schmitz accused Nixon of being too liberal. After Nixon left for what would be a monumental trip to communist China, Schmitz quipped, “I have no objection to President Nixon going to China. I just object to his coming back.” Subsequently, Schmitz was abandoned by many of his constituents, and he lost his bid for reelection to Congress in the 1972 Republican primary.

Schmitz immediately bounced back by securing

the 1972 presidential candidacy of the American Independent Party, the party to which he switched. An extremely conservative group, its first presidential choice was George Wallace, Alabama's former governor who vehemently opposed desegregation and was shot just weeks before the nominating convention. Schmitz lost the election, returned to California, and resumed teaching at Santa Ana College. Schmitz also had introduced the Human Life Amendment months before the landmark *Roe v. Wade* (1973) decision by the U.S. Supreme Court, wrote the book *Stranger in the Arena: The Anatomy of an Amoral Decade, 1964-1974* (1974), and was a popular speaker at conservative events. Just weeks before his presidential nomination, Schmitz spoke at a God, Family, and Country rally for the Fourth of July. He regained his California senate seat in 1978, where he remained until his sex scandal became front-page news.

In July, 1982, Stuckle took her thirteen-month-old son, John George, to Children's Hospital of Orange County, complaining of an injury to his genitals. Doctors discovered a hair strand so tightly wrapped around the boy's penis that it was nearly severed. Surgery was required to remove the hair. Suspecting abuse, child protective services would not allow Stuckle to take the boy home. Investigators visiting Stuckle later discovered Eugenie, Stuckle's three-week-old infant girl. The boy was placed in protective custody on July 19, despite appeals by Schmitz in court, and Stuckle was arrested and spent one night in jail on felony child-neglect charges. Schmitz had told the court a few days earlier that he was the father of the children.

Although out-of-wedlock births and extramarital affairs were not uncommon during the 1980's, the revelation that Schmitz had two children out of wedlock reached scandalous proportions because of his reputation as a crusader for traditional family values. He was on the national council of the John Birch Society, an ultraconservative political group whose membership at one point included white supremacist Tom Metzger. Schmitz's sharp tongue was too extreme even for this group, and he was relieved of his national council seat in 1982. His expulsion followed an abortion-rights debate in the

state senate, after which an aide to Schmitz issued a press release that said Gloria Allred, a feminist attorney, was a "slick butch lawyeress." The press release, titled "Attack of the Bull Dykes," also described Allred's supporters as "a sea of hard, Jewish and (arguably) female faces." Schmitz did not deny his aide's claim that the release was approved by Schmitz himself. Allred sued Schmitz for libel and won.

Following the discovery of this second family, the Schmitz family went into hiding and Schmitz did not reappear until the senate reconvened on August 2 after its summer recess. He refused to comment on his paternity or extramarital affair. However, during the court proceedings against Stuckle for child neglect, Schmitz—through his attorney—confirmed he fathered Stuckle's two children. The charges against Stuckle were dismissed for insufficient evidence on August 24. On the same day as the dismissal, the state senate passed a resolution honoring Schmitz—as he was retiring from the senate and such ceremony was customary. Even so, some senators signed a letter of protest.

In September, Stuckle declared personal bankruptcy, and one month later her attorney confirmed that Schmitz agreed to pay child support. A year later, in a *Los Angeles Times* interview (October 9, 1983), Stuckle said she still loved Schmitz and had no regrets regarding their relationship, even though the scandal ended their affair. She also indicated Schmitz had limited contact with the children. When she died in 1994 from complications related to diabetes, psychic Jeanne Dixon, a close friend of Mary Schmitz, took custody of the children. Unfortunately, Dixon died three years later, and the children were placed in a group home.

IMPACT

Given his increasingly offensive comments, as well as Orange County redistricting, Schmitz's political future was already questionable in 1982. However, it was the sex scandal that effectively ended his political career. Attempting a revival in 1984, Schmitz ran for reelection to Congress but decisively lost in the primary. Moreover, the repercussions did not stop there. His wife, Mary, was a conservative com-

mentator on the political talk show *Speak Out*. Not long after she defended family values on air, her husband's indiscretions were revealed, and she left the show. The couple remained married until Schmitz's death in 2001.

After Schmitz left the political arena, he continued to teach at Santa Ana College until he retired in 1990. In 1995, he moved to Virginia and became a vineyard owner. His oldest daughter, Mary Kay Letourneau, was found guilty in 1997 of statutory rape of a thirteen-year-old boy. At the time the sexual relationship began with sixth grader Vili Fualaau, Letourneau was married, had young children, and was a schoolteacher in Washington State. Even though she went to prison, Letourneau and Fualaau eventually had two children of their own and married after she was divorced from her first husband. The media and public quickly compared Letourneau's behavior to that of her father: an extramarital sexual relationship with her student who was an immigrant mirrored her father's earlier behavior. As in his own case, Schmitz refused to comment on his daughter's sex scandal.

Another family scandal occurred in September, 2005, when Schmitz's conservative son, Joseph E. Schmitz, resigned his position as George W. Bush's Defense Department inspector general and accepted a job with Blackwater, a defense contractor with a major security role in Iraq. However, Joseph's departure occurred during accusations of unethical behavior related to his role as inspector general, including expense-account irregularities and interference with investigations of senior Bush officials. While Joseph denied any wrongdoing, the public—once again—compared the “sins of the father” to those of the children.

Response to the Schmitz family scandals suggests the public expects private morals to be consistent with the publicly stated values and behavior of certain public figures, especially politicians but also, as in the case of Letourneau, teachers. As holders of the public trust, credibility and integrity remain paramount values. The public's message seems clear: Do as I say—not as I do—is unacceptable.

—Felicia Friendly Thomas

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August 6, 1982**BANCO AMBROSIANO COLLAPSES AMID CRIMINAL ACCUSATIONS**

The collapse of Banco Ambrosiano was the first large bank failure since World War II. The collapse sent shock waves through world finance and led to a series of international bank crises and collapses. The criminal activities of bank officials, the shootings and suicides of persons involved in the crimes, and the large sums of Vatican and Mafia funds involved in the bank's dealings have kept the scandal alive into the twenty-first century.

LOCALES: Milan and Vatican City, Italy**CATEGORIES:** Banking and finance; corruption; business; organized crime and racketeering; law and the courts; murder and suicide**KEY FIGURES**

Roberto Calvi (1920-1982), Milanese banker, chairman of Banco Ambrosiano

Paul Marcinkus (1922-2006), American Roman Catholic archbishop, president of the Vatican Bank, 1971-1989

Michele Sindona (1920-1986), Sicilian banker for the Vatican and the Mafia

John Paul II (Karol Jozef Wojtyla; 1920-2005), Roman Catholic pope, 1978-2005

Paul VI (Giovanni Battista Montini; 1897-1978), Roman Catholic pope, 1963-1978

John Paul I (Albino Luciani; 1912-1978), Roman Catholic pope, August 26-September 28, 1978

SUMMARY OF EVENT

Pope Paul VI appointed Archbishop Paul Marcinkus, an American, to head the Vatican Bank in 1971—a strange appointment, given Marcinkus's lack of banking experience. Marcinkus had served as a translator in the last months of Pope John XXIII's pontificate and then as translator and de facto bodyguard outside the Vatican for Paul VI. Possibly failing mentally, it seems that Paul VI appointed the tall and imposing archbishop for preventing an assassi-

nation attempt on the pope's life during a visit to the Philippines.

Marcinkus accepted Roberto Calvi as the Vatican's Italian banker on the recommendation of Sicilian banker Michele Sindona, who had been a successful moneymaker for the Vatican but was now moving his criminal operations to the United States for financial dealings with the Mafia. Because of Sindona's successful work for Marcinkus, Calvi was appointed chairman of the private Banco Ambrosiano.

Milan remains the financial capital of not only Italy but also Europe. Sindona was a fast, loose, and inventive banker. Partly owing to his knowledge of English and the profiteering he engaged in with American goods and Mafia collusion after the allied invasion of Sicily, he had been able to move his operations north to Milan. It was there that Sindona and Calvi entered into a banking relationship and, over time, found that they were of similar mind about transactions that skirted the edge of legitimacy or were illegal.

Sindona had already established an offshore bank in Panama that laundered Mafia narcotics-trafficking money. On the basis of Sindona's Panama model, Calvi opened at least one dozen of his own overseas banks in the Caribbean and Central and South America. These banks served as postbox banks for the conversion of Italian lira into U.S. dollars. Italian millionaires deposited lira in the Banco Ambrosiano. Calvi, in turn, deposited those funds into the Vatican Bank. From this bank, the Italian currency would be exported to Calvi's offshore banks. Calvi could export the money because the Vatican, as a sovereign state, is not subject to Italian laws that restricted—then outlawed—the export of Italian capital.

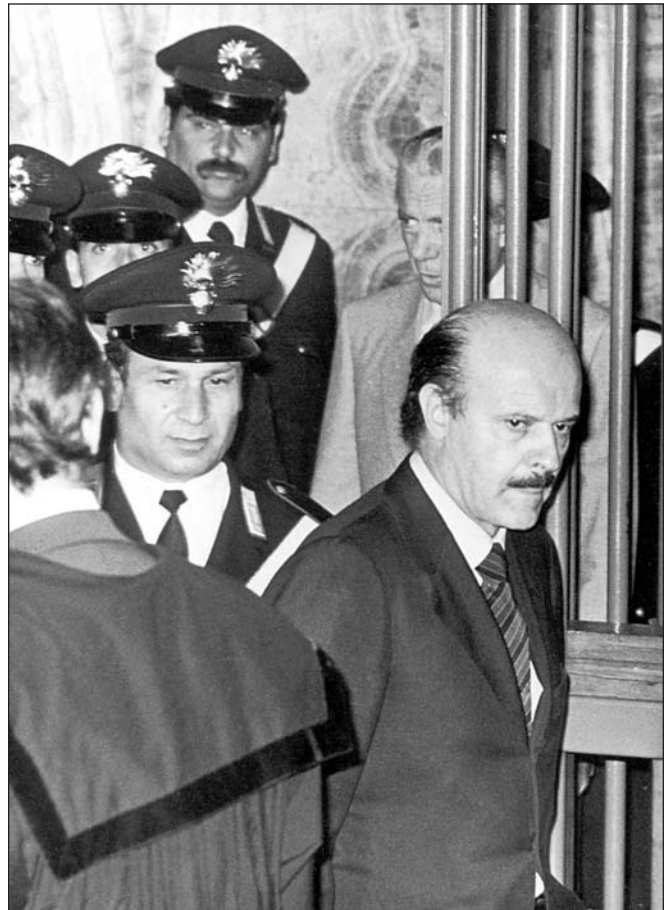
After commission payments for the laundering and conversion, the offshore banks would forward the proceeds to haven banks in Luxembourg, Lichtenstein, and Switzerland to finance political

and other operations requiring payment in hard currency. Some of these operations included the following: On order of Pope John Paul II, the sole head of the Vatican Bank, millions of lira were funneled into Poland to support that country's anticommunist solidarity movement. Also, Calvi leveraged takeovers of northern Italian private banks by spreading deposits of large amounts coming into Italy and thereby hindering detection of those takeovers. These banks included the legitimate Catholic bank in the Veneto, managed by Cardinal Albino Luciani, patriarch of Venice. Calvi's actions so outraged the cardinal that, after becoming Pope John Paul I, he made no secret that he would discharge Marcinkus—as head of the Vatican Bank—for complicity in Calvi's hostile takeover of "his" bank, among other Calvi sins.

Further operations included Calvi's purchase of 40 percent of the large Rizzoli publishing concern that also owned *Corriere della Sera*, the Italian equivalent of *The New York Times*. *Corriere della Sera* became an organ of propaganda for the secret Masonic lodge Propaganda Due, or P-2. The lodge was eventually unmasked and found to be a virtual state within a state, whose members included Vatican officials, politicians, government officials, military and intelligence officers, and Mafia figures who allegedly had been plotting a right-wing coup d'état to prevent a feared shift of Italian government to the left. Calvi was found to be a P-2 member as well.

Given that Calvi was dispensing enormous sums of money, the director of the Bank of Italy ordered an investigation into his personal and bank activities. Calvi's problems were exacerbated by shootings (by the Mafia, as informers later revealed) of a journalist who continued to expose the Ambrosiano story, of a former Ambrosiano officer who knew secrets, and of a current Ambrosiano officer who had been pressuring Calvi to account for his actions. Calvi's secretary died either after jumping or being pushed—likely by a mafioso—from the top floor of the Ambrosiano bank building.

Calvi was arrested, charged, tried, and sentenced to four-and-one-half years in prison, where he made a feeble attempt at suicide. Provisionally released to appeal his sentence, Calvi vowed that he would never return to prison. Against the conditions of his release (which included turning over his passport and remaining in Italy), Calvi was flown out of Italy by a Mafia consigliere (adviser) on a private jet to a private airport in England. Imprudently, Calvi revealed that he was carrying documents that would incriminate many of his high-standing clients. He was taken to a prearranged London residential hotel. The next day, June 18, 1982, he was found hanging from London's Blackfriars Bridge. Calvi's wife left Milan for Nassau in the Bahamas with her



Banco Ambrosiano chair Roberto Calvi, right, is escorted into a courtroom in Milan, Italy, at the start of his trial for banking-related crimes in May, 1981. (Hulton Archive/Getty Images)

daughter and son. The three remained there for some time as permanent residents, likely living on funds earmarked for them. Calvi's son became a banker in Montreal, Canada.

In the immediate aftermath of Calvi's murder, Banco Ambrosiano collapsed, unable to raise the money to cover the indebtedness Calvi had created. On August 6, the bank was declared insolvent and it went into receivership. More than \$1 billion in losses were never accounted for. The Vatican, to repair its deeply damaged image, pledged to repay the millions lost by Ambrosiano's individual stockholders but did so without admitting culpability in the scandal.

One decade after Calvi's murder and after two exhumations, his death was ruled a homicide. It is believed that a mafioso, specialized in strangulation, murdered him before hanging him from Blackfriars Bridge.

IMPACT

In 1989, after the collapse of the Soviet Union, John Paul II removed Marcinkus, who was under subpoena by the Italian police, as director of the Vatican Bank. The directorship was assigned to a committee of two ecclesiastical and two secular members. Marcinkus spent his years waiting to return to the United States within Vatican City. He had been granted Vatican citizenship and thereby avoided arrest. Until his death—having failed to attain the cardinalship he so ardently wanted—Marcinkus served as a country-club priest in Sun City, near Phoenix, Arizona. Banco Ambrosiano, with the help of the Bank of Italy and the Vatican, was reformed and resumed the banking business.

In the wake of Ambrosiano's collapse, which led to the collapse of Franklin National Trust of New York, the Bank of Italy mandated several new rules, including that Italian banks maintain, regularly disclose, and prove the availability of a minimum percentage of capital, based on their respective size. At the international level, the collapse of Ambrosiano moved a number of banks to examine their practices as well and to develop stringent rules of operation.

—Robert B. Youngblood

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Clearinghouse Is Accused of Fraud and Money Laundering; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; Sept. 20, 2008: American Financial Markets Begin to Collapse.

October 19, 1982

CAR MANUFACTURER JOHN DE LOREAN IS ARRESTED IN A DRUG STING

Automobile manufacturer and engineer John De Lorean attempted to save his failing company by conspiring to sell drugs. He was arrested by the FBI in a case that generated widespread publicity and scandal. He was later acquitted on grounds of entrapment but his name is now synonymous with white-collar crime.

LOCALE: Los Angeles, California

CATEGORIES: Law and the courts; business; drugs; organized crime and racketeering

KEY FIGURES

John De Lorean (1925-2005), American automotive engineer and founder of De Lorean Motor Company

James Hoffman (fl. 1980's), former neighbor of De Lorean and FBI informant

Benedict Tisa (fl. 1980's), FBI agent

SUMMARY OF EVENT

Charismatic and well-known automotive manufacturer and engineer John De Lorean was arrested by the Federal Bureau of Investigation (FBI) for conspiracy to distribute cocaine on October 19, 1982. His arrest made international headlines, as the timing coincided with the closing of the Northern Ireland plant for De Lorean Motor Cars Ltd., whose parent company was De Lorean Motor Company (DMC), based in Detroit, Michigan.

Founded in Detroit in 1975, DMC had gained in-

ternational publicity with the introduction of the DMC-12 sports car, which was manufactured in Northern Ireland, in 1981. However, delays in building the cars, as well as flaws in design and manufacturing, led to sales well below the projections needed to make a profit. The DMC-12 ended its production run in late 1982, with about nine thousand sold. By the time DMC had entered into receivership and bankruptcy, De Lorean was seeking ways to recapitalize his business so that he could continue production and develop more cars.

The story of how and why De Lorean, who also gained fame as the creator of the Pontiac GTO "muscle car" during the early 1960's, became involved in the drug-dealing conspiracy remains a two-version tale. The FBI claimed that De Lorean played an active role in the conspiracy to bring 220 pounds of cocaine (worth tens of millions of U.S. dollars) into the United States. FBI tape transcripts indicate that De Lorean did indeed participate in several meetings, in which he demonstrated a willingness to pay a \$1.8 million commission for a transaction.

De Lorean, however, claimed that he never intended to participate in an illicit drug deal. Instead, he was looking for investors in his struggling car company. His willingness to seek creative and unconventional financing methods was a product of his inability to gain more bank financing. After being contacted by James Hoffman, the father of one of his son's friends in Pauma Valley, California, De



John De Lorean and his wife, Cristina Ferrare, outside court in November, 1982. (AP/Wide World Photos)

Lorean listened to a deal that would possibly recapitalize his company.

In reality, Hoffman was a federal law-enforcement informant with a history of drug-trafficking convictions. On July 11, 1982, De Lorean met Hoffman at the Marriot Hotel in Newport Beach, California. Hoffman described a plan in which De Lorean would pay Hoffman a \$1.5 million brokerage fee plus \$300,000 in expenses to provide financing for De Lorean's company. Soon after the meeting, however, De Lorean realized that his money would be used for the purchase of cocaine and that the proceeds from the sale would be laundered through a bank account that De Lorean was to set up through Eureka Federal Savings and Loan in San Carlos, California. Little evidence indicates that De Lorean came up with the complex plan to buy the drugs and launder the money, but numerous federal law-enforcement tapes indicate that he willingly took part in the discussions to participate in the plan.

Discussions about the deal continued, though De Lorean would later claim that he participated in these later discussions because Hoffman had threatened the lives of his children and not, as was alleged by federal authorities, to commit a crime. Regardless, he had flown to Washington, D.C., on September

4 to meet with Hoffman at the L'Enfant Plaza Hotel.

Through various meetings and contacts, De Lorean was introduced to banker James Benedict, the person who would see that the financing on the deal was handled appropriately. (Benedict was undercover FBI agent Benedict Tisa.) Around this time as well, De Lorean was reacquainted with William Morgan Hetrick, a pilot and aviation company owner with a history of drug-running who also was being set up in the FBI sting. On September 20, De Lorean, Hetrick, and Benedict met at the Bel Air Sands Hotel in Los Angeles. FBI tapes yielded in-

criminating statements made by De Lorean and Hetrick, showing they clearly knew they were involved in a illegal drug transaction. However, De Lorean could not get the \$1.8 million in cash needed to complete the deal.

As his company continued to face significant losses and could not pay creditors and suppliers, De Lorean decided that his only contribution to the deal would be DMC stock. This option was made clear by De Lorean at a September 28 meeting, also in Los Angeles, with drug dealer John Vicenza (undercover Drug Enforcement Agency agent John Valestra). De Lorean later noted in a postarrest interview that the stock he offered was worthless.

De Lorean claimed after his arrest that his participation in the deal continued only through the threats of harm to his family and the constant pushing of Benedict. The sting operation was so complex that a real banker volunteered to play a role in affirming the legitimacy of Benedict as a banker with whom De Lorean should deal.

On October 19, De Lorean entered room 501 of the Sheraton Plaza Hotel near Los Angeles International Airport. He saw the cocaine, said it looked "good as gold," and was arrested by Benedict and Vicenza. The two, along with Hoffman, were with De Lorean in the hotel room.

After putting up as collateral his New York apartment, New Jersey estate, and Pauma Valley home, De Lorean was released on \$250,000 bail. His trial, long and complex, began on April 18, 1984. The cross-examination of two witnesses for the prosecution, Benedict and Hoffman, greatly harmed the case against De Lorean, leading to his acquittal on all eight charges on August 16. Benedict testified that he continued with the deal even though he had known at the time that De Lorean did not have the \$1.8 million to complete the transaction. This testimony led to charges by the defense that government agents had to put up the money to make De Lorean continue with the deal. Hoffman's admission during trial that he had demanded a share of the money seized in the deal led to suspicion about the truthfulness of his testimony. In the end, the jury determined that De Lorean had been entrapped by federal law enforcement, and he was freed.

IMPACT

De Lorean's arrest bridged high-profile crime such as drug dealing with the "lesser" acts of falsifying reports and bad-faith negotiations for the development of a car company. Although acquitted of criminal charges, he spent years defending himself from numerous lawsuits related to his failed company. He also faced numerous charges of tax evasion and fraud related to his operation of DMC.

De Lorean's name has been immortalized by the DMC-12 sports car that captivated the attention of automobile enthusiasts during the early 1980's. Still, even with the car's continuing legacy, the fact remains that the British government and investors, including celebrities Johnny Carson and Sammy Davis, Jr., lost approximately \$250 million when the company failed. The British government had invested in DMC to help with high unemployment in Northern Ireland. Although these monetary losses mostly came from failed attempts to further develop DMC, De Lorean's arrest and trial affected the company as well. De Lorean would ask, even after his acquittal, "Would you buy a used car from me?"

The novelty of the DMC-12 and the public-relations campaign of his daring venture to build a

car that challenged the powers of automobile manufacturers in Detroit made him a hero to many. Analysis of the drug deal indicates, however, that he simply wanted to single-handedly save his dream.

—John C. Kilburn, Jr.

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SEE ALSO: Mar. 29, 1962: Billie Sol Estes Is Arrested for Corporate Fraud; Feb. 4, 1976: Lockheed Is Implicated in Bribing Foreign Officials; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers; May 29,

1981: Court Finds That Ford Ignored Pinto's Safety Problems; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Mar. 29, 1989: Financier Michael

Milken Is Indicted for Racketeering and Fraud; Apr. 15, 1992: Hotel Tycoon Leona Helmsley Enters Prison for Tax Evasion; Dec. 23, 1998: Prominent Belgians Are Sentenced in Agusta-Dassault Corruption Scandal.

December, 1982

JULIE ANDREWS AND BLAKE EDWARDS DENY BEING GAY

Singer-actor Julie Andrews, along with her husband, Blake Edwards, denied claims that she was lesbian and that he was gay in an interview with Playboy magazine. Edwards, a filmmaker, was long rumored to be gay or bisexual.

LOCALE: Beverly Hills, California

CATEGORIES: Publishing and journalism; sex

KEY FIGURES

Julie Andrews (b. 1935), British singer and film star

Blake Edwards (b. 1922), American screenwriter and film director and producer

Lawrence Linderman (fl. 1980's), journalist

SUMMARY OF EVENT

Julie Andrews and Blake Edwards married in 1969, when both were well known in the entertainment world. Andrews was best known for her sweet, classic governess roles in films such as *Mary Poppins* (1964) and *The Sound of Music* (1965), as well as the spectacular vocal talents that made her a child star in England during the 1940's and a Broadway smash during the 1950's and 1960's. She skyrocketed to fame when she appeared on stage in such shows as *My Fair Lady* (1956), *Camelot* (1960), and *The Boy Friend* (1954), for which she earned critical acclaim.

Edwards was best known for writing and directing *The Pink Panther* (1963), starring Peter Sellers, and its sequels. Edwards also wrote and directed *A Shot in the Dark* (1964), *This Happy Feeling* (1958), and *10* (1979). He directed *Operation Petti-*

coat (1959), starring Cary Grant, and *Breakfast at Tiffany's* (1961), starring Audrey Hepburn, and created two popular private-eye series for television.

From the mid- to late 1960's, following this period of immense achievement, both Andrews and Edwards experienced a series of professional failures, including their mutual film project *Darling Lili* (1969). Around the same time, both were having marital troubles. They began to see each other after their marriages ended. The couple's individual successes had made them celebrities in their own right, but together, Andrews and Edwards were subjected to closer scrutiny. They continued doing film projects together, but projects that were very different from those for which they were known.

In particular, Andrews broke out of her wholesome governess image by baring her breasts in the film *S.O.B.* (1981) and portraying a cross-dresser in *Victor/Victoria* (1982). The couple's enthusiasm for these projects, which had homosexuality as themes, renewed rumors about their own sexuality. Edwards, long assumed to be gay (and not out about his sexuality), had recently directed several other films with gay themes or subtexts, in addition to the more explicitly gay *Victor/Victoria*. Andrews, as a Broadway and film star and vocal diva, was already well on her way to becoming an icon of gays and lesbians. The existing rumors about Edwards grew to include Andrews as well.

In 1982, journalist Lawrence Linderman sat down with Andrews and Edwards in Beverly Hills, California, on assignment for *Playboy* magazine. (Each issue of the magazine includes an interview with a celebrity or a celebrity group or couple.)

Linderman met with the couple several times to prepare for the interview, which was recorded on tape. Linderman began the interview by asking about events surrounding the couple's first meeting. They discussed their mutual film projects and analyzed the challenges of creating an image for Andrews that would go beyond her classic, memorable roles in *Mary Poppins* and *The Sound of Music*.

During the interview, the conversation came to Edwards's later films and how the public reacted to their gay-related themes. Linderman asked Edwards to discuss *Victor/Victoria* and whether Edwards was dealing with his own sexuality through the film's message. Edwards acknowledged both the theme and the idea of dealing with his own sexuality, saying he believed that everyone must go through such examinations. Edwards spoke of dealing with his fears about being gay for his own peace of mind. Linderman then asked Edwards if he thought people who watched the film would assume Edwards was implying that he was gay. Edwards accepted that audiences might make that assumption, adding that he had begun exploring sexuality in more subtle ways in other films, such as *10* and *S.O.B.*, and that part of his goal was to get people to react to the issue.

Andrews suggested that Edwards's style of dealing with serious and complicated issues such as the social acceptance of homosexuality was to use humor and lighthearted moments to capture truth. Linderman pressed the point by asking if Edwards was worried about the rumors that these films meant he was coming out of the closet. Edwards answered that it would not bother him if people thought he was coming out as gay. He talked about undergoing psychoanalysis, which had helped him deal with his sexuality, and about his concerns about being gay. However, he then said he was relieved to learn, through analysis, that he

was heterosexual, despite having had homosexual fantasies and engaging in some childhood experimentation with other boys.

Andrews, too, spoke of being relieved after going through a similar process of analysis, asserting that most people have homoerotic feelings and that having them is a normal part of life, even for heterosexuals. She supported Edwards in his desire to use his films to talk about homosexuality and suggested that he wanted to address other social issues as well, such as race. Edwards added that it was important that he champion gay rights and be supportive of gay friends who struggled to come out of the closet. Seemingly satisfied with the couple's explicit responses to the rumors of homosexuality, Linderman redirected the conversation. For the remainder of the interview, topics focused on other projects in which the two were working.

IMPACT

The manner in which Andrews and Edwards denied their homosexuality did more to fan the flames of public rumors than it did to squelch them. Though it was common for celebrities to publicly deny rumors of homosexuality, it was rare for such a denial to include mention of past homosexual experiences,



Blake Edwards and Julie Andrews in 1979. (Hulton Archive/Getty Images)

fantasies, and exploration, or to have acknowledged having questioned their own sexuality. The controversy of a straight Hollywood couple speaking so openly about having had homosexual desires and experiences shocked readers of the interview. *Playboy's* target audience is traditionally heterosexual and male, a demographic that—particularly during the early 1980's, the early days of the HIV-AIDS crisis—tends to openly shun homosexuality.

Andrews and Edwards openly supported homosexuality and made clear their belief that people should confront their feelings about sexuality. This perspective injected some new life into the public debate. Their support, however, did little to prove to skeptics that they were truly heterosexual, fueling further claims that their attempt to justify homosexual affinity was more of a denial than an acceptance. Despite the ensuing controversy, the Andrews and Edwards interview was a success.

—Kekla Magoon

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reer, films, and marriage, and publicly deny rumors of their homosexuality.

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SEE ALSO: 1927: Mae West's Play About Gays Is Banned on Broadway; Dec. 1, 1952: George Jorgensen Becomes Christine Jorgensen; Oct. 7, 1964: President Lyndon B. Johnson's Aide Is Arrested in Gay-Sex Sting; 1970: Study of Anonymous Gay Sex Leads to Ethics Scandal; Jan., 1977: Singer Anita Bryant Campaigns Against Lesbian and Gay Rights; July 28, 1980: Magazine Reveals Baseball Star Steve Garvey's Marital Problems; Sept. 3, 1980: Congressman Bauman Is Arrested for Liaison with Teenage Boy; Dec. 7, 1980: Rita Jenrette's "Diary of a Mad Congresswife" Scandalizes Washington; July 23, 1984: Vanessa Williams Is the First Miss America to Resign; Apr. 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct; Sept. 19, 2000: Ex-gay Leader John Paulk Is Photographed Leaving a Gay Bar; Sept. 17, 2006: New Zealand Prime Minister's Husband Is "Outed" as Gay; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard.

December 16, 1982

CONGRESS CITES ENVIRONMENTAL PROTECTION AGENCY CHIEF FOR CONTEMPT

Anne Gorsuch, director of the Environmental Protection Agency, was cited for contempt of Congress after refusing to release documents for an inquiry into the Superfund, the federal toxic-waste cleanup program. She and twenty top aides, including Rita Lavelle, assistant EPA administrator, were either fired or forced to resign from the EPA.

LOCALE: Washington, D.C.

CATEGORIES: Government; corruption; environmental issues; business; politics

KEY FIGURES

Anne Gorsuch (1942-2004), director of the Environmental Protection Agency, 1981-1982
Rita Lavelle (b. 1947), assistant administrator of the EPA

John Dingell (b. 1926), U.S. representative from Michigan, 1955-

William Ruckelshaus (b. 1932), interim director of the EPA, 1983-1985

SUMMARY OF EVENT

Ann Gorsuch was appointed on May 20, 1981, to the position of administrator of the U.S. Environmental Protection Agency (EPA), the first woman to head the agency. She had served in the Colorado legislature for two terms and was a district attorney in Denver, but she had no experience managing large organizations nor any background in environmental work. In the legislature, she had been a member of a group that advocated states' rights and opposed federal environmental and energy policies.

Gorsuch was appointed the head of the EPA by President Ronald Reagan, who directed the new appointee to weaken the EPA's ability to oversee industry. The EPA had been created during the 1970's to consolidate government offices responsible for protecting public health and safeguarding the envi-

ronment. Many members of the U.S. Congress opposed the agenda set by Gorsuch, and she was soon dogged with charges that she was planning to cut the agency's budget by 40 percent. When she suspended a regulatory ban on the disposal of toxic waste in containers in landfills, Congress members considered the suspension a gross miscalculation. Gorsuch enacted a new ban after eighteen days of strong media scrutiny and discussion. Similarly, she devoted time to trying to phase out federal clean-air regulations, an effort thwarted by Congress.

An advocate of budgetary cuts and regulatory reform, Gorsuch did manage to drop the EPA's budget by \$200 million and cut its staff by 23 percent, firing over one thousand people. She scattered the staff responsible for enforcement of EPA regulations among other programs, removing the EPA's ability to keep pollution in check.

While Gorsuch treated other EPA officials with aloofness, industry representatives found her door always open to them. When a proposal surfaced to phase out lead as an additive to gasoline, scientists and representatives from Ethyl Corporation, a company that manufactures fuel additives, met with her to express concerns that requiring a drop in lead levels would result in the closing of refineries and increased wear on automobile engines while not doing much to improve public health. Gorsuch finished the hearing by allegedly winking when asked if she had any plans to actually enforce the regulations.

This type of behavior by Gorsuch, signaling her complicity with industry, led to questions about her use of agency funds. In the summer of 1982, Representative John Dingell, a Democrat from Michigan, began an inquiry into reports that the EPA was being run through "political manipulation . . . interwoven with absurd incompetence." Dingell's inquiry was focused primarily on Rita Lavelle, a political

appointee and EPA associate administrator in charge of the program formed by the Comprehensive Environmental Response Compensation and Liability Act of 1980 (better known as Superfund).

Superfund was formed to address chemical poisons in the environment. It was based on an EPA survey that had identified more than 250 hazardous-waste sites involving damages or significant threat of damages, and it was the only EPA program whose budget was untouched by Gorsuch. Under her leadership, the EPA announced national guidelines for cleaning up abandoned hazardous-waste sites and set up a \$1.6 billion trust fund over five years, financed by taxes on the manufacture of some toxic chemicals and general revenues appropriated by Congress. The EPA also passed a rule requiring that schools test for asbestos in their buildings.

Lavelle had numerous corporate ties to chemical and aerospace companies. She had failed to cooperate with Dingell's investigation, which was looking into the misuse of Superfund monies for political purposes and irregularities at a major perchlorate toxic waste site, the Stringfellow Acid Pits in Riverside, California. (Perchlorate, an oxidizer used in rocket fuel, affects the human thyroid gland.) Dingell's investigation also uncovered secret meetings with the Monsanto Company and other corporations that dealt with regulatory matters. Monsanto, a leading manufacturer of herbicides and other chemicals, had actively worked to mask the dangers of polychlorinated biphenyls, or PCBs, by funding nonexistent public-interest groups to defend its interests and publicizing statements such as that made by a Monsanto toxicologist. He had declared that "There has never been a single documented case in this country where PCBs have been shown to cause cancer or any other serious human health problems." He went on to compare PCBs to ordinary table salt.

In September, Dingell requested EPA documents on Superfund sites but the agency withheld the documents on the advice of the Justice Department. Dingell then subpoenaed Gorsuch to appear before investigators with the requested documents; she refused. After a second attempt to subpoena her,

President Reagan intervened on November 30 and told her not to comply with the request. On December 16, the U.S. House of Representatives voted 259-105 in favor of a contempt of Congress citation against Gorsuch, but the Justice Department, also led by Reagan appointees, refused to prosecute.

In early 1983, the House voted 413-0 in favor of a contempt of Congress citation against Lavelle for refusing to appear before a House investigatory committee. She was fired by Reagan, was later acquitted of the contempt charge, and was convicted of perjury in a separate trial on December 1. She served three months of a six-month sentence.

On March 9, 1983, Gorsuch resigned as EPA director, adding in her announcement that congressional investigators now had ready access to the documents they had been seeking since the summer of 1982. She later would claim that her time with the EPA had been hampered by the agency's lack of management skills and outdated priorities. At the same time, her colleagues charged that she had in turn delayed energy development decisions by demanding direct control over all decision making processes rather than leaving them to be made at the state and regional level. They went on to say that Gorsuch had made herself inaccessible to the EPA's regular staff and had barricaded herself with a wall of assistants with connections to Secretary of the Interior James Watt, the Adolph Coors Company, and the Reagan campaign, all with limited to no experience with environmental issues.

Lavelle was involved in later criminal investigations and convicted in 2004 of one count of wire fraud and two counts of making misleading statements to FBI investigators. She served time in prison for this conviction as well. Gorsuch was appointed by Reagan to head the National Advisory Committee on Oceans and the Atmosphere, but she turned down the appointment. She wrote *Are You Tough Enough?* (1986) and then returned to law practice. In 2004, she died from cancer.

IMPACT

Gorsuch was replaced by William Ruckelshaus, who had served as the EPA's first director. The National Resources Defense Council sued the EPA in

1983 for violations related to secret meetings and collusion with industry leaders. The EPA agreed to end the practice of secret negotiations and private deal-making. The new regulations forbid the EPA from allowing industry negotiations to affect its decisions whenever it evaluates or registers high-risk pesticides.

Ruckelshaus, as interim director, established the EPA's so-called fishbowl policy, providing public participation in policy-making activities, and created a recusal policy to avoid conflicts of interest caused by his association with the timber company Weyerhaeuser and with Monsanto, among others. His appointment calendar was made public each week, as were those of other key EPA officials.

In an interview with the EPA History Office, Ruckelshaus observed that the Reagan administration's

avowed purpose of lessening the impact of regulation on society really had the opposite effect, at least with respect to the environment. To the extent it acted at all, Congress increased the degree of regulation, imposing new restrictions on flexibility and on the administration of the states.

In the years after Gorsuch's tenure with the EPA, Congress passed prescriptive environmental legislation, believing that loosely worded amendments would be abused by administrations for whom the environment was not a priority. The acts included an amendment to the Hazardous and Solid Waste Act (1984), amendments to the Safe Drinking Water Act (1986), amendments and reauthorization of the Superfund Act (1986), and the Water Quality Act (1987).

—Catherine Rambo

FURTHER READING

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Davis, Devra Lee. *When Smoke Ran Like Water: Tales of Environmental Deception and the Battle Against Pollution*. New York: Basic Books, 2004. Includes discussion of Gorsuch's tenure with the EPA and the Reagan administration's approach to pollution in historical context.

Johnson, Haynes. *Sleepwalking Through History: America in the Reagan Years*. New York: W. W. Norton, 1991. Coverage of the multiple scandals that arose during the Reagan administration. Gorsuch is mentioned in passing.

Nakamura, Robert T., and Thomas W. Church. *Taming Regulation: Superfund and the Challenge of Regulatory Reform*. Washington, D.C.: Brookings Institution Press, 2003. Discusses administrative reform in the Superfund program and deals primarily with the aftermath of the scandal involving Rita Lavelle.

SEE ALSO: Oct. 4, 1976: Agriculture Secretary Earl Butz Resigns After Making Obscene Joke; Sept. 26, 1979: Love Canal Residents Sue Chemical Company; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; July, 2002: Journalist Alleges Release of Genetically Modified Corn Seeds in New Zealand; Beginning Aug. 29, 2005: Government Incompetence Mars Hurricane Katrina Relief Efforts.

April 25, 1983

GERMAN MAGAZINE PUBLISHES FAKED HITLER DIARIES

The German weekly magazine Stern published excerpts of a manuscript believed to be the diaries of Adolf Hitler. The diaries were found to be forged, however, leading to one of the most notorious publishing and forgery scandals of the twentieth century.

LOCALE: Hamburg, Germany

CATEGORIES: Forgery; hoaxes, frauds, and charlatanism; publishing and journalism

KEY FIGURES

Konrad Kujau (Konrad Fischer; 1938-2000),
German collector

Gerd Heidemann (b. 1931), German journalist
Peter Koch (fl. 1980's), editor in chief of *Stern*
magazine

Hugh Trevor-Roper (1914-2003), English
historian

SUMMARY OF EVENT

Konrad Kujau, a German collector of memorabilia, claimed to be in possession of sixty-two volumes of the secret "diaries" of Adolf Hitler. The diaries included details from Hitler's life between 1932 and days before his suicide on April 30, 1945. Kujau said he found the diaries in Börnersdorf, near Dresden, in the possession of farmers who discovered them in the wreckage of a Nazi SS plane that had crashed on April 21, 1945.

Kujau, who used the name Konrad Fischer, was an accomplished forger and antiquarian dealer. In addition to selling genuine items from his large memorabilia collection, he sold some of his forgeries with great success, making him a criminal as well. He even sold paintings allegedly created by Hitler. Kujau also forged handwritten copies of Hitler's infamous two-volume book *Mein Kampf* (1925-1926; *My Struggle*, 1939, complete translation). He fabricated inscriptions and additions and sold them to unsuspecting collectors. Any authority on the period, however, would know that the origi-

nal manuscript of *Mein Kampf* had been typewritten, not handwritten.

In 1979, Gerd Heidemann, a reporter for the popular German weekly magazine *Stern* (star), obtained some of the diaries (Kujau's forgeries) but would not disclose where he got them. Before making contact with Kujau, he had learned of the 1945 crash of the SS plane and the existence of a mysterious box that contained almost thirty volumes of the diaries; the box, as it turned out, was in Kujau's possession. (Heidemann, who had been in the *Hitlerjugend*—the Hitler Youth movement—as a boy, was fascinated with the Nazi period and even knew a number of prominent former Nazis.)

Heidemann urged Kujau to sell the diaries to *Stern*, but Kujau initially was reluctant to sell for fear of being found out as a fraud. The offer, however, was too tempting. Kujau agreed to the sale but requested that his name be left out of the arrangements. He then forged more of the diaries in preparation for their transfer to *Stern*. He delivered the first "volumes" to Heidemann in January, 1981. *Stern* editors accepted them without questioning their authenticity. Kujau provided more diaries, and *Stern* greeted each one with enthusiasm, paying Kujau and Heidemann premiums.

Stern began to offer the diaries to other publications, including the *Sunday Times of London* for serialization, but for a fee. The *Sunday Times*, owned by media mogul Rupert Murdoch, purchased the diaries for \$400,000, of which it paid half, before the forgery became known.

The editors of *Stern*, who debated whether to publish the diary excerpts before checking for authenticity, sent several photocopied pages from the diaries to the German Federal Archives (GFA). They also sent page copies to the noted British historian Hugh Trevor-Roper, who had worked as a military historian for the British armed services during World War II and had written several books and articles on Hitler, including the popular and well-received book *The Last Days of Hitler*. It

should be noted, however, that despite his work on the war period and Nazi Germany, Trevor-Roper's main area of expertise was seventeenth century England. After his examination of the handwriting samples, Trevor-Roper assured the editors the diaries were real, stating, "I would stake my reputation" on their authenticity.

Within days, the publishers became skeptical. *Stern* asked Heidemann to look at the charges more closely. Heidemann, whose own interests depended on the dairies' authenticity, merely asked Kujau if the diaries were real. Naturally, Kujau assured Heidemann they were authentic. *Stern* held a dramatic press conference, led by editor in chief Peter Koch, on April 22, 1983, to announce its possession of the priceless diaries. Two days later, the *Sunday Times* announced its own acquisition of copies of the diaries in the news article, "Hitler's Secret Diaries to be Published." The following day, April 25, *Stern* published excerpts from the diaries, boldly announcing on its cover, "Hitlers Tagebücher entdeckt" (Hitler's diaries discovered).

By not allowing experts to examine the diaries directly before publication, *Stern* fell into a serious situation. Any reputable Hitler expert could have easily discovered the fraud. Upon publication of the diary excerpts, some experts were taken by their enthusiasm for such a find, but others were skeptical and saw clear inconsistencies. Kujau claimed that the diaries were in Hitler's own hand. Historians of the period argued that this was doubtful because Hitler suffered serious injuries in the attempt on his life in 1944 by a group of army officers, and he could not write legibly because of the injuries. Furthermore, those persons close to Hitler said that he had little time to write and would not do so if he could. In addition, the entries in the diaries were inane. They

showed little new information and much of what they did show contradicted other documents and archives. For example, the diaries indicated that Hitler was not personally involved with much of the actions against the Jews and the Holocaust.

David Irving, a well-known and respected scholar on Hitler, first proclaimed that the handwriting and language were not those of Hitler. He would later say the diaries were real. The uproar caused by the skeptics prompted *Stern* to seek further authentication. However, the effort backfired. A group of experts, including chemists, showed that ink used in the diaries and the bindings on the volumes were of postwar composition and that the diaries could not have been written before 1945. On May 6, the GFA in Koblenz proclaimed the diaries to be a fraud.

The publisher and editors of *Stern*, embarrassed and shocked by the revelation, fired Heidemann and others responsible for the fraud. The police also sought Kujau, who initially claimed that he had bought the diaries from someone in East Germany,



Journalist Gerd Heidemann holds up the alleged diaries of Adolf Hitler at a *Stern* magazine news conference in Hamburg, Germany, on April 25, 1983. The diaries later proved to be forgeries. (AP/Wide World Photos)

NOTABLE QUOTATIONS

Adolf Hitler allegedly wrote the following in his diary in June, 1941:

“On Eva’s wishes, I am thoroughly examined by my doctors. Because of the new pills, I have violent flatulence, and—says Eva—bad breath.”

British historian Hugh Trevor-Roper, upon reviewing Hitler’s diaries at the request of Stern magazine editors, said,

“When I turned the pages of those volumes, my doubts gradually dissolved. I am now satisfied they are authentic.”

Stern editor in chief Peter Koch, announcing that the magazine was publishing excerpts from the diaries, said,

“I expected the uproar and expected that many incompetent people would denounce the diaries as fakes. This is because every other publishing house will envy our story and every historian will envy us.”

but his story was filled with inconsistencies. Finally, Kujau admitted his guilt and implicated Heidemann in the plot because the reporter did not give him a full share of money he received from *Stern*. On May 11, *Stern* announced that it would release the forgeries to prosecutors. The magazine had initially refused to do so.

IMPACT

In August, 1984, Kujau and Heidemann, along with Kujau’s wife, Edith Leibling, were tried. Kurt Groenewald, Kujau’s attorney, tried to lessen Kujau’s guilt by shifting the blame to *Stern* publishers, claiming that they had the responsibility of checking the authenticity of the diaries before not only publishing them but also buying them. He argued that *Stern* neglected to check against forgery because it was eager to improve Hitler’s public image and maximize its profits. Heidemann’s lawyers claimed that Kujau alone was the forger, that their client was not involved in the plot. They argued he kept none of the money paid for the diaries and also blamed *Stern* for the scandal. Leibling’s lawyers simply claimed she was not involved.

During trial, *Stern* witnesses were inconsistent in their testimony, leading Judge Hans-Ulrich Schroe-

der to conclude that they deserved much of the blame for the scandal. He said in his sentencing that the magazine “acted with such naivete and negligence that it was virtually an accomplice in the fraud.” The judges found all three of the defendants guilty. Kujau and Heidemann were sentenced to four and a half years (about half the maximum allowable) in prison, and Leibling received eight months probation.

Kujau was released from prison in 1988 because he was suffering from stomach cancer. He continued a life of petty crime until his death in 2000. For *Stern*, its reputation was severely damaged. Editor Koch resigned, as did other top editors. Many regard the publication of the fake diary excerpts as one of the lowest points in twentieth century journalism and magazine publishing, not only in Germany but also the world.

—Frederick B. Chary

FURTHER READING

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Harris, Robert. *Selling Hitler*. London: Arrow Books, 2000. Relates the story of the scandal in detail. Includes an account of David Irving’s role in exposing the hoax.

Magnuson, Ed. “Hitler’s Forged Diaries.” *Time*, May 16, 1983. A comprehensive account of the hoax written in an accessible style. An excellent example of reportage from the time of the scandal. Also available online through *Time* magazine’s Web site.

Rendell, Kenneth. *Forging History: The Detection of Fake Letters and Documents*. Norman: University of Oklahoma Press, 1994. Discusses the methods for detecting forgeries through examination of handwriting, paper, and ink. Uses the case of the forged Hitler diaries as an example of detection methods at work.

Rentschler, Eric. “The Fascination of a Fake: The

Hitler Diaries.” *New German Critique* 90 (Fall, 2003): 177-192. A scholarly study of the forgery that argues the hoax was part of the sociological phenomenon of popular curiosity and fascination with Hitler and the Third Reich.

SEE ALSO: Oct. 25, 1924: Forged Communist Letter Brings Down British Government; June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Nov. 21, 1953: Piltdown Man Is Revealed to Be a Hoax; Oct. 26, 1962: West Ger-

man Police Raid *Der Spiegel* Magazine Offices; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; Nov. 9, 1976: German Generals Must Retire for Supporting a Neo-Nazi Pilot; Apr. 15, 1981: Janet Cooke Admits Fabricating Her Pulitzer Prize-Winning Feature; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Mar. 12, 1997: Prize-Winning Aborigine Novelist Revealed as a Fraud; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying.

July 20, 1983

CONGRESS MEMBERS CENSURED IN HOUSE-PAGE SEX SCANDAL

The House Ethics Committee began an investigation into accusations that certain members of the U.S. Congress were engaging in sexual relations with teenage House pages. Although the committee found no wrongdoing during the period in question, it did find that two representatives, Gerry Studds in 1973 and Daniel Crane in 1980, had consensual but inappropriate relationships with pages. Both members were censured by Congress.

ALSO KNOWN AS: Congressional page sex scandal

LOCALE: Washington, D.C.

CATEGORIES: Sex crimes; sex; government; drugs; families and children; public morals

KEY FIGURES

Gerry Studds (1937-2006), U.S. representative from Massachusetts, 1973-1997

Daniel Crane (b. 1936), U.S. representative from Illinois, 1979-1985

Tip O'Neill (1912-1994), U.S. representative from Massachusetts, 1953-1987, and Speaker of the House, 1977-1987

Louis Stokes (b. 1925), U.S. representative from Ohio, 1969-1999, and chairman of House Ethics Committee

SUMMARY OF EVENT

The House Page Program, for students in their junior year of high school, is an immersion program that introduces students to the day-to-day workings of the U.S. House of Representatives. Pages, who live in Washington, D.C., during their residency in the program, run errands for House members, assist with telephone calls in the cloakroom, and assist on the House floor as needed. In addition to working on Capitol Hill as paid employees of the House, pages also attend early-morning classes.

The program has been in place for more than two hundred years, though the House as an institution has changed. About seventy-two pages serve in a given year. The program is administered by the clerk of the House, and daily activities are overseen by staff of the residence hall and school and by work staff. At the program's inception, only males were allowed to serve as pages, but females earned a permanent place in the program in 1973.

Until the early 1980's, pages were responsible for finding their own lodging and were largely unsupervised after leaving work. In 1982, however, a page commission recommended creating a residence hall near Capitol Hill for all pages so they could be properly supervised. Concurrently, the commission also recommended the establishment



Gerry Studds in 1995. (AP/Wide World Photos)

of a page board composed of current members of the House, “to ensure that the Page program is conducted in a manner that is consistent with the efficient functioning of the House and welfare of the Pages.”

In 1982, a former House page claimed he had sexual relationships with three members of Congress. Speculation soon arose that Congress members also were involved in drug deals with pages. The Federal Bureau of Investigation (FBI) launched an investigation into the accusations. Several pages who were interviewed said they had feared their jobs would be in jeopardy had they not consented to the relationships.

After learning of the FBI investigation, Speaker of the House Tip O’Neill and Representative Louis Stokes, chairman of the House Ethics Committee, launched a congressional investigation into the accusations. The committee found that the former page’s accusations were ungrounded, and investigators found no inappropriate behavior between members and pages during the 1981-1982 page cycle, the time period on which the investigation centered. Also dismissed were accusations about drug use.

The committee did find, however, that two representatives had been sexually involved with pages prior to the time in question. Neither politician broke the law, however, because sixteen years old is the age of consent in Washington, D.C. In 1973, Gerry Studds had been in a consensual relationship with a seventeen-year-old male page. The youth was invited to Studds’s Georgetown apartment and traveled with him during a two-week vacation to Portugal. When confronted with the charges in 1982, Studds admitted to the affair, stating that he had made a “very serious error in judgment.” He made a public statement, in which he came out as gay and stated that he should

not have engaged in a sexual relationship with a subordinate.

Representative Daniel Crane also had an affair with a seventeen-year-old page, a girl, in 1980. She had visited his apartment multiple times and testified that she was “perhaps more responsible for the sexual relationship than he was.” While the relationship was consensual, Crane tearfully apologized for his behavior but said he did not violate his oath of office. The Ethics Committee recommended on July 14, 1983, that the two Congress members be formally reprimanded, but the full House pushed for a more serious punishment: Studds and Crane were censured by the House on July 20.

Studds and Crane ran for reelection in 1984. Crane won the Republican primary for his district but ultimately lost his seat to Terry Bruce in the general election. Studds, the first openly gay member of Congress, won the 1984 Democratic primary and the general election and served in the House until 1997. Crane returned to dentistry after his defeat in 1984. Studds married his long-time partner in 2004, just one week after the state of Massachusetts legalized marriage between persons of the same gender.

Studds died two years later from a pulmonary embolism.

IMPACT

The page scandal led Speaker O'Neill to form a page commission in 1982 to reevaluate the program. Many questioned why the program was still operating and whether it should be retired, and changes were suggested in an effort to protect the pages and better serve the House membership. Pages now live in a residence hall located several blocks from the Capitol Building (pages formerly resided at the Old Congressional Hotel). This provides better supervision of the minors when they are not at work. A page board also was instituted, consisting of two Congress members from the majority party, one member from the minority party, the clerk of the House, and the House sergeant-at-arms. An official Page Program code of conduct also was developed, allowing for the immediate dismissal of any page found in violation of program rules.

The allegations of inappropriate contact between members of Congress and House pages did not cease following the findings of the Ethics Committee in the case of Crane and Studds. In 2006, scandal rocked Capitol Hill as Representative Mark Foley resigned amid allegations of sending sexually explicit electronic communications (e-mail and instant messages) to former House pages. House leadership came under fire for the way it dealt with previous reports of questionable behavior by Foley, leading to the early retirement of Speaker J. Dennis Hastert in November, 2007. The page board had been expanded in early 2007 to address ongoing concerns with the program and attempt to prevent similar sex scandals.

In December, the House Page Program came under scrutiny again when two Republican members of the page board resigned. Both board members stated that the clerk of the House did not notify them immediately of inappropriate page conduct. In this case, four pages—two for shoplifting and two for inappropriate sexual activity—had been expelled from the program during the fall, 2007, semester. House leadership was criticized once again for not disclosing all evidence presented to the page board.

House Speaker Nancy Pelosi, like others before her, called for an investigation into the charges and for further evaluation of the program.

—Tessa Li Powell

FURTHER READING

Amer, Mildred. "Pages of the United States Congress: History, Background Information, and Proposals for Change." *CRS Report for Congress*, February 6, 2007. Describes the page program and highlights changes that have been made or proposed since the Mark Foley scandal in 2006.

"Capitol Scandal." *Time*, July 12, 1982. Documents the reaction of Congress to the FBI investigation into possible scandals involving House pages.

"Housecleaning." *Time*, July 5, 1983. Reports on the investigation by the House into allegations of inappropriate conduct between pages and House members. Includes apologies from Daniel Crane and Gerry Studds.

Long, Kim. *The Almanac of Political Corruption, Scandals, and Dirty Politics*. New York: Delacorte Press, 2007. A wide-ranging book detailing the various scandals and corrupt practices that have plagued U.S. politics.

Roberts, Robert North. *Ethics in U.S. Government: An Encyclopedia of Investigations, Scandals, Reforms, and Legislation*. Westport, Conn.: Greenwood Press, 2001. A comprehensive encyclopedia documenting political scandals, ethical controversies, and investigations in the U.S. government between 1775 and 2000.

Turley, Jonathan. "A Page Protection Act: The Path to Saving a Historic Program." *Roll Call*, October 5, 2006. Written by a page alum and legal professor. Addresses the problems with the current page board and steps that should be taken to maintain the program.

SEE ALSO: June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; Oct. 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall; Oct. 25, 1974: Evangelist Billy James Hargis Resigns College Presidency During Gay-Sex Scandal; Sept., 1976:

Jimmy Carter Admits Committing Adultery in His Heart; Sept. 3, 1980: Congressman Bauman Is Arrested for Liaison with Teenage Boy; July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock; Aug. 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with

a White House Intern; Sept. 19, 2000: Ex-gay Leader John Paulk Is Photographed Leaving a Gay Bar; Apr. 30, 2001: Washington Intern Chandra Levy Disappears; Dec. 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal; Sept. 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page.

August 12, 1983-July 27, 1990

McMARTIN PRESCHOOL IS EMBROILED IN CHILD-ABUSE CASE

The McMartin Preschool was at the center of one of the costliest and longest criminal trials in American history after its owners and several teachers were accused of sexually abusing the children in their care. The case, which initiated public hysteria over child sex-abuse, ended with no convictions but altered public views of child-abuse cases and pressured the justice system to modify how it handles such cases.

ALSO KNOWN AS: McMartin Preschool trial

LOCALE: Manhattan Beach, California

CATEGORIES: Law and the courts; hoaxes, frauds, and charlatanism; families and children; education; sex crimes

KEY FIGURES

Judy Johnson (1944-1986), parent of a student at McMartin Preschool

Virginia McMartin (c. 1907-1995), McMartin Preschool founder and owner

Raymond Buckey (b. 1955), preschool teacher

Peggy McMartin Buckey (1926-2001), preschool teacher

Peggy Ann Buckey (b. 1956), preschool teacher

Kee MacFarlane (fl. 1980's), social worker-psychologist

SUMMARY OF EVENT

The child-abuse allegations that emerged against McMartin Preschool owners and teachers in 1983 led to one of the longest and costliest trials in American history and initiated public hysteria over child sex-abuse in schools. Located in Manhattan Beach, near Los Angeles, California, the family-owned and operated preschool was a popular and acclaimed school with a long waiting list. The preschool's strong reputation contributed to the magnitude of the shock and outrage felt by the Manhattan Beach community—and all of Southern California—when the scandal surfaced.

The investigation began on August 12, 1983, when Judy Johnson, the mother of a two-year-old boy who attended the school, filed a complaint with police. Johnson reported that she had taken her son to a pediatrician after he complained of rectal discomfort and pain. She claimed that her son had been sexually abused and sodomized by the preschool's only male teacher, Raymond Buckey, during satanic rituals at the school.

Buckey was arrested on September 7 but soon released because of a lack of evidence. The following day, the Manhattan Beach Police Department issued a letter to two hundred parents whose children had attended the preschool, explaining its investigation into the allegations. The letter informed par-

ents that Buckey was under investigation and that parents should speak with their children to learn whether or not their child had been victimized, had witnessed a classmate being abused, or had any other information about Buckey's activities at the preschool.

Knowledge of the McMartin investigation quickly spread throughout the community, caused mass panic, and led to death threats against the McMartin Preschool owners and teachers. It also led to the collective withdrawal of children by their parents from McMartin and neighboring preschools. The number of abuse reports soared after parents began to interrogate their children.

In October, 1983, McMartin parents were instructed to take their children to the Child Sexual Abuse Center at Children's Institute International (CII) for further evaluation. The review was headed by CII investigator and center director Kee MacFarlane. CII therapists videotaped their interviews with the children and used dolls to help the children articulate the alleged sex acts. Most of the children first denied being abused, but many later recanted and began to tell stories of sex abuse. The children's descriptions gradually transformed into incredible stories of satanic rituals, blood drinking, animal mutilation and sacrifice, corpse desecration, naked games, child pornography, hidden underground tunnels and rooms, and flying witches. From a lineup of photographs, the children named the preschool owners and teachers as their abusers, but they also selected from the photos community leaders, celebrities, and other public figures, such as actor Chuck Norris, as abusers.

The children also were evaluated by medical doctors for physical signs of sex abuse. By November, CII investigators determined that more than three hundred sixty of the four hundred children they interviewed had been sexually abused, a claim that intensified public hysteria and incited violence, including vandalism against the preschool building. The findings also led to a rise in child sex-abuse re-

ports from other preschools. After nearly thirty years in the preschool business, the McCartins closed the school on January 13, 1984, as the scandal began to dominate national headlines.

On March 22, McMartin owners and teachers were arrested and initially charged with one hundred fifteen counts of child molestation, despite weak evidence. The accused included the McMartin family—founder Virginia McMartin, Peggy McMartin Buckey, Raymond Buckey, Peggy Ann Buckey—and three of the preschool's teachers—Betty Raidor, Babette Spitler, and Mary Ann Jackson. By April, the scandal prompted other states to investigate their own growing reports of child sex-abuse. In May, the charges against the McMartin defendants included more than two hundred counts of child molestation and one count of conspiracy involving more than forty children.

During the pretrial from August, 1984, to January, 1986, the court examined the testimony of CII interviewers, doctors, child psychologists, child sex-abuse experts, and child witnesses. The case weakened as witness testimonies conflicted and McMartin parents kept their children from partici-

FALSE ALLEGATIONS OF SEXUAL ABUSE

Approximately 60 percent of all sexual abuse allegations receive dispositions of "unsubstantiated." A significant portion of these cases are false allegations, not harmless errors made by well-meaning persons. While one of the main purposes of the Child Abuse Prevention and Treatment Act of 1974 was to make reporting of suspected abuse easier, it has had the unintended consequence of creating a climate that encourages false allegations. The act provides immunity from prosecution for persons who report alleged abuse, thereby shielding even those who choose to make false allegations to harm another person's reputation (this is often the case in many divorces).

Once a child is in contact with the legal system and seen as a victim, the system tends to seek confirmation for that victim status. Social workers and those in law enforcement are well meaning but often untrained in interview techniques that are appropriate for alleged child victims of abuse. The investigators often ask leading questions, unintentionally encouraging children to give responses that are consistent with being victimized.

POLICE LETTER TO PARENTS OF McMARTIN STUDENTS

September 8, 1983

Dear Parent:

This Department is conducting a criminal investigation involving child molestation (288 P.C.). Ray Buckey, an employee of Virginia McMartin's Pre-School, was arrested September 7, 1983 by this Department.

The following procedure is obviously an unpleasant one, but to protect the rights of your children as well as the rights of the accused, this inquiry is necessary for a complete investigation.

Records indicate that your child has been or is currently a student at the pre-school. We are asking your assistance in this continuing investigation. Please question your child to see if he or she has been a witness to any crime or if he or she has been a victim. Our investigation indicates that possible criminal acts include: oral sex, fondling of genitals, buttock or chest area, and sodomy, possibly committed under the pretense of "taking the child's temperature." Also photos may have been taken of children without their clothing. Any information from your child regarding having ever observed Ray Buckey to leave a classroom alone with a child during any nap period, or if they have ever observed Ray Buckey tie up a child, is important.

Please complete the enclosed information form and return it to this Department in the enclosed stamped return envelope as soon as possible. We will contact you if circumstances dictate same.

We ask you to please keep this investigation strictly confidential because of the nature of the charges and the highly emotional effect it could have on our community. Please do not discuss this investigation with anyone outside your immediate family. Do not contact or discuss the investigation with Raymond Buckey, any member of the accused defendant's family, or employees connected with the McMartin Pre-School.

[Note: The following paragraph was in all capital letters in original] There is no evidence to indicated [sic] that the management of Virginia McMartin's pre-school had any knowledge of this situation and no detrimental information concerning the operation of the school has been discovered during this investigation. Also, no other employee in the school is under investigation for any criminal act.

Your prompt attention to this matter and reply no late than September 16, 1983 will be appreciated.

Harry L. Kuhlmeier, Jr.
Chief of Police

John Wehner
Captain

pating in the court's interrogations. In March of 1985, enraged parents protested the court's actions by attempting to uncover, as a group, the tunnel at the preschool that had been described by their children. A private archaeological firm contracted by the Los Angeles District Attorney's Office on March 20 continued the excavation, but workers found no evidence of a tunnel or entry-way.

On January 17, the court dropped charges against five of the seven defendants because of insufficient evidence. In preparation for the trial, prosecutors charged Raymond and Peggy Buckey with more than one hundred counts of child molestation. The exoneration of the other five defendants drew public protests, as crowds displaying signs in support of the McMartin children gathered outside the courthouse. On December 19, Judy Johnson, the mother who first alleged the child abuse at McMartin, died of liver disease; she had been an alcoholic. Prior to her death, she also had been diagnosed with paranoid schizophrenia, and although her condition may have been a factor in the abuse allegations, the McMartin trial continued in full force nevertheless.

On July 14, 1987, four years after the investigations began, the trial commenced with opening statements. Witness testimony and videotapes of the children's interviews were once again reviewed, but the evidence against the two defendants—Raymond and Peggy Buckey—remained weak and unclear. The Buckeys continued to proclaim their innocence throughout the trial.

Peggy Buckey was acquitted on January 18, 1990. She had spent two years in jail during the investigation and trial. All but thirteen charges against Ray-

mond Buckey were dropped. Jurors cited the weak evidence and the suggestive and coercive manner in which evaluators obtained child testimonies as reasons for their deadlocking. Following her acquittal, Peggy Buckey filed a defamation lawsuit and Raymond Buckey prepared for his second trial (on the remaining thirteen charges), scheduled for May. For the second trial, the prosecution made a thorough excavation of the preschool grounds. Several collapsed tunnels were found underneath the preschool. However, research into when the tunnels had been built remained inconclusive. On July 27 the jury again deadlocked on the charges against Raymond Buckey, forcing the judge to declare a mistrial. District Attorney Ira Reiner decided not to pursue a third trial.

Raymond Buckey had served five years in jail during the investigation and trial. The McMartin case lasted for seven years, cost taxpayers sixteen million dollars, and ended without a single conviction. In 1991, the preschool was demolished.

IMPACT

The McMartin Preschool scandal—along with its hysteria, panic, and media coverage—convinced the public that child sex-abuse was a significant social problem. Although the case was referred to as a contemporary witch hunt that destroyed the lives of many people and saw death threats, vandalism, and physical attacks, the McMartin trial also inspired changes in the justice system. The courts, first of all, gained a new perspective on child-abuse allegations. The testimonies of children are now viewed with more caution and skepticism. The guidelines for conducting child interviews and utilizing child testimony during trials have been revised to reduce the harmful psychological and emotional effects the process may have upon children. Finally, defendant liberties have been reduced to avoid long trials.

—Sheena Garitta

FURTHER READING

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to pretrial publicity to the juries to the rights of alleged victims and perpetrators.

Carlson, Margaret. "Six Years Trial by Torture." *Time*, January 29, 1990. A brief overview of the McMartin case. Argues that the children were victimized by the criminal justice system.

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August 21, 1983

FILIPINO OPPOSITION LEADER AQUINO IS ASSASSINATED ON RETURN HOME

Benigno Aquino, Jr., became a focus of the opposition to President Ferdinand Marcos. After years of imprisonment in the Philippines and three years of exile in the United States, he returned to the Philippines only to face the bullets of assassins at Manila airport. His scandalous murder provoked public outrage and led to the overthrow of the dictatorial Marcos, the election of Corazón Aquino as president in 1985, and to his martyrdom.

LOCALE: Manila, Philippines

CATEGORIES: Murder and suicide; government; politics; violence

KEY FIGURES

Benigno Aquino, Jr. (1932-1983), Filipino senator, 1967-1972, and opponent of Ferdinand Marcos

Ferdinand Marcos (1917-1989), president of the Philippines, 1965-1986

Rolando Galman (1950-1983), Filipino gangster and alleged assassin

Fabian Ver (1920-1998), Filipino general and chief of the armed forces

Corazón Aquino (b. 1933), president of the Philippines, 1986-1992

Imelda Marcos (b. 1929), wife of Ferdinand Marcos

SUMMARY OF EVENT

The rivalry between Filipino president Ferdinand Marcos and his chief political opponent, Benigno Aquino, Jr., came to a violent end on August 21, 1983, when Aquino, who had also become a voice for democratic change, was assassinated at Manila International Airport after leaving the airplane that brought him back to the Philippines. He had just returned to his homeland from the United States, where he had been in exile for three years.

Marcos had been elected president of the Philippines in 1965. Limited by the constitution to two terms in office, he was mandated to leave the presidency in 1973. Aquino, a popular senator, was the most likely victor in the forthcoming presidential election. Instead of leaving office, Marcos declared martial law in 1972, assumed dictatorial powers, and imprisoned Aquino for seven years before exiling him to seek medical care in the United States.

Aquino resided in Newton, Massachusetts, and taught at Wellesley College, the Massachusetts Institute of Technology, and Harvard University. Aquino also kept in touch with the opposition to the Marcos regime. In August, 1983, Aquino decided to return to his homeland. Marcos had been in ill health, his dictatorship was increasingly unpopular, and Aquino hoped that the opposition would coalesce upon his return. However, both Marcos's flamboyant and powerful wife, Imelda Marcos, and Marcos's loyal supporter, the chief of the armed forces, General Fabian Ver, had publicly warned Aquino against returning to the Philippines.

Because the Filipino government was monitoring Aquino's travels, Aquino began his trip with evasive maneuvers, traveling with a fake Philippines passport under the name Marcial Bonifacio. On August 13, he flew from Boston to Los Angeles. He then flew to Singapore, Malaysia, and Hong Kong, and finally landed in Taipei, Taiwan. Aquino had determined to fly to Manila from Taipei, in part because Taiwan did not have diplomatic relations with the Philippines and, thus, was somewhat immune from Marcos's pressure.

On the morning of August 21, Aquino telephoned his family from the Grand Hotel in Taipei. He spoke with each of his children and listened to his religiously devout wife, Corazón Aquino, read a passage from the Bible. At 11:15 A.M., he left for Manila on China Airlines flight 811, accompanied by his brother-in-law and American Broadcasting

Company (ABC) news reporter Ken Kashiwahara, friend Noy Brizuela, about ten other journalists, and two Japanese television crews. Although Aquino believed the presence of the media afforded him some protection, he was also wearing a bulletproof vest.

Aquino's plane landed at 1:03 P.M. The plane was detained on the runway and several soldiers boarded the plane. While the other passengers were ordered to stay in their seats, the soldiers led Aquino out of the plane and onto the tarmac. Passengers on the plane reported hearing a jumble of voices, with shouts of "Shoot him! Shoot him!"

A single gunshot rang out moments later, at 1:15 P.M. Within seconds there was a barrage of shots. Two men lay dead on the tarmac: One was Aquino and the other was an unknown shooter later identified as petty gangster Rolando Galman. Aquino had sustained a fatal gunshot wound to the back of the head. The Marcos government claimed that Aquino had been killed by Galman, who in turn had been killed by an avalanche of bullets from the soldiers. This claim was met by widespread skepticism, if for no other reason than that Galman would have had to penetrate the one-thousand-person security force with which the Filipino army had surrounded the plane to get off his perfect shot. In contrast to the reaction of the Marcos government, Corazón Aquino would gain widespread sympathy for the dignified manner in which she returned to the Philippines for the funeral of her murdered husband.

Suspicion for the assassination fell on Ferdinand and Imelda Marcos and on General Ver. To deflect these suspicions, President Marcos appointed a commission headed by Chief Justice Enrique Fernando to investigate the facts of the assassination. After its hearings were frustrated, the commission was replaced in October 22 by a fact-finding board chaired by Justice Corazón Agrava. After an exhaus-

tive yearlong investigation, the Agrava board dismissed the army's version of the assassination and blamed a conspiracy of military officers for arranging the murder. Particularly incriminating was the autopsy evidence, which indicated that Aquino had been shot from an elevated position behind him, and eyewitness testimony that he was shot by the soldiers leading him down the stairs from the plane. Marcos was compelled to suspend Ver and ordered a trial of several military men before a special court, which acquitted the soldiers. The result outraged Filipinos and alarmed the United States, the most important ally of the Marcos regime.

In November, 1985, Marcos ordered a snap presidential election, convinced he would win. To his surprise Corazón Aquino announced that she would run for president. With the urging of Manila's Roman Catholic cardinal Jaime Sin, the powerful opposition leader Salvador Laurel threw his support behind Aquino as her vice presidential candidate. The election was marred by massive fraud, and no clear winner emerged. Millions of Filipinos took to the streets in protest, with the support of Minister of Defense Juan Ponce Enrile and General Fidel V. Ramos, who broke with Marcos. On February 25,



Philippine presidential candidate Corazón Aquino visiting, in December, 1985, the grave site of her late husband Benigno Aquino, Jr., who was assassinated in 1983. (Hulton Archive/Getty Images)

1986, Aquino and Laurel were sworn into office. The Marcos family and key supporters, including General Ver and his family, fled to Hawaii.

Aquino would serve as president until 1992. During her administration, fourteen soldiers were tried, convicted, and imprisoned for the murder of her husband, Benigno Aquino, Jr.

IMPACT

World-renowned figures have fallen to assassin's bullets, many of those killed during the twentieth century. Aquino's assassination ranks high on the scale of national and international impact. His murder at the Manila airport on August 21, 1983, was the catalyst for the People's Revolution in the Philippines, which, within two years, overthrew one of the world's richest and most entrenched dictators and brought about a revolution of hope.

The assassination of Aquino was of course a personal tragedy. His death left grieving family, friends, and supporters throughout the world. One can only imagine the pain felt by the intermediaries who assisted his surreptitious return to the Philippines only to learn that he was killed within minutes of his arrival. Although their efforts had tragic consequences, in the long run they must know that they played a precipitating role in bringing democracy to the Philippines.

Although the Marcos regime was able to avoid legal blame for the killing, its efforts proved to be in vain. The quiet dignity of Corazón Aquino, the support of Cardinal Jaime Sin, the last-minute alliance with Laurel, Ramos, and Enrile brought the Philippines its long overdue democracy. Aquino in his death became a national hero. The airport where he was gunned down was named for him, and August 21, the day of his death, was declared a national holiday.

—Howard Bromberg

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October 14, 1983

BRITISH CABINET SECRETARY PARKINSON RESIGNS AFTER HIS SECRETARY BECOMES PREGNANT

Cecil Parkinson was secretary of state for trade and industry in the Conservative government of Prime Minister Margaret Thatcher. It was revealed that his former secretary, Sara Keays, was pregnant, and he was the father. Parkinson met with public disapproval for his lack of contact with his child in the years after her birth.

LOCALE: London, England

CATEGORIES: Politics; sex; government; public morals; families and children; women's issues

KEY FIGURES

Cecil Parkinson (b. 1931), chairman of the Conservative Party and cabinet member under Margaret Thatcher

Sara Keays (b. 1948), Parkinson's parliamentary secretary and mistress

Margaret Thatcher (b. 1925), British prime minister, 1979-1990

SUMMARY OF EVENT

Cecil Parkinson was a high-flying member of British prime minister Margaret Thatcher's Conservative government from its election in 1979 until the revelation of his affair with his former parliamentary secretary, Sara Keays, in 1983. He resigned his cabinet post on October 14. After four years in relative obscurity in Parliament, he was again promoted to cabinet rank by Thatcher. When she resigned as party leader in 1990, Parkinson resigned with her, bringing an end to his political career.

Parkinson came from humble origins, being the son of a railway worker in Carnforth, Lancashire. In 1942, the young Parkinson won a scholarship to nearby Lancaster Grammar School, a prestigious high school for academically gifted boys. He did well academically and at track and field events. At one point he was thinking of being ordained into the Church of England, and he was offered a place at Emmanuel College, Cambridge University, to read

theology. He accepted the offer but then changed his mind and started to read English instead. He majored in law.

After graduation in 1955, Parkinson found employment as a trainee graduate with the Metal Box Company in London. While studying accountancy there he met Ann Jarvis, whom he married in 1957. They had three daughters, the first born in 1959. Politically, Parkinson had been brought up as a Labour Party supporter, a loyalty he maintained throughout his student years. However, after a period of political neutrality, he joined the Conservative Party in 1959 and was soon active as a public speaker.

In 1961, Parkinson began his own business, then bought up a number of small failing engineering firms between 1967 and 1979 to form a small business empire worth several million pounds. He was asked to stand in the 1970 general election for Northampton, but was unsuccessful. At a by-election in north London few months later, he was elected. He was then reelected for a slightly different constituency in Hertfordshire in 1974, and then again in 1979, the year that Thatcher became the new prime minister. Thatcher had led the Conservatives to power over Labour.

Keays, the daughter of an army colonel, became Parkinson's parliamentary secretary in 1971. They soon were lovers. Over the next few years, Parkinson promised Keays marriage on at least two occasions, and she claimed later to have continued the affair with the expectation of eventually marrying him. She left her job as his secretary in 1979, moved for a year to Brussels, Belgium, then returned to Westminster to take a job as secretary to another member of Parliament. The affair with Parkinson continued uninterrupted, however.

Meanwhile, Parkinson had attracted the favor of Thatcher and was being promoted within the government ranks. In 1981, he was made party chairman and was then included in the cabinet in 1982 as

chancellor of the duchy of Lancaster. At the 1983 election, held in the summer, Thatcher was again very successful. She wanted to promote Parkinson to one of the top cabinet jobs, but Keays had already told Parkinson that she was pregnant. She later denied allegations that she allowed the pregnancy to go forward to force Parkinson to marry her.

Parkinson had to tell Thatcher what he believed was bad news. She decided to offer him a lower-level post in the cabinet and pressured him to break off the affair. In June, he became the secretary of state for trade and industry, a new department formed out of two previous departments. In the meantime, Parkinson told his wife of the affair and pregnancy. She and his two older daughters decided the marriage should continue and promised to support Parkinson.

On October 5, attorneys for Parkinson and Keays met and issued a statement in which Parkinson admitted the affair, his desire to marry her, his subsequent decision not to, and an expression of regret at the pain he had caused. The attorneys also announced that no questions would be answered from the press. However, one week later, Keays issued her own statement. She claimed the previous statement by her attorney had not been full enough and that she had been placed in an impossible situation.

A tremendous furor emerged in the press. At the time the scandal erupted, the annual Conservative Party conference was being held. Parkinson attended only to make a speech, which was greeted with great enthusiasm. However, it became obvious that a planned trip to the United States by Parkinson to promote British interests would be seriously compromised, and he offered his resignation to Thatcher. She had defended him all the while but accepted his resignation on October 14. Although he remained a backbench member of Parliament, he claimed that he still received thousands of letters of support.

IMPACT

Parkinson's resignation was the fourth one from a Thatcher cabinet, but it did little harm to her government. Norman Tebbit, a hard-hitting politician, took over Parkinson's job as secretary of state for trade and industry. At a personal level, Parkinson's

political career was on hold, and he became a regular object of satire as Thatcher's government gradually lost its popularity. However, after four years on the backbenches, he reemerged into front line politics, being appointed secretary of state for energy in 1987. He retained his popularity in the Conservative Party throughout the period.

Parkinson also made sure that a far-reaching gag order was issued against the press to protect his daughter, Flora, who was born to Keays in December, 1983. Flora had been born with some birth disorders and suffered from epilepsy and mental disabilities. The gag order was so strict that even school photographs of Flora were prohibited, and the order was in place until she was eighteen years old.

After their daughter's birth, Keays appeared at party conferences, apparently to embarrass Parkinson. She also wrote the book *Question of Judgement* (1985) to reveal her side of the affair. Her novel, *The Black Book*, a thinly disguised account of government corruption, followed in 1987.

The long-term repercussions of the Parkinson-Keays affair did not emerge until the media gag order was lifted in 2001. By this time, Parkinson had left active politics and been made a peer (Lord Parkinson of Carnforth). The affair became a press sensation once more, but this time the media was considerably more sympathetic to Keays. Keays claimed that in those eighteen years in which the gag order was in place, Parkinson never visited his daughter nor did he ever send a birthday card. However, he had made arrangements to pay for her living expenses and education. Keays sued one newspaper for libel, but lost the case and incurred heavy legal costs. She also sold her story several times. Flora appeared on national television in January, 2002, saying she would like to meet her father.

—David Barratt

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January 25, 1984

JESSE JACKSON CALLS NEW YORK CITY “HYMIETOWN”

Civil rights leader Jesse Jackson called Jews “Hymie” and New York City “Hymietown” in a casual conversation with a reporter during his campaign for president of the United States. His words were printed in The Washington Post and created a firestorm among Jewish protesters, Black Muslim supporters of Jackson, and much of the press in the United States. The slur did not surprise many, however, because of Jackson’s history of making anti-Semitic comments.

LOCALE: Washington, D.C.

CATEGORIES: Racism; social issues and reform; publishing and journalism; politics; civil rights and liberties

KEY FIGURES

Jesse Jackson (b. 1941), African American civil rights leader and Baptist minister

Milton Coleman (fl. 1980’s), reporter for *The Washington Post*

Rick Atkinson (b. 1952), reporter for *The Washington Post*

Louis Farrakhan (b. 1933), leader of the Nation of Islam

SUMMARY OF EVENT

In early 1984, the Reverend Jesse Jackson, a political radical in the Civil Rights movement and a longtime civil rights leader, was campaigning to win the Democratic Party’s nomination for the U.S. presidency. He was considered the first credible African American contender for candidacy, given his strong support among blacks. White voters did not seem to support him en masse. He spurred a large black voter turnout in the primaries and was picking up enough delegates to enable him to make the party concede some of his political demands at the Democratic National Convention. However, in a casual conversation with a black reporter on January 25, in a talk he assumed was off the record, he referred to Jews as “hymie” and to New York City as “hymietown.”

Jackson had been waiting for a flight from National Airport in Washington, D.C., when Milton Coleman, an African American reporter for *The*



Jesse Jackson. (Library of Congress)

Washington Post, engaged him in a conversation. Jackson warmed up to the chitchat and said they should “talk black talk,” that is, speak in confidence because both were black. The two talked about Jackson’s campaign and its racial ramifications. Coleman also took note of Jackson’s use, in what must have been an unguarded moment, of the terms “hymie” and “hymietown.” Not until later, however, did Coleman decide the utterance was too significant to be kept private. Such comments constituted racial slurs, and he perhaps believed that the electorate should know that a person running for president of the United States had uttered anti-Semitic words to denigrate an entire group of people. Prejudice of any kind in a possible president was too important to keep secret from the voters.

Jackson’s record on racial issues had been controversial and provocative for some time. Jackson

had a history of anti-Jewish comments, that is, about Jews in general and Israel in particular. In 1979, he suggested Jews were responsible for the ouster of Andrew Young, an African American, as ambassador to the United Nations. He suggested Jews orchestrated the removal because Young had a private meeting with a Palestine Liberation Organization (PLO) agent at the United Nations. (The PLO was the coordinating council for Palestine refugee groups, founded in 1964, which viewed Israel as an illegal country and was committed to establishing a Palestinian state.) On other occasions, Jackson said that Jews had a persecution complex that caused them to overreact to their own suffering. He said he was tired of hearing about the Holocaust, which, he said, was no worse than the suffering of blacks during the period of American slavery. He said that when Richard Nixon was U.S. president, several of his top advisers were German Jews who were more concerned about European and Asian affairs than with the poor and disadvantaged in the United States. He said Jews were false friends to blacks, and he disregarded the many instances in American history when Jews and blacks struggled side by side for civil, political, and human rights.

Jackson’s trip to Israel in 1979 included his figurative embrace of PLO chairman Yasser Arafat as a personal friend and “the friend of justice and humanity.” Jackson attributed negative media coverage of his trip to Jewish reporters’ lack of objectivity about Arab affairs. He reacted to his critics by accusing Jews in the media of perpetuating negative stories about him.

Given this well-known background, especially to reporters covering the first African American to run seriously for presidential nomination by a major American political party, Coleman likely did not have much heart-wrenching deliberation about whether to pass along Jackson’s “Hymietown” remarks to a white colleague. That reporter, Rick Atkinson, revealed Jackson’s comments in a February 13 article in *The Washington Post* about the candidate’s proposed foreign policy. However, the slurs were buried in the article’s thirty-seventh paragraph.

Not unexpectedly, protests erupted in Jewish and

other communities. Liberal publications condemned Jackson and argued that his campaign could adversely affect interracial politics and scare voters away from the Democratic Party. With a white backlash fueled by white racism against blacks, critics argued, the United States could see the reelection of Republican president Ronald Reagan.

Attempting to distance himself from the controversy, Jackson initially claimed no recollection of making the remarks and then denied making them. What spurred his memory, however, were the coming primaries and curious voters. He went to Manchester, New Hampshire, two days before the New Hampshire primary, made an emotional speech at a synagogue, admitted his offense, and apologized for the slurs.

The controversy might have receded at this time except for an inflammatory radio sermon by Louis Farrakhan, the leader of the Black Muslim group Nation of Islam. In his sermon, he said that reporter Coleman should be punished for the pain he caused Jackson, whom Farrakhan supported. Farrakhan went on to warn Jews that if they harmed Jackson, it would be the last “black brother” they would harm. Jackson was expected to denounce Farrakhan for the comment and threats, but even though he noted that Farrakhan’s remarks were counterproductive and even wrong, he did not disavow him. Reagan, Jackson countered, had not rejected the endorsement he received from the Ku Klux Klan. Jackson’s failure to denounce Farrakhan weakened the salutary effect of his apology to the Jewish people.

IMPACT

Jackson’s run for the presidency had been considered a long shot by politicians and others, but his campaign was effective for bringing unprecedented numbers of black voters to the polls. In turn, he accumulated enough delegates so that he would have considerable clout in pushing for political concessions at the Democratic convention. However, when the story broke about his racial slurs, his reputation was forever tarnished. Democratic Party leaders feared his comments would adversely affect the party’s platform, which embraces racial and ethnic diversity. To what extent white racism would

Jesse Jackson Calls New York City “Hymietown”

emerge to influence the election was another concern. Jackson almost single-handedly caused even more white voters to vote Republican in the election and reelect Reagan.

Black leaders were dismayed by Jackson’s strained relationship with Jews because many African Americans welcomed their generally supportive relationship with American Jews. That Jackson had offended Jews meant that domestic relations between the two groups would be endangered. Jewish leaders, in turn, were even more convinced that Jackson, who had so publicly embraced Arab and Palestinian issues, was anti-Semitic. The long-established affinity between African Americans and Jews became tenuous, and the long-standing suspicions many Jews had about Jackson remained as a result of the 1984 presidential campaign scandal.

—Jane L. Ball

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SEE ALSO: July 2, 1963: Muslim Leader Elijah Muhammad Is Sued for Paternity; Sept. 23, 1987: Plagiarism Charges End Joe Biden’s Presidential

Campaign; Dec. 1, 1987: Yale Scholar's War-time Anti-Semitic Writings Are Revealed; Oct. 11-13, 1991: Justice Clarence Thomas's Confirmation Hearings Create a Scandal; May, 1999: Civil Rights Leader Jesse Jackson Fathers a Child Out of Wedlock; Dec. 5, 2002: Senator

Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign; Dec. 17, 2003: Senator Strom Thurmond's Biracial Daughter Is Revealed; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

May 2, 1984

E. F. HUTTON EXECUTIVES PLEAD GUILTY TO FRAUD

One of the oldest, largest, and best-known brokerage firms on Wall Street, E. F. Hutton ran a major check-kiting scheme that allowed it to acquire interest-free loans, which in turn generated millions of dollars of income. Hutton eventually pleaded guilty to mail and wire fraud, the first criminal conviction for a Wall Street investment firm in U.S. history.

LOCALE: New York, New York

CATEGORIES: Law and the courts; banking and finance; business; corruption; hoaxes, frauds, and charlatanism

KEY FIGURES

Robert M. Fomon (d. 2000), E. F. Hutton chief operating officer, 1970-1986, and chairman, 1977-1987

Thomas Morley (fl. 1980's), E. F. Hutton senior vice president

Tom Curnin (fl. 1980's), E. F. Hutton defense attorney

Griffin Bell (1918-2009), former U.S. attorney general, 1977-1979, headed investigation of E. F. Hutton

George L. Ball (fl. 1980's), president of E. F. Hutton, 1977-1982

SUMMARY OF EVENT

On May 2, 1984, the E. F. Hutton Company, the fifth largest investment firm in the United States, pleaded guilty to two thousand counts of wire and mail fraud. Beginning around 1980, Hutton had im-

plemented and executed an elaborate, illegal, check-kiting scheme that would earn the company millions of dollars from interest-free loans. Hutton floated checks that were still in the clearing process, allowing the firm to earn interest during the time banks processed the checks and deposits. This approach worked for Hutton because of the slow rate in which checks cleared the banks, all in the days before electronic banking.

Hutton provided a vast array of services to its clients, including, primarily, stock trading and underwriting bond issues. A major benefit to Hutton was the speed at which it could offer communications and services. It had an aggressive management staff and numerous brokers (more than six thousand) who had direct wire access to the New York Stock Exchange. This success, especially during the 1970's and early 1980's, may arguably have been the starting point of the near collapse of the thriving company, which was founded in 1904 by Edwin Francis Hutton, a New York financier, along with his brother, Franklin Hutton, and Gerald Loeb. Hutton was unique when compared to other firms because it offered services to its customers from coast to coast. Hutton also was the first company to gain access from the West Coast directly to New York. The company eventually opened seasonal branch offices in Florida, California, and New York, allowing it to market to a wide range of customers across the country.

Another technique Hutton used to make money was chaining. Hutton branch employees would simply write checks for amounts that exceeded

available funds, and Hutton covered those checks with other checks drawn from company branches (checks written by Hutton to Hutton), mainly among rural bank accounts. This made it appear that the company had funds available in more than one account until all checks cleared. The banks used for the scheme were, primarily, United Penn Bank in Wilkes-Barre, Pennsylvania; American Bank and Trust Company in Reading, Pennsylvania; and Genesee County Bank in Batavia, New York. A number of overdrafts of these local bank accounts triggered the start of the investigations against Hutton. These investigations would be headed by former U.S. attorney general Griffin Bell.

Thomas Morley, a senior vice president who had been hired to better manage the company's cash flow, later reported in a company memo that chaining checks allowed the company to profit as much as thirty thousand dollars per month, per branch, in extra income. George Ball, Hutton's president, was pleased with this report and encouraged these practices throughout the company. Essentially, Hutton was provided the equivalent of interest-free loans. Reports showed that on some days Hutton "earned" \$250 million in interest-free loans. Hutton executives were committing white collar crimes, a phrase coined in 1939 by Edwin Sutherland, considered the founder of the study of occupational crime. Sutherland referred to white collar crimes as those committed by individuals (white collar criminals) of higher socioeconomic status, usually within the workplace.

For nearly three years, Hutton continued with the scheme, but the firm's downfall came when officials at the Genesee County Bank questioned the large deposits that were being made by Hutton. The bank in Batavia was a small branch with four employees, and the deposits seemed far too large for the office. Hutton soon came under question by New York examiners, and it retained Thomas F. Curnin for legal services. Even with Curnin helping, company chairman Robert M. Fomon openly defended all senior executives against criminal charges.

In addition to the guilty plea, the company agreed to pay a \$2 million fine, \$750,000 for the ex-

E. F. Hutton Executives Plead Guilty to Fraud

penses of the investigation, and restitution in the amount of \$8 million. This is the estimated amount the company received in illegal income. The plea bargain and guilty plea freed individual executives from culpability, but the company was barred from practicing within the securities industry. Only the company as a whole would face any repercussions for the criminal offenses. Some critics have argued that Hutton received a lenient sentence because of the plea bargain.

IMPACT

The Hutton scandal led many customers to pull their accounts, led star employees within the company to take jobs with other firms, and kept public agencies from conducting business with the firm. Hutton also was harshly scrutinized by the media, and it was given the sort of attention the company would rather not have. Instead, media reports brought irreparable damage to the company's reputation.

On December 3, 1987, Hutton, the first Wall Street investment company to be convicted of a crime, was auctioned off to Shearson Lehman Brothers for \$1 billion and was renamed Shearson Lehman Hutton. Hutton later came under the ownership of Citigroup. The investment firm, even with its new owner and name, would never again have the respected reputation it held prior to the scandal.

—Lisa M. Carter

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1962: Billie Sol Estes Is Arrested for Corporate Fraud; Nov. 28, 1967: Investor Louis Wolfson Is Convicted of Selling Stock Illegally; May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racke-teering and Fraud; 2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; June 25, 2002: Internal Corruption Forces Adelphia Communications to Declare Bankruptcy; Sept. 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices; Oct. 14, 2004: Insurance Brokerage Marsh & McLennan Is Charged with Fraud; Sept. 12, 2005: Westar Energy Executives Are Found Guilty of Looting Their Company; Sept. 18, 2006: *Newsweek* Reveals That Hewlett-Packard Spied on Its Own Board.

July 23, 1984

VANESSA WILLIAMS IS THE FIRST MISS AMERICA TO RESIGN

Vanessa Williams, the first African American to be crowned Miss America, resigned her title after Penthouse magazine announced that it would publish nude photographs of her. A photographer sold the photos to the magazine without her consent. The scandal combined issues of race, sexuality, gender, the ideal of feminine beauty, and the right to privacy.

LOCALE: New York, New York

CATEGORIES: Publishing and journalism; social issues and reform; sex; women's issues; racism

KEY FIGURES

Vanessa Williams (b. 1963), Miss America 1984
Bob Guccione (b. 1930), founder and publisher of *Penthouse* magazine

Albert A. Marks (1913-1989), executive director of Miss America Organization

Tom Chiapel (b. 1950), photographer

Helene Freeman (fl. 1980's), Williams's attorney

Suzette Charles (b. 1963), Miss America 1984

Ramon Hervey II (b. 1950), publicist and film producer

SUMMARY OF EVENT

Vanessa Williams gained much media exposure as the first African American woman to be crowned Miss America on September 17, 1983. The following summer, Bob Guccione, owner and publisher of the adult magazine *Penthouse*, announced he would publish photographs of Williams nude. Pageant officials pressured Williams to resign, which she did. The risqué issue of *Penthouse*, which hit news-



Vanessa Williams announces her resignation as Miss America. (AP/Wide World Photos)

stands the weekend before she resigned, sold out within one week and went through a second printing of tens of thousands of copies. Williams subsequently filed a lawsuit against Guccione and the photographer involved but later dropped the charges. To deal with the negative publicity, she hired a publicist, and with his guidance she successfully revived her career, winning awards as a singer and as a stage, film, and television actor.

In 1982, Williams was a student at Syracuse University majoring in theater arts. She spent the summer as a receptionist for modeling photographer Tom Chiapel at his agency in Mount Kisco, New York. He convinced her to pose for some nude photo shoots; on at least one occasion the photo shoots included another woman. Williams later claimed that she was convinced by Chiapel that the shots would be artistic, adding that she did the shoot

Vanessa Williams Is First Miss America to Resign

because she was curious and that she had never agreed to any later duplication or distribution of the images.

The next year, after winning Miss Greater Syracuse and then Miss New York, Williams went on to Atlantic City to represent her state in the annual Miss America pageant. She won the preliminary talent and swimsuit competitions and was crowned Miss America. She did a good job of performing her titular functions during her reign as Miss America 1984, though she received hate mail and castigation from two extremes: racist reactionaries who were opposed in principle to any nonwhite woman winning the pageant and Afrocentric radicals who were disappointed that the first black Miss America had light skin.

The media highlighted Williams's breaking of the race barrier in the most revered beauty pageant in the United States, and more than once she was compared to Jackie Robinson, who had broken the color line in professional baseball in 1947. Photographer Chiapel saw an opportunity for profit in Williams's new celebrity. Without consulting Williams, he approached Hugh Hefner, founder and publisher of the adult magazine *Playboy*, and offered to sell him the photos of Williams nude. Hefner turned him down, later stating on *The Today Show* that he saw the release of the photos as an inappropriate invasion of the current Miss America's privacy. His publishing rival, Guccione, had no such qualms, however.

Guccione bought the rights to the now-infamous photographs. The September, 1984, issue of *Penthouse* included several photos of Williams, some depicting simulated lesbian sex. Sales of the magazine increased by more than two million copies over the average issue distribution of 3.4 million. *Penthouse* published a follow-up photo feature, accompanied by an interview with the photographer, in its November, 1984, issue. Guccione made millions of dollars from the first Miss America exposé alone.

Albert A. Marks, the executive director of Miss America Organization, saw the photographs of Williams before publication and insisted that Williams resign. She did so at a news conference in New York City on July 23; the September issue of

Penthouse appeared on newsstands just days before her resignation. Williams said she relinquished her title because she did not want harm to come to the pageant. She was allowed to keep her scholarship money but did lose endorsement deals. She also lost a deal for her autobiography.

The pageant weathered the scandal. Miss New Jersey, Suzette Charles, had been one of three other African American women, the highest number to make it so far in the history of the pageant, competing for Miss America in Atlantic City in 1983. Charles was first runner-up in the overall competition, so she took over as Miss America following Williams's resignation. Her reign was for a short two months. That Charles was a woman of color might have mollified some of the theories circulating that the publication of the nude photos of Williams was racially motivated.

Williams's lawyer, Helene Freeman, filed a \$500 million lawsuit against Chiapel and Guccione in early September, 1984, claiming that the development and distribution of the photos had never been authorized or approved. Guccione had answered such assertions earlier by responding that he had in his possession a model release form that Williams herself had signed. He said that two different, respected handwriting-analysis experts had verified the signature as that of Williams. While Williams maintained throughout the controversy that she was a naïve young woman who had been misled by the photographer, she eventually dropped the charges.

Williams's career was salvaged, in no small part, because of the help of her publicist, Ramon Hervey II, who had been hired to do spin control. Hervey was an effective publicist and, later, he became her manager. Hervey helped transform her 1984 notoriety, which started scandalously, into an impressive, award-winning career in music, theater, film, and television. Williams and Hervey married in 1987.

IMPACT

It is clear that the September, 1984, issue of *Penthouse* was controversial. It also was incredibly lucrative financially for Guccione. Its cultural impact, however, was less clear at the time the scandal

broke. The nude-photo feature would soon set the tone for an increasing emphasis on salacious articles and images of celebrities in American popular culture in the closing decades of the twentieth century.

At the time of the controversy, feminist leaders such as Gloria Steinem and influential African American leaders such as Jesse Jackson rallied in defense of Williams, creating enough of a support base to indicate that the risque photos, which, in the past, surely would have destroyed a young Miss America's future, did not—and should not—negate Williams's overall accomplishments as a person.

The scandal also led to discussions about how African American celebrities are held to a different standard of public acceptability than are white celebrities. It also brought to light the different standards of acceptability and beauty among African Americans, standards based on the lightness or darkness of one's skin. The scandal also raised feminist questions about the significance and purpose of how women are treated and represented in both beauty-pageant culture and men's pornography, and ways in which the two categories might intersect. Furthermore, the scandal led to more open and frank discussions about fantasies of lesbian sex.

Subsequent beauty pageant scandals would have less dramatic impact, and the general public would be more willing to forgive beauty queens some tarnish on their crowns, particularly if the women involved publicly apologized and asked for forgiveness. Williams's comeback after the scandal made her a powerhouse star, ultimately suggesting that the notoriety of such a scandal, when handled adroitly by a good publicist, could indeed be used to further one's career.

—Scot M. Guenter

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December 22, 1984

SUBWAY VIGILANTE BERNHARD GOETZ SHOOTS FOUR BLACK YOUTHS

Bernhard Goetz's shooting of four black teenagers on a New York City subway train launched a heated public debate about vigilantism, self-defense, urban crime, and racism. After prolonged criminal and civil trials, Goetz, an electrician, was sentenced to jail for unlicensed gun possession and found liable for paralyzing one of the assailants.

LOCALE: New York, New York

CATEGORIES: Violence; law and the courts; racism; social issues and reform

KEY FIGURES

Bernhard Goetz (b. 1947), self-employed electrician

Darrell Cabey (b. 1965), New York City resident

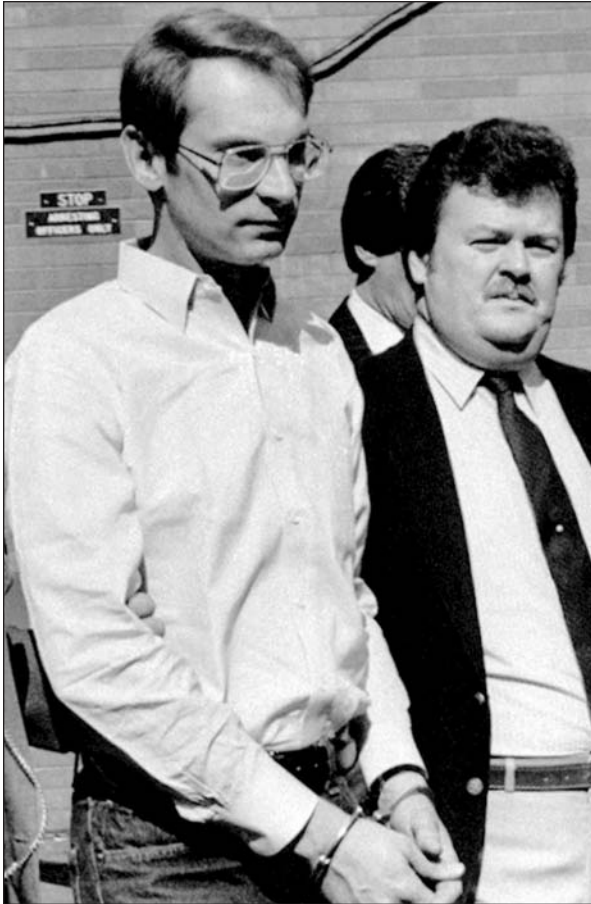
Barry Slotnick (fl. 1980's), Goetz's attorney
Robert M. Morgenthau (b. 1919), New York district attorney

Stephen G. Crane (b. 1940), New York State judge

SUMMARY OF EVENT

On December 22, 1984, Bernhard Goetz shot four young African American men on a subway car in New York City. This violent incident, lasting no more than six seconds, would have local and national repercussions, as it touched on issues that are central to urban life in the United States.

Goetz seemed an unlikely person to have sparked this public debate. A bespectacled, slender, eccentric, Caucasian, thirty-seven-year-old loner, he operated his own electronics repair business out



Bernhard Goetz, left. (AP/Wide World Photos)

of his Manhattan apartment. However, he had been traumatized by a violent mugging on the subway in 1981 and by the subsequent denial of his request for a gun permit.

On Saturday, December 22, at 1 P.M., Goetz boarded a downtown subway car carrying in a waistband holder a .38 caliber Smith & Wesson handgun. He had purchased the gun legally in 1970 but did not have a New York license to carry the weapon. Four black youths—Troy Canty, Barry Allen, James Ramseur, and Darrell Cabey—already on the subway train, had been acting raucously before Goetz boarded. The four young men all were between eighteen and nineteen years old and all had criminal records. Two of them had screwdrivers in their pockets. Their behavior led passengers to move to the other end of the subway car. Two of the

youths, Canty and Allen, approached Goetz after he boarded and demanded five dollars from him. A third youth, Ramseur, gestured toward a bulge in his pocket, suggesting that he had a weapon. Goetz pulled out his handgun and fired four shots.

Canty apparently was shot first; the bullet penetrated through his body. Allen was shot in the back; Ramseur was shot through his arm and chest; and another shot missed. Goetz then walked over to Cabey and fired into his side with his fifth and final shot, severing Cabey's spinal cord. After telling a conductor that the youths had tried to rob him, Goetz leaped off the train onto the platform and disappeared into downtown Manhattan. He then rented a car and drove to Vermont, where he disposed of his gun.

Meanwhile, New York City was riveted by news of the shooting. Newspapers acclaimed the shooter as the "subway vigilante." He was likened to actor Charles Bronson's character, Paul Kersey, in the 1974 film *Death Wish*, in which Kersey avenged terrorized citizens of New York against hoodlums. Goetz, who surrendered to police in Concord, New Hampshire, on December 31, reinforced his vigilante image in his videotaped confessions to New Hampshire and New York police. In language freighted with images of Old West gunfights, Goetz recounted the incident. He talked of quick-draw holsters and laying down a "pattern of fire." He explained that his violent reaction was triggered when he saw that Canty's "eyes were shiny" and he "had a big smile on his face."

Unlike the media, police and government officials were outraged that Goetz took the law into his own hands. U.S. president Ronald Reagan denounced vigilantism, and New York City mayor Edward I. Koch described the shooting as "animal behavior." The National Association for the Advancement of Colored People likened Goetz to a Ku Klux Klan lyncher. New York district attorney Robert M. Morgenthau launched a criminal investigation. Cabey, paralyzed from the waist down from Goetz's shot, was represented by famous civil rights lawyer William Kunstler. Cabey sued Goetz for fifty million dollars. (The other youths recovered from their wounds.)

On January 25, 1985, a grand jury indicted Goetz only on a charge of illegal gun possession. Morgenthau, criticized for the grand jury's tame indictment, convened a second grand jury, appointing his leading assistant district attorney, Gregory Waples, to present the case and granting immunity to Cauty and Ramseur for their testimony. On March 27, the second grand jury indicted Goetz on ten counts that included assault and attempted murder.

One year later, on January 21, 1986, Judge Stephen G. Crane dismissed nine of the counts on technical grounds relating to self-defense, dismissals that would assume great importance in the case. Waples had instructed the grand jury that Goetz would have been justified in acting in self-defense only if a reasonable person would have believed such actions necessary—a so-called objective standard. However, New York courts had evolved a “subjective belief” standard over the previous few years; that is, the defendant would be justified in using force if he or she believed such force necessary for his or her self-defense. Morgenthau appealed Crane's self-defense ruling to New York's appellate division, which affirmed Crane's decision on April 17. The district attorney then appealed this decision to the New York Court of Appeals, the state's highest court. In a July 8 ruling, the appeals court reinstated all the counts against Goetz on the grounds that the decision to use self-defense must be objectively reasonable, although the court emphasized that a determination of reasonableness can be based on the defendant's characteristics and circumstances, including any prior experience. The case of *People v. Goetz* was sent back to Crane for trial.

Goetz's trial before Judge Crane began on December 12 under intense media scrutiny. Although Goetz asserted his Fifth Amendment right not to testify, his attorney, Barry Slotnick, argued that Goetz shot the youths out of fear that they were about to assault him. Following the guidance from the court of appeals, Crane instructed the jury that Goetz was justified in defending himself if his experiences, including that he had been injured in a 1981 mugging, indicated to him that his actions were necessary. On June 16, 1987, the jury returned a verdict of not guilty on all the charges except

criminal possession of a weapon in the third degree. On November 22, 1988, Goetz's appeal of his conviction was denied and he was sentenced to one year in jail as well as community service and was fined \$5,075. Goetz served eight months of his sentence.

The civil trial against Goetz had a different outcome. On April 23, 1996, a jury, which had been instructed to assess Goetz's convictions on an objective standard, found that he acted recklessly and without justification when he shot Cabey. The jury awarded Cabey forty-three million dollars for his physical injuries and emotional distress. Goetz filed for bankruptcy soon after the case was decided.

IMPACT

The impact of the case of *People v. Goetz* was twofold, affecting both the theoretical interpretation of self-defense law and the day-to-day perceptions and lives of New York City residents. As to legal affairs, the microscopic attention paid to New York's justification law during the lengthy litigation process against Goetz represented an elaborate explanation of what it means to employ violence in self-defense. The result was a hybrid standard combining objective and subjective factors. The New York courts ruled that the objective reasonableness of a defendant's actions must be evaluated according to his or her background and subjective life experiences. This was a new and widely commented on standard in the centuries-old law of criminal self-defense.

As to life in the city, *Goetz* was one of the most important cases in the urban history of New York. Goetz injured four young men, paralyzing one of them. The case laid bare the racial divisions in the city and the legal system, which would only be exacerbated in the years that followed the shooting. The case also exposed the fear of crime that was overtaking cities in the United States and the desperation of urban residents for remedies—even violent ones—that would frustrate urban hoodlums.

Perhaps the greatest impact of the *Goetz* case was that it brought to light the petty lawlessness that public authorities had allowed to fester and grow in New York. At the time of the shooting, New York City had reached the highest crime rate in its history

and was notorious throughout the country for muggings and other urban dangers. Over the next decades, city officials made a determined effort to crack down on petty offenses. It was perhaps no coincidence that crime rates would soon decline dramatically.

—Howard Bromberg

FURTHER READING

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ment, the prosecution's opening and closing statements, and notes from juror deliberations.

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SEE ALSO: Mar. 30, 1931: "Scottsboro Boys" Are Railroaded Through Rape Trials; Nov. 28, 1987: Black Teenager Claims to Have Been Gang-Raped by Police Officers; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; May 19, 1992: Amy Fisher Shoots Mary Jo Buttafuoco; June 23, 1993: Lorena Bobbitt Severs Her Husband's Penis; June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial.

1985-1986

WESTLAND AFFAIR SHAKES PRIME MINISTER THATCHER'S GOVERNMENT

The Westland affair was a bitter disagreement within Margaret Thatcher's cabinet over how to support Great Britain's ailing Westland helicopter company. Thatcher and Leon Brittan, minister for trade and industry, wanted to see a takeover by the American company Sikorsky, while Defence Minister Michael Heseltine wanted to pursue a European option. In the tussle, cabinet disunity led to a leak of the conflict, Heseltine's and Brittan's resignations, and an enquiry in which the government had to defend its integrity.

LOCALE: London, England

CATEGORIES: Government; politics; space and aviation; business; trade and commerce

KEY FIGURES

Margaret Thatcher (b. 1925), British prime minister, 1979-1990

Michael Heseltine (b. 1933), minister of defence, 1983-1986

Leon Brittan (b. 1939), minister for the Department of Trade and Industry, 1985-1986

Robert Armstrong (b. 1927), cabinet secretary, 1979-1987

SUMMARY OF EVENT

Westland Aircraft Limited, a helicopter company located in Yeovil, Somerset, England, was a mid-size British manufacturer, with a turnover of some \$600 million annually during the 1980's. Unlike the rest of the British aircraft industry, Westland had not been nationalized by a previous Labour government and remained Britain's only maker of helicopters. During the mid-1980's, Westland began to encounter financial difficulties following a lack of orders from the British military. So the company turned to the British government for help in April, 1985, when financier Alan Bristow put in a bid for the manufacturer. He wanted a write-off of govern-

ment aid due for repayment and assurance of orders, if not from Britain, then from India with British aid.

At the time, the issue was not a major one, commercially or politically. The government of Margaret Thatcher, on the whole, took a hard line on ailing industries, but defense needs suggested the wisdom of keeping a British-based company running. In the end, the bid was unsuccessful but a new board of directors was installed under the chairship of Sir John Cuckney. On October 4, the newly appointed minister for the Department of Trade and Industry, Leon Brittan, reported the need for a new minority shareholder to inject more capital into the company. The American helicopter giant, Sikorsky, was willing to become the minority shareholder, and the Westland board agreed. Sikorsky already had been allowing Westland to build some of its patents.

At this stage, Michael Heseltine, the ambitious and energetic minister of defence, began to make his views known that a European future, rather than an American one, was necessary for Westland. From 1978 there had been an agreement among some European countries that, where possible, helicopter purchases should be kept to European manufacturers. Heseltine gathered the national armament directors of Germany, France, and Italy to get them to say that if Westland moved into American hands, it would not be possible to deal with the company in the future. At the same time, Heseltine was actively trying to put together a rescue package among European companies for Westland. By this time, Westland directors were actively proposing a takeover by Sikorsky.

By December, 1985, the differences between Brittan and Heseltine entered into serious departmental rivalry, and Prime Minister Thatcher had to intervene. She called a series of three meetings, the first two fairly informal, the third, held December 9, a fuller meeting of involved ministers. It was decided to keep the European option open until Friday, December 13. A firm decision would have to

be taken at this meeting to maintain confidence in the company because Westland's annual accounts were to be published two days before the ministers met.

Accounts of this last meeting differed between Heseltine and Thatcher. Heseltine was expecting one further meeting; Thatcher was not and did not call one. The deadline passed without an agreed rescue bid from the Europeans. However, Heseltine continued to act as though everything was still negotiable. Thatcher wrote to Cuckney to say that the government would continue to see Westland as a British company and do its best to protect the company.

Though Heseltine seemed to be flouting the rules of collective cabinet decision-making, nothing was done to stop him. It could be that Thatcher feared his wide popularity within the Conservative Party. It was decided in early 1986 to ask one of the leading government lawyers, the solicitor-general Christopher Mayhew, to give a legal opinion as to Heseltine's contention that Westland would lose all European business. Mayhew's carefully worded letter suggested that there were "material inaccura-

cies" in Heseltine's statements. The letter was almost immediately leaked by Brittan's department, probably with the connivance of the prime minister's office. The national press seized on the scandal, accusing Heseltine of lying.

At the cabinet meeting of January 9, the prime minister told members that great damage was being done to the government by the leak of the letter, and that in the future all communications about Westland must be cleared through her office before being circulated. By now, it seems Heseltine had had enough; he promptly resigned and walked out, issuing a long and carefully worded statement a few hours later.

The matter did not stop there, however. Mayhew's senior in government, Attorney General Michael Havers, demanded an enquiry into the leak, which had the confidentiality of a legal document as well as being a leak of one minister against another. The enquiry was conducted by Robert Armstrong, the senior civil servant in the cabinet office. He concluded that Brittan had indeed authorized the leak. In the parliamentary debates that followed, Thatcher had to defend Brittan and herself. While

seeing off the threat to her own position by claiming ignorance on the one hand, and making some apologies on the other, the Conservative backbenchers saw the need for Brittan to resign. Thatcher "reluctantly" accepted his resignation.

IMPACT

The Westland company was taken over by Sikorsky and managed to do well. However, Thatcher lost her reputation for straight and honest dealing as prime minister, and grave fault lines in her cabinet came to light. Her cabinet style also was scrutinized. A further review by the all-party Parliamentary Defence Committee grilled Armstrong, and the integrity of the civil service also came



Former British defence secretary Michael Heseltine in London in January, 1986. (Hulton Archive/Getty Images)

under suspicion. However, it was felt that the Labour opposition had lost a major opportunity in the parliamentary debate, when its leader, Neil Kinnock, made a blustering and ineffective attack on Thatcher, which did no more than reveal the insignificance of the Westland decision. Brittan, though, was unable to return to the cabinet and eventually ended his political career as a commissioner in Brussels, Belgium, for the European Union.

In the long term, Thatcher created an independent and vocal critic of her policies. Heseltine's politics were more akin to Thatcher's predecessor, Edward Heath, in its desire for government intervention. In the end he became a rival for her post. During the 1990 contest for leadership of the party, it was Heseltine who emerged as her chief rival at first, and his support in the first round of voting was the main cause of her resignation as party leader. In fact, Heseltine was unable to increase his support and John Major became the new leader. However, Heseltine did become deputy prime minister during the later stages of the Major ministry.

—David Barratt

FURTHER READING

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Westland Affair Shakes Thatcher's Government

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May 7, 1985

BANKER JAKE BUTCHER PLEADS GUILTY TO FRAUD

After building a large banking empire, twice running for governor of Tennessee, and working as the chief planner and backer of a world's fair in Knoxville, Jake Butcher witnessed the collapse of his banking empire in a scandal involving fraudulent loans and other financial crimes that sent him to federal prison. The collapse of his United American Bank in 1983 marked one of the largest bank failures in U.S. history.

LOCALE: Knoxville, Tennessee**CATEGORIES:** Banking and finance; business; corruption; forgery; law and the courts**KEY FIGURES**

Jake Butcher (b. 1936), Tennessee banker
Cecil H. Butcher, Jr. (1939-2002), Tennessee banker

SUMMARY OF EVENT

On November 1, 1982, the banks of the Butcher brothers, Jake and C. H., Jr., were raided by the Federal Deposit Insurance Corporation (FDIC). To prevent transfers of loans and assets between banks, almost two hundred federal investigators descended on the banks simultaneously. Investigators soon discovered that the twenty-nine banks and branches ran a network of forged documents, illegal and unsecured loans, and other forms of bank fraud. The revelations shocked the banking world and investors.

Jake Butcher was born in Union County, Tennessee, in 1936. His father, Cecil H. Butcher, Sr., owned a general store and was the founding partner in 1929 of the Southern Industrial Banking Corporation, which made loans to farmers. Jake's father also organized and presided over Union County Bank in Maynardville during the 1950's. Jake's career in banking began by sweeping bank floors and counting pennies for his father. After some college (he never graduated) and time in the U.S. Marine Corps, Jake founded an Amoco Oil distributorship.

He and his younger brother, C. H. Butcher, Jr., entered the banking industry in 1968 by aggressively borrowing large sums of money to buy stock in a number of banks. Eight Tennessee banks and other business properties were under their control by 1974.

Also in 1974, Jake began his career in politics by running for the Democratic nomination for governor of Tennessee. Although he lost this first nomination bid, he won it in 1978. He was defeated in the general election by Republican Lamar Alexander.

By 1976, the name of Jake Butcher was circulating in the business world. He lent Calhoun, Georgia, banker Bert Lance \$443,000 to finance some of Lance's financial endeavors. Lance soon became the director of the U.S. Office of Management and Budget under newly elected president Jimmy Carter, who had already met Jake. Lance was soon accused of mismanaging his Calhoun bank, was forced to resign his position in the Carter administration, and was tried but acquitted of corruption charges. President Carter had actively campaigned for Jake during his 1978 bid for Tennessee governor.

The year 1978 remained a pivotal one for Jake. The family banking empire by the late 1970's included fourteen banks in Tennessee and Kentucky, still supported by heavy borrowing, and Jake claimed assets of more than \$8 million. From the Carter administration, he received a \$12.5 million grant for his next big project, the 1982 World's Fair in Knoxville. At its peak, the Butcher empire included twenty-seven banks.

The world's fair, which opened on May 1, brought about eleven million visitors to Knoxville in its six-month run. However, the celebration for Jake and his investors would be hampered later that year. Rumors began to circulate about Jake's banking practices, including the use of round-robin loans, in which loans are transferred to affiliate banks prior to auditor visits. One such loan was drafted in 1980, when Milton A. Turner signed a guarantee for a \$2 million loan from Jake's United

American Bank (UAB), the cornerstone of his banking empire. After the bank collapsed in 1983, the loan defaulted, leading the Federal Deposit Insurance Corporation (FDIC) to sue Turner for collection. Turner was shocked to find that the name of the loan guarantor had been changed—with correction fluid—from United American to City and County Bank of Knoxville, which was controlled by Jake's brother. In 1989, a federal appeals court ruled that Turner had been defrauded by Jake and UAB, so he was not required to repay the loan.

The collapse of UAB on February 14, 1983, marked the fourth largest bank failure in U.S. history. Other Butcher-controlled banks soon collapsed as well. The collapse of C. H. Butcher's SIBC, an uninsured thrift bank, caused many people to lose their life savings. C. H. pleaded guilty to bank fraud and other charges, served six years in prison, and was paroled in 1993. Other family members and friends of the brothers went to prison for their part in various illegal transactions.

In August, Jake was declared bankrupt with assets of \$11.9 million and liabilities of \$32.5 million. During bankruptcy proceedings, Jake used his Fifth Amendment right against self-incrimination so that he would not have to produce potentially damaging real estate documents. The U.S. Court of Appeals, Sixth Circuit, ruled in Jake's favor, partially, in its decision of January 11, 1985.

Because Jake's United American Financial Services Company, a separate entity, had filed for reorganization under bankruptcy laws, his asset auction was in full force during bankruptcy proceedings. His assets included a forty-room mansion with thirteen bathrooms in Knoxville, two condominiums in Lexington, Kentucky, a 1983 Lincoln Mark IV sedan, a private jet, a helicopter, and dozens of houseboats. The houseboats had been equipped as floating motels during the world's fair.

In November, 1984, the Securities and Exchange Commission (SEC) had charged Jake with violating the antifraud provisions of federal securities laws. The SEC claimed that after the initial raid of Butcher banks, Jake deceived purchasers of UAB's securities prior to its own collapse. On May 7, 1985, Jake pleaded guilty to federal bank fraud and was

sentenced to twenty years in prison. In 1992, after serving almost seven years, he was paroled. He moved to a quiet suburb of Atlanta, Georgia.

The Butchers were related in one way or another with several court cases. Jake was named an unindicted coconspirator in the 1987 case against U.S. representative Harold E. Ford, Sr., of Memphis, Tennessee. Butcher banks had made unsecured loans to Ford and his family's funeral-home business several years earlier. Brother C. H., too, was charged in the Ford case but had already pleaded guilty in an agreement involving other cases. Ford was acquitted of all charges in 1993.

Perhaps the most significant court case in which Jake had ties was that involving Karl A. Schledwitz, a Memphis attorney. The Eastern District Court of Tennessee indicted Schledwitz in January, 1992, on eight counts of mail fraud. Schledwitz took out loans from Butcher-controlled banks during the early 1980's, at a time when Schledwitz did not have the income to justify the loans. Some of the loans, which totaled more than \$1.5 million, were used to buy UAB stock, a stock purchase that, in turn, would raise the selling price of the bank. Some of the loan proceeds were given to the Butcher brothers for their personal use. In return, Schledwitz received referrals to his law firm. Although Schledwitz owed more than \$2 million when the Butcher banks failed, he settled with the government for \$120,000. He was convicted on some of the charges and his motions for a new trial were denied by the U.S. Court of Appeals in 1995.

IMPACT

The FDIC led the investigation of the Butcher banks and ultimately inherited most of the empire's debts. The FDIC also received a share of the blame for those enormous debts. In early 1984, the FDIC estimated that its losses in the Butcher bank failures would be about \$400 million. By September of that year, that estimate was raised to \$1.1 billion.

In November, 1983, the U.S. House Committee on Government Operations had issued a report that criticized the FDIC for not taking stronger action against the Butcher empire prior to 1982. With a 1987 lawsuit, the FDIC passed the blame to the ac-

counting firm of Ernst & Whinney for being lax in its audits of four Butcher banks in 1981.

If the Butcher banking scandal had any positive impact, it was a procedural change within the FDIC. After the Butcher crisis, the federal banking agency strengthened its regulatory capacities, making it more difficult for similar crises to develop among American banks.

—Glenn L. Swygart

FURTHER READING

Adams, James Ring. *The Big Fix: Inside the S & L Scandal—How an Unholy Alliance of Politics and Money Destroyed America's Banking System*. New York: John Wiley & Sons, 1990. Examines the Butchers' use of round-robin loans, the practice of transferring loans to an affiliate bank just prior to an auditor's visit.

Lea, Sandra. *Whirlwind: The Butcher Banking Scandal*. Brookline, Mass.: Whirlwind, 2000. Discusses the setting for the Butcher brothers when they moved to Knoxville, Tennessee, and began their rise to power in the banking industry. Includes glimpses of most major figures in the scandal.

Ruble, Drew. "Vestige of Empire." *Business Tennessee*, July, 2006. Summarizes the life and influence of Jake Butcher, including his activities after prison. Analyzes the impact he had on the community of Knoxville, Tennessee.

"Tapped Out." *Time*, February 28, 1983. One of the first national stories about the collapse of the Butcher banking empire. Published one week after the failure of UAB.

Walker, John A., Jr. "Whirlwind: The Butcher Banking Scandal." *Tennessee Bar Journal* 37, no. 5 (May, 2001). A critical review of the 2000 book by Sandra Lea. Recognizes some value in the book but details the work's weaknesses in research and style.

Wheeler, William Bruce. *Knoxville, Tennessee: A Mountain City in the New South*. 2d ed. Knoxville: University of Tennessee Press, 2005. Extensive coverage of the Butcher family. Discusses the economic impact of the Knoxville world's fair championed by Butcher as well as the collapse of the Butcher banking empire.

SEE ALSO: 1919-1920: Ponzi Schemes Are Revealed as Investment Frauds; Nov., 1929: Banque Oustric et Cie Failure Prompts French Inquiry; Mar. 29, 1962: Billie Sol Estes Is Arrested for Corporate Fraud; Sept. 21, 1977: Carter Cabinet Member Resigns over Ethics Violations; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud; Jan., 1997: Pyramid Investment Schemes Cause Albanian Government to Fall; 2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; Sept. 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices; Early 2007: Subprime Mortgage Industry Begins to Collapse; Sept. 20, 2008: American Financial Markets Begin to Collapse.

July 10, 1985

FRENCH SECRET SERVICE SINKS THE GREENPEACE SHIP RAINBOW WARRIOR

As part of its summer Pacific Peace Voyage, the Greenpeace ship Rainbow Warrior was scheduled to take part in a protest against French nuclear bomb tests on an island in the Pacific. While the ship was docked in Auckland, New Zealand, two bombs were attached to its hull by French secret service agents. The bombs exploded, leading to the death of a Greenpeace photographer and the ship's sinking.

LOCALE: Auckland, New Zealand

CATEGORIES: Violence; politics; environmental issues; government; murder and suicide

KEY FIGURES

Fernando Pereira (1950-1985), Portuguese-born Dutch photographer and *Rainbow Warrior* crew member

Steve Sawyer (b. 1956), American director of Greenpeace's Pacific Peace Tour

David McTaggart (1932-2001), Canadian chairman of Greenpeace International

Dominique Prieur (b. 1948), captain in the French secret service

Alain Mafart (b. 1949), major in the French secret service

Christine Huquette Cabon (b. 1951), French army lieutenant

SUMMARY OF EVENT

The environmental organization Greenpeace—which takes political action against whaling, seal hunting, environmental pollution, nuclear testing, and other ecological concerns—was founded by a group of Canadian antinuclear activists who were protesting nuclear testing by the U.S. government in 1969. The tests, conducted on earthquake-prone Amchitka Island in the Aleutian chain in the North Pacific off the coast of Alaska, prompted the group's slogan "Don't make a wave. It's your fault if our fault goes" because of fears that a bomb deto-

nation could trigger earthquakes and tsunamis. In 1971, in Vancouver, British Columbia, Canada, group members selected the name Greenpeace for their fledgling organization and for the ship with which they mounted a protest against another nuclear test at Amchitka. The word "green" reflects the group's concern with ecological problems and the word "peace" reflects the group's commitment to peaceful direct action.

Greenpeace's early strategy involved the Quaker practice of bearing witness. For Greenpeace, this meant being present at the scene of ecological abuse so that perpetrators would know they were being watched and monitored. The strategy was soon expanded to include peaceful interference such as driving small boats between harpooners and the whales they targeted for killing, and placing boats in the region of expected fallout from nuclear tests, thus preventing a bomb's detonation. The group continues to publish and to inform the news media—all in an effort to make public the dangers faced by the environment and, thus, the earth's human population.

Greenpeace groups initially appeared in many countries, with little international unity. However, as the network grew, it coalesced into an international organization during the 1980's. Even after their unification as Greenpeace International, the regional groups continued to operate independently.

Given that protests often involved marine contexts, the ownership and maintenance of ships, boats, and other watercraft have been important parts of Greenpeace history. One of the first seaworthy ships the organization owned was a former research vessel from the British ministry of agriculture, the *Sir William Hardy*. Greenpeace bought it, cleaned it up, repaired it, and christened it the *Rainbow Warrior*. It became a symbol of Greenpeace as the organization's flagship. The name was inspired by an American Indian legend that assures that after



The Greenpeace ship Rainbow Warrior begins to sink in Auckland Harbor, New Zealand, after being damaged by two bombs attached to the ship's hull by French government agents. (© Greenpeace)

civilization compromises the earth's ability to sustain life, the warriors of the rainbow would restore that ability to Earth.

During the 1980's, Greenpeace was active on several fronts. One goal for the organization was to bring an end to French nuclear-weapons testing on islands in the Pacific. One island, Moruroa, was used repeatedly by the French, and Greenpeace demonstrated at the island nearly as often. Another test was scheduled for Moruroa in the summer of 1985. Greenpeace commissioned the *Rainbow Warrior* to be part of the demonstration. The protest

itself was part of Greenpeace's Pacific Peace Voyage, which also involved moving the inhabitants of the Marshall Island atoll, Rongelap, to another island (Mejato) less contaminated with radioactivity. Rongelap had been contaminated with radioactive fallout from earlier atmospheric nuclear tests. After the Rongelap residents were transferred, the *Rainbow Warrior* continued its trip to Moruroa. On the way, on July 7, it stopped at Auckland harbor in New Zealand.

On July 10, while the ship was moored at Auckland, Jean-Michel Bartelo and another member of the team from the French secret service placed two bombs with timing devices on the ship's hull. The two bombs exploded in succession just before midnight. Damage was so extensive that the *Rainbow Warrior* sank. Only a few crew members were present at the time of the blasts. Steve Sawyer, the director of the Pacific protest effort in 1985, and most of the crew were celebrating Sawyer's birthday on board. All but one of the crew members on the ship escaped. Fernando Pereira, a Greenpeace photographer,

drowned while attempting to retrieve his cameras. The Moruroa demonstration continued as planned, but without the *Rainbow Warrior*.

Greenpeace chairman David McTaggart's first thought was that the French government was involved in the blasts. Greenpeace and McTaggart had a long, contentious history with the French. He dismissed the idea, however, unable to believe that they would be so foolish. French government personnel who were at the harbor at the time of the explosions condemned the bombing and swore their innocence, but overwhelming evidence of their in-

volvement in the violent action quickly came to light.

Near where the ship was moored and on the day of the bombing, witnesses had seen two men transfer a package from a small boat to a Toyota van, in which they drove away. The van's registration number was traced to a rental company and to French secret service agents Dominique Prieur and Alain Meaford, who had rented the van using aliases (Sophie Turenge and Alain Turenge, respectively). The agents had dumped, into harbor waters, the oxygen tanks and the outboard motor of the boat used to approach the *Rainbow Warrior*, and they beached the boat near the scene as well. All items were found, and all indicated a French connection.

One agent, French army lieutenant Christine Huguette Cabon, had volunteered at the Greenpeace Auckland office under the alias Frederique Bonlieu before the *Rainbow Warrior's* stop, passing information about Greenpeace plans to other members of the sabotage team. Abundant evidence implicated the French, and even included accusations against President François Mitterrand.

Whereas most of the dozen or so perpetrators disappeared, Prieur and Mafart were arrested when they returned the van to the rental agency. Although they were not involved in placing the explosives, they were sentenced to ten years in prison for aiding the saboteurs. They served less than three years of their sentences, however, and continued their careers with the French military. Each wrote a book about the affair.

The *Rainbow Warrior* was too badly damaged to be repaired. It was moved to Matauri Bay off the Cavalli Islands near New Zealand's North Island. A Maori (native New Zealander) burial ceremony accompanied the ship's scuttling. The sunken ship transformed over the years into a reef, enhancing the structure of the marine environment in the bay.

IMPACT

The *Rainbow Warrior* burial site became a memorial, and has been visited frequently by divers. Four years after the ship was buried, the *Grampian Fame*, an old fishing ship, was refurbished by Greenpeace and renamed *Rainbow Warrior II*. It

carries the wheel and bell of the original *Rainbow Warrior* and has played a critical role in Greenpeace protests.

The French response to the first *Rainbow Warrior's* attempt to demonstrate at Moruroa suggests that France feared the effects of the protest on their nuclear-testing program. The immediate impact of the bombing was profound. On one hand, Pereira's children lost their father and his wife lost her husband. Greenpeace lost a crew member and photographer, as well as a symbolic ship. On the other hand, membership in the organization increased rapidly, as did public sympathy for Greenpeace.

France was ordered to compensate Pereira's family, Greenpeace, and the government of New Zealand for their losses in the attack. At least one French official lost his position, and the affair was probably a factor in the Socialist Party's loss of positions in the 1986 legislative election. That election reduced Mitterrand's effectiveness for the rest of his first term because he had to deal with a strong opposition majority in Parliament. The bombing also likely played a role in Mitterrand's defeat in the election of 1995 and in the French abandoning their nuclear-testing program in 1996.

Furthermore, the bombing strained France's relationship with New Zealand for several years. It was the first terrorist attack in New Zealand's history and perhaps helped New Zealanders realize that their geographic isolation no longer protected them from such acts.

—Carl W. Hoagstrom

FURTHER READING

Bohlen, Jim. *Making Waves: The Origins and Future of Greenpeace*. Tonawanda, N.Y.: Black Rose Books, 2001. Memoir by one of Greenpeace's founding members describes the organization's earliest days and its evolution into a worldwide force for environmental activism. Includes an index.

Brown, Michael, and John May. *The Greenpeace Story: The Inside Story of the World's Most Dynamic Environmental Pressure Group*. New York: Dorling Kindersley, 1991. Gives the bombing context and perspective; two chapters

cover the specifics of the *Rainbow Warrior* and the bombing. Illustrations, maps, index.

Dyson, John. *Sink the Rainbow! An Enquiry into the "Greenpeace Affair."* London: Gollancz, 1986. Analyzes the actions and motives of the primary participants. Includes illustrations and maps.

Robie, David. *Eyes of Fire: The Last Voyage of the Rainbow Warrior*. 4th ed. Philadelphia: New Society, 2005. Describes the use of the *Rainbow Warrior* to transfer the population of an island contaminated with radiation to an island with less contamination, as well as the bombing and its aftermath. Illustrations, maps, index, and further readings section.

Sheehan, Sean. *Greenpeace*. Chicago: Raintree, 2004. Written for young readers, this book briefly outlines the history of Greenpeace, including the role of the *Rainbow Warrior* and its destruction in that history. Illustrations, glossary, index.

Wallace-Bruce, Nii Lante. *The Settlement of Inter-*

national Disputes: The Contribution of Australia and New Zealand. Boston: Martinus Nijhoff, 1998. Pages 189 to 197 explore the *Rainbow Warrior* incident as an example of an international dispute. Includes an index and a bibliography.

Weyler, Rex. *Greenpeace: How a Group of Ecologists, Journalists, and Visionaries Changed the World*. Emmaus, Pa.: Rodale Press, 2004. Comprehensive biographical account of the founders and evolution of the organization, its political divisions, and its campaigns. Includes photographs and an index.

SEE ALSO: Sept. 26, 1979: Love Canal Residents Sue Chemical Company; Dec. 16, 1982: Congress Cites Environmental Protection Agency Chief for Contempt; Feb. 4, 1996: Whistle-Blower Reveals Tobacco Industry Corruption; July, 2002: Journalist Alleges Release of Genetically Modified Corn Seeds in New Zealand.

July 19, 1985

MAYFLOWER MADAM PLEADS GUILTY TO PROMOTING PROSTITUTION

Sydney Barrows, a descendant of Mayflower pilgrims, drew national attention when she was charged with running a prostitution service that catered to an exclusive clientele. She pleaded guilty to the lesser charge of promoting prostitution. While losing some status as a socialite, Barrows profited from the scandal through the sale of her 1986 book Mayflower Madam and through marketing her life story.

LOCALE: New York, New York

CATEGORIES: Prostitution; law and the courts; sex crimes; sex; business; publishing and journalism

KEY FIGURE

Sydney Barrows (b. 1952), owner of Cachet, an escort service

SUMMARY OF EVENT

On the evening of October 11, 1984, police delivered a search warrant at 307 West Seventy-fourth Street on the upper West Side of New York City, the main office of Cachet, an exclusive escort service that opened for business in 1979. The owner of Cachet was Sydney Barrows, a thirty-two-year-old graduate of the Fashion Institute of Technology, who majored in fashion buying and merchandising.

Barrows, a socialite who could trace her ancestry to *Mayflower* pilgrim William Brewster, pleaded guilty on July 19, 1985, to promoting prostitution and paid a fine of five thousand dollars. Legal problems at Cachet had begun two years earlier with a seemingly benign conflict with the building's landlord in November of 1983. Wishing to raise the rent

in the apartment-restricted Manhattan but hindered by a signed contract, the landlord attempted to evict Barrows for running a business in her apartment. Adding to the controversy with the landlord was Barrows's firing of a call girl, who later sought revenge by going to the police. Shortly thereafter, employees reported that Cachet was under police surveillance.

After arresting a Cachet escort, police obtained a warrant to search Cachet on October 11. They seized documents, business records, and business machines, including an overfilled paper shredder. The following day Barrows learned that police had a warrant for her arrest. With her legal advisers she surrendered to the district attorney. She later explained that she did not surrender to police because she believed the officer in charge was using the action on Cachet to ensure his own promotion. Barrows posted bail and was released from custody.

Media competition in New York is especially fierce. In the first few days after the police bust of Cachet, much of the reportage was speculative. By the third day of reporting, the media had discovered Barrows's identity (she had been using the name Sheila Devin at the time of her arrest). Media reports, which described Cachet as a million-dollar, exclusive escort service, were filled with inaccuracies, especially in conflating the terms "bordello," "escort service," and "brothel." Cachet was an escort service that hired out women to spend time with paying clients. It did not "sell" sex, at least not explicitly. Escorts included university students and professors, women working in semiprofessional jobs, and career women. Each woman was scheduled for three nights of escort work per week. Sex between client and escort was acceptable only if the sex was "straightforward"; that is, it had to be conventional.

Prosecutors pressed Barrows to plead guilty in exchange for a lighter sentence and fine. However, regardless of her plea, the fine would remain substantial—possibly fifty thousand dollars (which Barrows did not have)—and she would receive



Sydney Barrows, the Mayflower Madam, at a news conference with a television producer. (AP/Wide World Photos)

some jail time or probation. Her defense announced its intention to go to trial in an attempt to force the prosecution to liberalize its plea offer, which it did not do. The case went to the grand jury, which handed down its indictment just before Christmas, 1984, charging Barrows with promoting prostitution in the third degree.

Barrows's defense had five components: First, it exposed the double standard of a criminal justice system that prosecutes women who provide escorts for hire but seldom prosecutes the men (johns) who pay for the service. Defense attorneys in the Barrows case hinted to the prosecution that they would read the list of prominent men who purchased services from Cachet to the jury in open court. Second, the defense argued that selective prosecution also was applied to the charge of promoting prostitution.

Among those who run escort services and brothels, women tend to be prosecuted while men are seldom prosecuted.

Third, the defense illustrated the illogic of the expense of money, time, and labor devoted by authorities in closing Cachet—an expense that exceeded that of other crackdowns on escort services or bordellos. Even the authorities agreed that Cachet was not implicated in acts of violence or drug use and was not associated with organized crime or police corruption. Why, the defense asked, the expense for Cachet? Fourth, the defense argued that Barrows ran an escort service, which was not in the business of selling sex; rather, Cachet was paid by men for the young women's time.

Fifth, the defense challenged the validity of analyses of Barrows's handwriting. Prosecutors attempted to prove that her handwriting matched the writing on documents seized at Cachet. The defense would support handwriting analyses only if Barrows's handwriting could be picked from ten samples provided to the prosecution experts by the defense. As a result of this demand, the prosecution experts excused themselves from the case.

Fearing the defense would name Cachet's wealthy and powerful clients, the district attorney's office continued to press Barrows for a plea bargain so that the case would not go to trial. Barrows pleaded guilty to the lesser charge of prostitution in the third degree, for which she paid a fine of five thousand dollars.

After her legal troubles, Barrows published her autobiography *Mayflower Madam: The Secret Life of Sydney Biddle Barrows* (with William Novak), which detailed the organization and operation of Cachet, emphasizing the unique factors that made the escort service so successful. In the book's first few chapters, Barrows discusses her working-class background, childhood, education, and the ethics of running an escort service. The last few chapters explain Barrows's struggles with the criminal justice system and how her defense was successful in trivializing the prosecution's criminal case against her. The core of the book, however, is a detailed description of Barrows's management principles and staff training procedures.

IMPACT

No long-term negative impact came from Barrows's conviction. In fact, she profited from the scandal. *Mayflower Madam* is now used as a management training manual for commercial escort and sex services, and the value of the book has not been overlooked by trade journals and businesses and organizations selling sex-related products or services. Barrows's life story was featured as a television biography and was the focus of a 1987 film starring Candice Bergen.

The police crackdown on Cachet, if it had any immediate significance, was its potential for revealing the names of the escort service's clientele. Interestingly, Barrows's eight-inch-thick "black book" was lost or stolen in the chaos of the police raid of Cachet. The black book contained the names, descriptions, addresses, and professional affiliations of male clients, many of whom were corporate executives, religious officials, foreign representatives to the United Nations, sheiks, socialites, and celebrities. It is possible, maybe even probable, that the black book was used for the purposes of financial or political blackmail.

In a wave of police actions, other escort agencies, including those of Alex Adams and Heidi Fleiss, were raided shortly after Cachet was shut down. Many have argued that the policing of organized commercial sex establishments is intermittent, and that this policing is based on what Nebraska madam Josie Washburn argued, in 1909, political or professional aggrandizement. Because commercial prostitution is traditionally owned, supported, and served by the community elites (politicians, legal officials, business owners), it is the elites who determine when and if commercial prostitution will be policed.

—Edward J. Schauer

FURTHER READING

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Barrows, Sydney. *Getting a Little Work Done*. New York: HarperCollins, 2000. In this self-help-style book, Barrows offers advice on balancing sex and career.

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Wiltz, Christine. *The Last Madam: A Life in the New Orleans Underworld*. New York: Faber & Faber, 2000. Examines how a commercialized sex agency can exist for decades with little police interference and, as Josie Washburn argued a century earlier, how the shutting down of these

agencies is used as a successful political campaign tactic.

SEE ALSO: 1907: Elinor Glyn's Novel *Three Weeks* Shocks Readers; May 13, 1913: Boxer Jack Johnson Is Imprisoned for Abetting Prostitution; July 28, 1980: Magazine Reveals Baseball Star Steve Garvey's Marital Problems; Dec. 7, 1980: Rita Jenrette's "Diary of a Mad Congresswife" Scandalizes Washington; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Sept. 22, 1997: Sportscaster Marv Albert Is Tried for Sexual Assault; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard; July 9, 2007: Senator David Vitter's Name Is Found in D.C. Madam's Address Book; Mar. 12, 2008: New York Governor Eliot Spitzer Resigns in Prostitution Scandal.

August 19, 1985

WEST GERMAN COUNTERINTELLIGENCE CHIEF DEFECTS TO EAST GERMANY

After four years as head of West German counterintelligence, Hans-Joachim Tiedge defected to East Germany, beginning the most serious German spy scandal in more than a decade.

LOCALE: Bonn, West Germany (now Germany)

CATEGORIES: Espionage; corruption; international relations; government

KEY FIGURES

Hans-Joachim Tiedge (b. 1937), head of West German counterintelligence

Markus Wolf (1923-2006), head of East German foreign intelligence service

Heribert Hellenbroich (b. 1937), head of the West German Federal Intelligence Service

SUMMARY OF EVENT

Even with a serious drinking problem, a penchant for gambling, and the accumulation of almost a

quarter million German marks in personal debt, Hans-Joachim Tiedge had worked sixteen years in West German intelligence without facing any of the background checks that were normally required every five years. He had become despondent over the recent loss of his wife and had even been the subject of a manslaughter investigation following her accidental death. All this notwithstanding, he had managed to hold onto his very sensitive job for four years as head of the Office for the Protection of the Constitution, West Germany's equivalent of the Federal Bureau of Investigation.

Feeling that his personal situation had become hopeless, on August 19, 1985, Tiedge approached East German guards at a crossing in the Magdeburg region and asked to speak with a representative of East German intelligence to arrange his defection to the East. Thus began the most serious spy scandal to rock West Germany in a decade.

Because of their common language and cultures,

East and West Germany were ideal places for their spies to work during the Cold War. Both countries' importance to the North Atlantic Treaty Organization (NATO) and the Warsaw Pact also provided motivation for a very aggressive espionage system between the two states. In the days leading up to Tiedge's defection, the East had definitely held the advantage, having arrested almost two hundred West German agents during Tiedge's tenure while during the same period, Tiedge and his West German agency had enjoyed very little success. In Tiedge's defense, it should be noted that security was very lax for anyone who wanted to come into West Germany from the East, and was very strict for those going in the other direction.

Heribert Hellenbroich, Tiedge's boss until four months prior to Tiedge's defection, was also his good friend. Given Tiedge's behavior since the death of his wife (even his neighbors had called Tiedge's office to complain of his drunkenness), it is perhaps not a surprise that the friendship was a major reason Tiedge continued in his job. Only four months before the defection, Hellenbroich had been promoted to head of the Federal Intelligence Service. The loss of Hellenbroich as his immediate superior probably contributed to Tiedge's despondence. In any case, Hellenbroich was forced to resign his post after the defection as a direct result of his relationship with Tiedge.

Tiedge's principal adversary during this period was Markus Wolf, the head of the General Reconnaissance Administration, East Germany's foreign intelligence service. The opposite of the overweight and alcoholic Tiedge, Wolf was a most effective spy. At the time of the defection, Wolf was suspected of recruiting Tiedge, but it was unclear whether Tiedge had already been working as a mole for Wolf before 1985. Wolf stated in his autobiography *Man Without a Face* (1997) that his first contact with Tiedge was on the day of his defection.

Whether Wolf was telling the truth or not, it is worth noting that in the weeks just before the Tiedge defection several longtime East German spies disappeared. One of them, Johanna Olbricht, had been living in West Germany under the false identity of Sonja Lüneburg for twenty years. She

had served as secretary to the then-leader of the Free Democratic Party, Martin Bangemann. She was last seen in West Germany three weeks before Tiedge's defection. One could speculate that Olbricht and the other fleeing spies might have been under Tiedge's protection and had been warned that he was leaving.

Regardless of whether he was a mole or simply a defector, Tiedge still was a great prize for the East Germans, and they took great care of him. After he was in the hands of the Stasi, the East German secret police, he was placed in a hospital to recover from his alcohol addiction. The overweight spy was also diabetic and was placed on a stringent diet. Wolf commented on Tiedge's appearance at the time of his defection by comparing him to a giant panda, bloated and pale with dark-rimmed eyes. Wolf also described him as very frank, noting that he did not try to justify his actions on idealistic grounds but instead described himself simply as a traitor.

When Tiedge was back on his feet, he was told to write a dissertation for a doctorate. The title would be "The Counterintelligence Task of the Office for the Protection of the Constitution of the Federal Republic of Germany." He would detail in two-hundred-plus pages all the methods employed by his office, including its electronic surveillance techniques. In addition to providing operational details, he also provided names of agents from the West. The East Germans boasted at one point that they had arrested 170 West German agents in an eighteen-month period thanks to information provided by Tiedge.

Tiedge stopped drinking and lost thirty pounds within a month. According to Wolf's autobiography, women who were loyal to the party were made available for Tiedge, and he eventually married one of them. The woman Tiedge married was a Stasi secretary.

In 1989, when the communist government in East Germany began to fall, Tiedge left for Moscow with his new wife and the equivalent of almost \$100,000 in so-called severance pay. When interviewed by the magazine *Der Spiegel* in 1993, he was still in Moscow, living under the name Hans Ottowitsch, on a pension and living well. Asked if

he was a traitor, he replied that of course he was. He showed no remorse, choosing to blame his superiors for failing to come to his aid when he was in such need of help. He said that defection and suicide were his only choices but that he did not have the courage for the latter. He reportedly remained in Moscow even after the statute of limitations for treason expired in 2005.

IMPACT

The most obvious and most immediate impact of Tiedge's defection was the complete disarray of West German intelligence. Its methods revealed and their agents compromised, they were faced with the task of reorganizing and restaffing their operations.

The initial bipartisanship among West German politicians in face of the scandal soon gave way to accusations, and there was much talk about how the scandal would or should affect relations between East and West Germany. Cooler heads prevailed, however, and there was little long-lasting or serious impact on the relations between the two countries. Negotiations continued for a cultural treaty, and an invitation for the leader of East Germany, Erich Honecker, to visit West Germany was not hampered by the scandal.

Strengthened by the scandal was NATO's feeling that, because of its cultural and historical ties to East Germany, West Germany was the weak sister in the alliance in terms of espionage. Undoubtedly, the scandal would give the Allies cause to consider even more carefully their intelligence and technological cooperation with the German Republic. Luckily, compartmentalization of intelligence operations for just such an occurrence prevented Tiedge from having very much useful information about NATO and its other members. The Allies had always understood that West Germany was exposed "in a special way" to attacks from East Germany.

West German Counterintelligence Chief Defects

The defection and the resulting confusion were not enough to stave off the collapse of the communist regime in East Germany. Within five years of the Tiedge scandal, the infamous Stasi and the East German communist state were matters of history, as the two German nations became one in 1990.

—Wayne Shirey

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September 17, 1985

MEDIA ALLEGE CANADIAN OFFICIALS ALLOWED SALE OF RANCID TUNA

The Canadian Broadcasting Corporation television newsmagazine The Fifth Estate reported that large quantities of possibly rancid tuna had been distributed to Canadian consumers. The minister of fisheries and oceans, who approved of the distribution despite warnings, resigned. Prime Minister Brian Mulroney's role in the scandal was questioned as well.

ALSO KNOWN AS: Tunagate

LOCALE: St. Andrews, New Brunswick, Canada

CATEGORIES: Corruption; government; medicine and health care; business; ethics

KEY FIGURES

John Fraser (b. 1931), Canadian minister of fisheries and oceans, 1984-1985

Brian Mulroney (b. 1939), Canadian prime minister, 1984-1993

SUMMARY OF EVENT

On September 17, 1985, the television newsmagazine *The Fifth Estate*, broadcast by the Canadian Broadcasting Corporation (CBC), reported that large quantities of rancid tuna fish had been distributed to Canadian consumers. Despite being aware that inspectors had rejected the tuna as being unfit for human consumption, John Fraser, who was appointed as the federal minister of fisheries and oceans in 1984, overruled the decision and approved the distribution of the tuna.

StarKist Canada, Inc., acquired in 1981 by the American company H. J. Heinz, had the only tuna canning plant in Canada and controlled approximately 40 percent of the Canadian canned-tuna market. The allegedly tainted tuna was manufactured at StarKist's plant in St. Andrews, New Brunswick.

Quality issues with the canned tuna manufactured at the St. Andrews plant began several years before the story broke in the media. Using sight,

smell, and taste tests, Department of Fisheries and Oceans inspectors had declared that a total of approximately one million cans of tuna were not suitable for human consumption. The tuna, which was imported from other parts of the world, including Africa and Asia, and canned in Canada, was described as rancid and emitting a strong odor. It was later reported that a type of tuna frequently processed at the plant was of a smaller kind and that it had a greater fat content, which increased the likelihood of oxidation or rotting. Oxidation could have occurred during storage or through thawing of the fish.

The value of the amassed one million cans of rejected tuna was estimated to be between \$600,000 and \$800,000. As a result of the potential loss of revenue, StarKist was threatening to close the St. Andrews plant, one of the largest employers in the county. StarKist executives, along with the New Brunswick premier, Richard Hatfield, petitioned Fraser and sought his approval to distribute the tuna to consumers anyway. Fraser asked the New Brunswick Research and Productivity Council (RPC), an independent agency that traditionally used a more sophisticated chemical analysis of food than did the Department of Fisheries and Oceans, to examine the tuna. In contrast to the fisheries and oceans inspectors, the RPC found the tuna to be suitable for public consumption.

Conflicting reports exist as to whether Fraser waited for the results of the RPC tests prior to overruling the decision of the fisheries and oceans inspectors and approving the sale of the tuna. RPC representatives claimed that Fraser had approved the distribution of the tuna prior to the completion of testing. The tuna was distributed to supermarkets and other food stores throughout Canada and even purchased by the Department of National Defense. However, the food product was later returned because of its poor appearance and smell. The tuna also was rejected by an African famine-relief organization.

Fraser was interviewed for the broadcast of *The Fifth Estate* and was thus questioned by the Canadian House of Commons. He defended his decision to approve the otherwise rejected tuna. He claimed that the inspection techniques used by the fisheries and oceans department were subjective. He testified that he had consumed the tuna himself and had no problems for doing so. While some store owners had already voluntarily removed the tuna from store shelves, a formal recall was announced on September 19. In addition to the StarKist brand, the allegedly tainted tuna was sold under the different labels. Less than one week after the scandal was broadcast, Fraser resigned his position.

Fraser was not the only public official who faced increased scrutiny as a result of Tunagate, as the incident was dubbed by the press. While admitting that two staff members were aware of the situation involving the supposedly tainted tuna in July, 1985, Prime Minister Brian Mulroney claimed that he did not learn of the incident until the day the story broke on *The Fifth Estate*. Initially, Fraser and another public official testified that Mulroney had been aware of the release of the tuna prior to the news report. However, several days later, both recanted their stories and corroborated Mulroney's account. Mulroney defended his actions, claimed he acted appropriately, and then took credit for issuing the recall. He offered to resign as prime minister if it was proven that he was aware of the distribution before the CBC report.

StarKist never recovered from the scandal. The St. Andrews plant closed in October, leaving its four hundred workers unemployed. StarKist's share of the Canadian canned-tuna market was reduced from nearly 40 percent to zero. In 1987, the St. Andrews plant resumed packaging tuna. Two years later, StarKist tuna was reintroduced to Canadian grocery stores. Despite its marketing and advertising efforts, sales of the fish lagged. In 1990, StarKist ceased its operations in Canada.

In the recall, more than twenty million cans of tuna, valued at an estimated \$17 million, were confiscated. Although cans of the tuna were later tested and deemed fit for human consumption, the government mandated that the entire lot was not suitable

for humans but could be sold in Canada and abroad as pet food.

In 1992, the tainted tuna resurfaced when it was reportedly repackaged as tuna suitable for human consumption and sold in thirteen states in the United States. The tuna could be traced to the St. Andrews plant by a code printed on the can. A recall was subsequently issued in the United States. Not only was the tuna intended to be sold in the United States, but a plan to relabel the cat food as tuna suitable for humans and import it back into Canada from the United States was uncovered when the cans were inspected at the U.S.-Canadian border.

IMPACT

Tunagate was covered heavily by a press that critics contended was biased against the Conservative government. The scandal, despite its widespread press attention, led to nothing but fear. No official reports surfaced of persons becoming ill from eating the fish, and no one died from consuming the questionable tuna. Later reports indicated that although the tuna smelled and looked inedible, it was consumable and had posed no health threats to those who did choose to eat the product. Furthermore, the cans that held the tuna had been sterilized at the plant during manufacturing, thus reducing any threat of food-related illness. Nonetheless, the incident incited widespread fear. It also became a popular source of jokes, even spawning a card game called "Tunagate," in which the cards were packaged in a round tin container.

The scandal weakened the public's faith in the government agencies that approved food for human consumption. Food inspection in Canada was later centralized under the administration of one agency. This centralization limited the conflicting goals of departments in promoting and regulating industries and products.

After resigning from the Department of Fisheries and Oceans, Fraser restarted his career and was elected speaker of the Commons in 1986 and reelected in 1988. Mulroney, despite questions raised about his knowledge of Tunagate, was reelected prime minister in 1988 and served until 1993.

—Margaret E. Leigey

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October 23, 1985

GURU BHAGWAN SHREE RAJNEESH IS INDICTED FOR IMMIGRATION FRAUD

In 1981, followers of Indian guru Bhagwan Shree Rajneesh founded an ambitious religious community on a desert ranch in eastern Oregon. Plagued from the outset by local hostility and conflicts with land-use laws, the community, Rajneeshpuram, collapsed in 1985 when its leader was arrested for immigration fraud and several key figures faced criminal charges and convictions.

LOCALE: Portland, Oregon

CATEGORIES: Law and the courts; organized crime and racketeering; government; religion; social issues and reform; civil rights and liberties

KEY FIGURES

Bhagwan Shree Rajneesh (1931-1990), Indian guru and cult leader

Ma Anand Sheela (b. 1950), Rajneesh's personal secretary

David Frohnmayer (b. 1940), Oregon attorney general, 1981-1991

SUMMARY OF EVENT

On October 28, 1985, federal agents in Charlottesville, North Carolina, detained Indian guru Bhagwan Shree Rajneesh when his private airplane stopped for refueling. Alleging that he was attempting to flee the United States, they arrested him and several followers and returned them to Portland, Oregon, to face charges of racketeering and immigration fraud. The charges stemmed from attempts to form a spiritual community eighteen miles from Antelope, Oregon. Rajneesh and some of his followers had been indicted on October 23 by a federal grand jury, just days before his arrest.

The arrests marked the end of a controversial utopian experiment, though not the end of the movement. Rajneeshism, sometimes ironically dubbed the "rich man's path to enlightenment,"

draws upon Hinduism and other Eastern traditions. The spiritual writings of the founder, together with veneration of his person, form the core of a movement emphasizing meditation, personal spiritual fulfillment, a relaxed and fun-filled attitude toward life, and for some devotees, investment in a communal lifestyle. During the 1970's, the movement established a large study and residential center near Pune (Poona) in India and a network of study centers in the West, mainly in Europe.

In contrast to other cults spawned by the unrest of the 1960's, the Rajneesh movement attracted an older, well-educated population that brought with them considerable skills and capital. Adherents shunned high-pressure proselytizing, relying on more conventional marketing to spread the message. By 1980, Rajneeshism could claim thirty thousand adherents, most of them concentrated in Europe.

The movement outgrew the center in Pune. Other Indian sects mistrusted an ostensibly religious movement that sanctioned extramarital sex and seemed to cater to the needs and appetites of affluent foreigners. There were tax issues as well. In the light of these pressures, Ma Anand Sheela, Rajneesh's personal secretary and effectively the administrative head of the cult, decided in 1981 to purchase land and begin building a utopian community that would serve as a permanent residence for Rajneesh and a core of dedicated followers, termed "sannyasins," and a place of study and pilgrimage for the movement as a whole. To this end they bought a 64,000-acre cattle ranch near the desert town of Antelope (population less than 50).

From the outset, the project met with open hostility at local and state levels. Longtime residents of Wasco County, who were conservative and mainly fundamentalist Christian, strongly opposed any development that would shift the population balance and voter base in favor of outsiders with alien philosophies and lifestyles. People in sleepy eastern Oregon towns reacted, sometimes violently, after their streets were inundated with hundreds of enthusiastic young people wearing the red and orange garb of Rajneeshism and a portrait of the charismatic leader dangling from a string of prayer beads.

Support from the more liberal and populated western half of Oregon was minimal. After the 1978 mass suicide of hundreds of members of a religious cult in Jonestown, Guyana, South America, the public was extra-suspicious of cults in general. Although the Rajneeshism development incorporated many innovations designed to reduce environmental impact, its size triggered objections that were capitalized upon by the political action group 1000 Friends of Oregon.

Attempts to incorporate the new town of Rajneeshpuram were challenged by Oregon's attorney general, David Frohnmayer, on the grounds that a town government and infrastructure tied to a specific religious sect violated the United States Constitution's strictures on separation of church and state. The Rajneeshis challenged this claim in court. Unable to incorporate, the new town could not comply with state land-use laws. Attempts to purchase property and swing elections in Antelope itself backfired. At one point the cult began soliciting homeless people, busing them to Oregon, and registering them to vote in an effort to replace the county commissioners of Wasco County with a more favorable board.

During the years 1981 to 1985, against a background of growing hostility, outside investment and the labor of the inhabitants turned Rajneeshpuram into a thriving community, though increasingly resembling an armed camp. Rajneesh was silent, interacting with his adoring followers by touring the town in one of his many Rolls-Royce cars and leaving the governing to Sheela and a tight circle of mostly female devotees. Members of the town's security forces paraded around with assault rifles, giving rise to rumors that weapons were being stockpiled in anticipation of a military assault on the citizens of Oregon. In July of 1985, Rajneesh resumed communicating directly with his community and began taking steps to regain control from Sheela.

In September, Sheela and her close associates abruptly left for Germany. Rajneesh, aware of being investigated for immigration fraud, attempted through lawyers to surrender at a remote location rather than provoke an assault by armed federal

agents on Rajneeshpuram. The immigration fraud charges were based on Rajneesh having arranged sham marriages between U.S. citizens and foreign sannyasins. He was charged by federal prosecutors in Portland on October 28 with criminal conspiracy and making false statements to officials of the U.S. Immigration and Naturalization Service. He accepted a plea bargain, pleaded guilty to two counts of immigration fraud, and paid a \$400,000 fine. He also paid \$4 million in investigative costs to the state of Oregon, \$5 million to the state's victims' fund, and \$500,000 to the restaurants involved in a salmonella outbreak. He also agreed to leave the United States for ten years.

Investigations following Rajneesh's arrest, and Sheela's flight to Germany, had uncovered a web of illegal activity instigated by Sheela, including wiretapping and surveillance, misappropriation of funds, and cultivating pathogens for possible biological terrorism. Sheela was subsequently convicted of causing a salmonella outbreak in The

Dalles, Oregon, by ordering deliberate contamination of salad bars frequented by Wasco County commissioners, and of attempting to murder Rajneesh's personal physician by jabbing him with a hypodermic needle containing an unidentified toxin. She served three years in a federal penitentiary before being deported.

Rajneeshpuram closed and was subsequently sold to pay off the judgments against Rajneesh, Sheela, and others. Rajneesh returned to the community outside Pune in India, after failing to gain entry into several other countries around the world. He changed his name to Osho, founded a new movement, and kept a very low profile. He died of natural causes in 1990.

IMPACT

At its height, the Rajneesh movement attracted roughly 200,000 members worldwide, of whom a maximum of 7,000 lived at Rajneeshpuram in Oregon and perhaps 20,000 visited the ranch for festivals and retreats. For most, the movement represented an interlude, disappointing in that it failed to deliver the hoped-for spiritual utopia but not entirely without value. Few thought that they had been brainwashed or traumatized. Since the commune attracted mainly single adults and discouraged starting families, none of the accusations of child abuse and corruption of minors that plagued so many alternative communities accompanied this movement.

On July 13, 1986, a monument was dedicated outside the Wasco County Court House. Beneath the statue of a stately antelope read the inscription "Dedicated to all who steadfastly and unwaveringly opposed the attempts of the Rajneesh followers to take political control of Wasco County: 1981-1985." The ranch, having fallen into disrepair, soon housed a Christian youth



Bhagwan Shree Rajneesh is escorted by federal officers in North Carolina after he fled Oregon. He had been indicted one week earlier for immigration fraud and racketeering. (AP/Wide World Photos)

camp. The local sense of having heroically staved off the “red tide” of alien cultists, strong during the 1980’s, faded with time.

The episode helped channel mainstream liberal opinion in Oregon into an emphatically secular direction. Opposition to an intentional religious community, originally fueled by Christian fundamentalism and xenophobia, became transformed into a civil rights issue. State attorney general Frohn-mayer became president of the University of Oregon system, seeming assurance that the prevailing intellectual view will consider the judicial destruction of Rajneeshpuram and seizure of its assets by the state of Oregon to be a triumph for American freedom of religion.

Voices of dissent spoke as well. Apologists for the sect, which still has a worldwide following, maintain that they consistently tried to work within the law, that the objectionable acts were the responsibility of a small group of people surrounding Sheela, and that the federal government was trying to provoke an armed confrontation such as occurred at the Branch Davidian compound in Waco, Texas, several years later, in 1993.

The various claims and counterclaims concerning incorporation of Rajneeshpuram leave unresolved the question of whether a nonmainstream religious sect with a nontraditional life philosophy can even operate in the United States. Some people argued that if a religiously mandated lifestyle violates existing community zoning ordinances, and the U.S. Constitution prohibits incorporating communities based on a religious beliefs and practices, religious freedom is seriously compromised.

—Martha A. Sherwood

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February 28, 1986**BASEBALL COMMISSIONER PETER UEBERROTH SUSPENDS PLAYERS FOR COCAINE USE**

Major League Baseball commissioner Peter Ueberroth suspended several players with the Pittsburgh Pirates, including the team's mascot, and other players from around the league in a drug scandal that marked the first major dark cloud for baseball since the 1919 Black Sox game-fixing scandal. Baseball then faced the Pete Rose gambling affair, labor-union strikes, game cancellations, declining ticket sales, and the steroids scandal.

ALSO KNOWN AS: Baseball drug trials**LOCALES:** Pittsburgh and Philadelphia, Pennsylvania**CATEGORIES:** Sports; corruption; drugs; law and the courts; medicine and health care; organized crime and racketeering; popular culture; social issues and reform**KEY FIGURES**

Peter Ueberroth (b. 1937), baseball commissioner
Dave Parker (b. 1951), Pittsburgh Pirates outfielder

Dale Berra (b. 1956), Pittsburgh Pirates infielder
Keith Hernandez (b. 1953), New York Mets infielder

Lonnie Smith (b. 1955), Philadelphia Phillies outfielder

Kevin Koch (b. 1953), Pittsburgh Pirates mascot

SUMMARY OF EVENT

Following a successful decade during the 1970's that brought six divisional championships and one World Series victory to the city of Pittsburgh, Pirates fans were caught off guard during the 1980's. Following the firing of general manager Pete Peterson and clubhouse manager Chuck Tanner, as well as dwindling attendance, talks of dismantling the team, and potential buyouts, the 1986 season brought the baseball drug trials. In February of

1986, in the first major drug scandal for Major League Baseball, baseball commissioner Peter Ueberroth, harsh but fair in his punishments of players of all skills, was forced to suspend several players with the Pittsburgh Pirates, including star Dave Parker, and other players for using cocaine in their respective clubhouses.

The testimony of dozens of players resulted in the arrest and conviction of seven Philadelphia and Pittsburgh area drug dealers, including Curtis Strong, who was convicted on eleven counts of selling cocaine. Pittsburgh area dealer Shelby Greer pleaded guilty to seven counts associated with drug dealing, and five other men would serve time for the largest drug scandal in baseball history.

During the late 1970's and 1980's, cocaine became a regular fixture in Major League clubhouses. Players were purchasing drugs in stadium restrooms and locker rooms. Rumors began to circulate that players were playing games while high and were even carrying drugs in vials in their uniforms. In a May 14, 1985, memorandum to the Major and Minor League teams, Ueberroth outlined the league's updated drug policy.

In late 1985, a Philadelphia grand jury called Parker, along with Pirates teammates Lee Mazzilli, John Milner, Lee Lacy, Rod Scurry, and Dale Berra, son of New York Yankees great Yogi Berra, to testify. Other major leaguers called before the grand jury were Willie Aikens, Vida Blue, Jeffrey Leonard, Tim Lincecum, Enos Cabell, Keith Hernandez, and Lonnie Smith, who all testified to the rampant use of cocaine and amphetamines. Their testimony led many to believe that drug use affected as many as 40 percent of major league baseball players (a claim that is often challenged).

Prosecutors in the case stated that baseball was not on trial; drug use in society was the problem at hand, and the goal was to eradicate the drug pushers and dealers and to keep drugs from tarnishing the

game of baseball. For their testimony, major league players were granted full immunity by law, meaning they would receive no jail or prison time. This immunity from prosecution allowed for open discussion of clubhouse secrets, including the secret of drug use. Testimony confirmed drug use during games and the existence of locker-room drug deals on game days.

Kevin Koch, the Pirates' Parrot mascot, was eventually implicated in the scandal for introducing players—both local and visiting—to area drug dealers. Seven local drug dealers, most notably Strong, were convicted and sentenced to prison. Strong's lawyer maintained that the baseball players were highly paid junkies, and not heroes. Player Milner admitted to buying cocaine during a game in which he participated. Hernandez, a future All-Star with the New York Mets, admitted to using drugs for more than three years while playing. Although the players who testified in return for immunity avoided jail or prison sentences, the organization of professional baseball, which had been harshly criticized by judicial officials throughout the trials for ignoring the drug problem for decades, would have free rein to punish the guilty.

Major League Baseball meted out punishments to twenty-one players on February 28, 1986. In his press conference announcing the sanctions, Ueberroth said that ten players who were mentioned during the drug trials were forced to submit to random drug testing for the remainder of their respective careers. Eleven players were given stricter punishments. Of the eleven, the four who admitted to using cocaine—Al Holland, Lee Lacy, Larry Sorensen, and Claudell Washington—received sixty-day suspensions and monetary fines of up to 5 percent of their salaries. They also were mandated to perform drug-education-related community service in their communities and had to submit to drug

tests. Holland's career ended only one year after the league sanctions. Lacy also ended his career in 1987 as a member of the Baltimore Orioles. Sorensen continued to battle his substance abuse, ended his career in 1988 with the San Francisco Giants, and served time for multiple driving-under-the-influence offenses after his playing days. Washington was traded many times and finished his career in 1990 with the Yankees.

The remaining seven players—Berra, Smith, Parker, Hernandez, Cabell, Leonard, and Joaquin Andujar—received even harsher penalties. One-year suspensions would be waived in return for 10 percent of the player's salary, two years of community service, and mandatory drug testing for the life of their careers. Berra, a top prospect in 1977, never had a productive season, and following the drug trials he played in 1987 for the Houston Astros, where he ended his career. Leonard received the 1987 National League Championship Series MVP award for his play for the Giants and ended his career in 1990 with the Seattle Mariners. Andujar, a former All-Star pitcher, was traded many times following the drug trials and sustained several injuries; his career ended in 1988. Cabell played one more season



Peter Ueberroth announces Major League Baseball's drug-testing plan at a news conference in New York. (AP/Wide World Photos)

MAINTAINING BASEBALL'S INTEGRITY

In his Memorandum from Commissioner Peter V. Ueberroth to All Clubs Re: Baseball's Drug Education & Prevention Program (May 14, 1986), the baseball commissioner outlined the long-term effect of drugs and drug use on the sport of baseball.

Our other principal concern is the maintenance of the integrity of the game. It is most important that all of us in Baseball and our fans have the fullest confidence in our game. Drug involvement or the suspicion of drug involvement is inconsistent with maintaining that essential goal.

following the drug trials with the Los Angeles Dodgers. Smith won the MLB Comeback Player of the Year Award in 1989 and had a productive career following the scandal. He is most remembered, however, for his base-running error during the 1991 World Series, in which his team, the Atlanta Braves, lost the game. He finished his career in 1994.

Parker, a favorite in Pittsburgh, was traded around the league during the 1980's and found his niche as a designated hitter in the American League. He was an All-Star in 1986 and 1990. He finished his career with the Toronto Blue Jays in 1991. Hernandez, probably the most famous player of the drug scandals, was best known for his defensive skills with the Mets at first base and for the team's 1986 World Series victory over the Boston Red Sox. Hernandez won more Gold Glove Awards in 1986, 1987, and 1988 (he won eleven in his career) and was an All-Star in 1986 and 1987. He finished his career in 1990 with the Cleveland Indians and was inducted into the Mets Hall of Fame in 1987.

IMPACT

Ueberroth was chastised by the players' union for unfairly levying penalties against the players involved in the drug scandal, but his sanctions would hold. His belief in mandatory drug testing as a collective bargaining issue may have been his most famous attempt at making baseball a legitimate organization. He was a strong proponent of removing drugs, especially stimulants such as cocaine, from

the game in an effort to minimize inflated performance statistics.

Ueberroth is considered a visionary by some, as the mid-1990's saw the beginnings of the steroid-use scandal, brought about, in part, by the league's failure to instill mandatory drug testing. As the legal community once again criticized Major League officials for ignoring drug use in the sport, many began to wonder if Ueberroth also should have been ignored.

The baseball drug trials of 1985-1986 cleaned the game of illegal street drugs such as cocaine, but the trials did very little to quell the coming storm of synthetic drugs, such as steroids, and their abuse by some of the biggest names in professional baseball. Synthetic drugs, the new drug of choice for many players, poisoned the game and the record books during the 1990's and into the twenty-first century.

—Keith J. Bell

FURTHER READING

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rested in a Drug Sting; Aug. 24, 1989: Pete Rose Is Banned from Baseball for Betting on Games; Jan. 18, 1990: Washington, D.C., Mayor Marion Barry Is Arrested for Drug Use; July 1, 1994: Soccer Star Diego Maradona Is Expelled from World Cup; Mar. 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use; July 26, 2006: Tour de France Is Hit with a Doping Scandal; Aug. 20, 2007: Football Star Michael Vick Pleads Guilty to Financing a Dogfighting Ring.

March 3, 1986

FORMER U.N. SECRETARY-GENERAL KURT WALDHEIM'S NAZI PAST IS REVEALED

Kurt Waldheim faced accusations during his campaign for the Austrian presidency that he had concealed his membership in Nazi organizations and a substantial portion of his service in the Wehrmacht during World War II. The scandal raised questions about guilt for crimes committed during the war and about how much was known of his past before he was elected United Nations secretary-general.

ALSO KNOWN AS: Waldheim affair

LOCALE: Vienna, Austria

CATEGORIES: Publishing and journalism; atrocities and war crimes; international relations; government; politics; military

KEY FIGURES

Kurt Waldheim (1918-2007), United Nations secretary-general, 1972-1981, and president of Austria, 1986-1992

Simon Wiesenthal (1908-2005), Nazi hunter

Edwin Meese III (b. 1931), U.S. attorney general, 1985-1988

SUMMARY OF EVENT

The Waldheim affair broke when the Austrian magazine *Profil* and the World Jewish Congress (WJC)

and *The New York Times* alleged in early March of 1986 that Waldheim's 1985 autobiography, *In the Eye of the Storm*, concealed several key facts. These omissions included his membership in a Nazi student organization, the National Socialist German Students League; membership in a Sturm Abteilung, or storm trooper, mounted regiment; and that units to which he was attached committed atrocities in the Balkans in World War II.

The Balkan atrocities included General Friedrich Stahl's massacre of civilians at Kozara, West Bosnia, in Yugoslavia (June-August, 1942), operations against partisans in Yugoslavia (May-June, 1943) known as Operation Black, and transportation of 42,000 Jews from Salonika, Greece, to concentration camps by German general Alexander Löhr's Army Group E (May-August, 1943). Löhr was subsequently executed in 1947 by Yugoslavia for war crimes. Waldheim had served as a Wehrmacht intelligence officer under Stahl and Löhr, and the implication was that Waldheim would have at least been aware of these incidents.

After these charges were raised, it came to light that questions about Waldheim's past already had been asked in 1979. An inquiry by the Israeli government led to questions for so-called Nazi hunter Simon Wiesenthal. He was asked whether Wald-



Kurt Waldheim, center, is shown in this 1943 photograph with other German Nazi officers in Yugoslavia. (AP/Wide World Photos)

heim had served in the SS, the German Nazi police, or otherwise had been a Nazi. Wiesenthal answered no to both questions. In 1980, U.S. Congress member Stephen Solarz, a New York Democrat, wrote to Waldheim to ask him about his war record and his alleged membership in a Nazi student organization. Waldheim denied membership in the student organization and stated that he was incapacitated after being wounded on the Russian front in December, 1941. He said that he left the German army after his recovery and completed his law degree in 1944. The U.S. Central Intelligence Agency (CIA) backed Waldheim's assertions in a written statement to Solarz.

The timing of the allegations seemed suspect, given that the Austrian presidential elections were two months away. Waldheim, who was running for president, denied membership in any Nazi organi-

zations but offered that he did serve in the Balkans in World War II as an interpreter. His supporters condemned the allegations as unfounded and claimed that they were merely an attempt to discredit Waldheim.

On March 22, 1986, the WJC released a bombshell document listing Waldheim in the Central Registry of War Criminals and Security Suspects, developed by the U.S. Army, which listed suspected war criminals. It also had been revealed that the Yugoslav government had prepared a file accusing Waldheim of murder and presented this to the United Nations War Crimes Commission in 1948. This formal accusation became the basis for Waldheim's name being added to the registry. Subsequent research by historians revealed that this 1948 file was prepared to attempt to derail Austria's position in diplomatic negotiations with Yugoslavia over financial and territorial issues because Waldheim was part of Austria's diplomatic delegation. This informa-

tion was not used against Waldheim at that time, nor did Yugoslavia raise it in the future.

Waldheim had advanced through the Austrian foreign service and served as Austria's delegate to the United Nations in the postwar years. He ran unsuccessfully for president of Austria in 1971. If he had been elected, Waldheim would have served until 1977. Because he lost the election, Waldheim was able to stand for the position of U.N. secretary-general when U Thant did not seek another term. Waldheim served two terms from 1972 to 1982.

Throughout the spring and summer of 1986, the WJC, international media, and various researchers released additional documents pertaining to Waldheim's concealed past. Many Austrians believed that the charges were part of a Jewish conspiracy to embarrass Waldheim and Austria, and even Wiesenthal defended Waldheim, which surprised

many Jews. The vote in Austria on May 4 for president resulted in a run-off because no candidate received a majority—Waldheim received 49.6 percent and Socialist challenger Kurt Steyrer received 43.7 percent; minor candidates split the remaining 6.7 percent. In the June 8 election, Waldheim triumphed with 53.9 percent of the vote.

At the time of the release of its initial allegations, the WJC had requested that the U.S. Justice Department add Waldheim's name to the U.S. Immigration and Naturalization Service's so-called watch list. The watch list bars certain persons from entering the United States, including suspected war criminals who persecuted people based on political, religious, racial, or national factors during the Nazi era. After more than one year of consideration, during which time Waldheim and his lawyers were given the opportunity to present written responses to material in the Justice Department's file, Attorney General Edwin Meese placed Waldheim's name on the watch list on April 27, 1987, which prevented the Austrian president and former U.N. secretary-general from entering the United States. There was shock in Austria, and although some Austrians urged Waldheim to resign the presidency, he did not. He called Meese's decision "grotesque."

Following the watch-list debacle, the Austrian government, under Waldheim's direction, prepared the report *Kurt Waldheim's Wartime Years: A Documentation*, also known as the White Book, to rebut the charges that led to Waldheim's placement on the watch list. A flawed document, the October, 1987, report it did not examine all relevant material and offered exculpatory explanations for Waldheim's actions. Earlier, however, at the behest of Waldheim himself in the spring of 1987, the Austrian government formed an international commission of military historians to investigate Waldheim's World War II service. The commission began its study in August and issued *The Waldheim Report* on February 8, 1988. The report stated that although Waldheim knew of war crimes committed in Yugoslavia and Greece, he did not participate in them and was not in a position to oppose them or protest against them. Some have questioned the report's

thoroughness. A June, 1988, television production by Thames Television/HBO called *Kurt Waldheim: A Case to Answer*, concluded that Waldheim's activities in the Balkans did not involve criminal behavior.

IMPACT

The Waldheim affair damaged Austria's international standing and curtailed his effectiveness as president. He was banned from the United States, and many other countries refused his entry for state visits. The United States never removed his name from its watch list. No major leaders visited Austria during his presidency, and his contacts were limited to the Middle East and some communist bloc nations. Critics have noted that Waldheim never explained why he had concealed the controversial portions of his past, but he did apologize for "mistakes" in a statement released after his death.

Questions subsequently arose concerning which governments knew of his concealed wartime activities when he was nominated as U.N. secretary-general and whether they had used such knowledge to gain favorable treatment during his United Nations tenure. Some have speculated that because Yugoslavia knew, it is likely that the Soviet Union knew as well, and that the Soviets took advantage of this knowledge to increase their espionage activities under United Nations cover. Another theory is that the United States knew of his activities and protected him because he was a source of intelligence. No evidence has been put forth to substantiate these claims.

The reactions of many Austrians and the media to the controversy raised the specter of lingering anti-Semitism in Austria. Waldheim's supporters claimed that the accusations against Waldheim were part of an attempt by Jews to smear his reputation.

—Mark C. Herman

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- Waldheim investigation by a former United Nations employee.
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- Rosenbaum, Eli, with William Hoffer. *Betrayal: The Untold Story of the Kurt Waldheim Investigation and Cover-up*. New York: St. Martin's Press, 1993. A detailed, passionate account by the general counsel of the World Jewish Congress, which helped launch the 1986 investigation of Waldheim.
- Tittmann, Harold H., III. *The Waldheim Affair: Democracy Subverted*. Dunkirk, N.Y.: Olin Frederick, 2000. Weighs the evidence for allegations of

- Waldheim's participation in Nazi atrocities. Especially examines the role of the media in presenting the evidence. Finding the accusations groundless, he considers the affair as an example of how false perceptions can dupe a free society.
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- SEE ALSO:** July 12, 1906: French Court Declares Alfred Dreyfus Innocent of Treason; Apr. 22, 1942: French Prime Minister Pierre Laval Wants Germany to Win World War II; Dec. 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration; May 9, 1945: Norwegian Politician Quisling Is Arrested for Nazi Collaboration; May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Dec. 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized; Oct. 26, 1962: West German Police Raid *Der Spiegel* Magazine Offices; Nov. 9, 1976: German Generals Must Retire for Supporting a Neo-Nazi Pilot; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Dec. 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed; Aug. 12, 2006: Novelist Günter Grass Admits to Youthful Nazi Ties.

April 22, 1986

FAITH HEALER PETER POPOFF IS EXPOSED AS A FRAUD

Pentecostal evangelist Peter Popoff built a financially successful empire from donations given by the desperate, sick, and elderly. He based his empire on his claim that God spoke to him. In 1986, professional skeptics James Randi and Steven Shaw investigated Popoff and discovered that the voice he heard came not from God but from a radio transmitter operated by his wife, Elizabeth Popoff. Randi exposed Popoff's fraud on The Tonight Show. Within a year, Popoff was bankrupt, but he did return to televangelism.

LOCALE: Burbank, California

CATEGORIES: Hoaxes, frauds, and charlatanism; religion; communications and media; radio and television; public morals; business

KEY FIGURES

Peter Popoff (b. 1946), Pentecostal faith healer and televangelist

Elizabeth Popoff (fl. 1980's), Popoff's wife and a major player in the scam

James Randi (b. 1928), professional skeptic

Steven Shaw (b. 1960), professional skeptic

SUMMARY OF EVENT

Pentecostal evangelist and faith healer Peter Popoff built a financially successful empire from donations given by the desperate, sick, and elderly after he conducted a strategically targeted direct-mail campaign offering the faithful items that included anointed healing oil. It was his televised healing ministries, however, in which he claimed to hear the voice of God "call out the sick" that brought him success and fortune.

In 1986, professional magician and skeptic James Randi and magician and mentalist Steven Shaw, better known as Banachek, began investigating the Reverend Popoff. It did not take long for Randi and his team to discover that the voice Popoff heard came not from God but from a radio transmit-

ter. Randi first turned to the authorities with his evidence of fraud, but when they showed little interest in pursuing Popoff, he took his evidence to national television. He exposed Popoff on one of the most popular network television shows of the day, *The Tonight Show*, hosted by Johnny Carson, on April 22, 1986. Within a year, Popoff was bankrupt. However, he returned to televangelism and sending miracle healing oil through the mail.

Popoff was born in 1946, reportedly behind the Iron Curtain in Berlin, East Germany. He stated that the Soviet Union's official antireligious stance forced him and his family to flee to the United States. In his new homeland, he began preaching from the age of nine. A Pentecostal evangelist, Popoff claims to have been granted the nine gifts of the Holy Spirit, which, as explained in 1 Corinthians 12:8-10, include knowledge and healing. This claim of being spiritually gifted lifted Popoff from the rank-and-file televangelists and made him a budding superstar.

Prior to 1985, Popoff's ministries in Upland, California, made its money from the evangelist's slick direct-mail ministry campaign and crusades. Radio and television ministries added to the coffers initially by adding names to Popoff's mailing lists. Popoff would send the faithful computer-generated letters that, at first glance, appeared to be personalized. The mailings would include novelties ranging from miracle-healing water to handkerchief swatches "soaked in Popoff's sweat." The letters also included a pathos-laden appeal for money to help Popoff's ministries overcome some purported crisis.

In September of 1985, Popoff's office ordered radio-broadcasting equipment from Audio Specialties in Los Angeles. Soon after this purchase, Popoff's use of the "gifts of the spirit" became much more pronounced during his crusades.

Popoff began displaying an incredible ability to use the gift of knowledge, meaning that God was speaking directly to him during his sermons, telling

him who to heal. He would stand before assemblies and call out names, street addresses, names of physicians, and describe a selected person's illness. Then, in a flashy display, he would "heal" a chosen person before a camera through the "laying on of hands." The newly healed person would rise from his or her wheelchair, or let go of his or her aides, and walk from the stage, all the while shouting "hallelujah!" with Popoff and the other congregants in the assembly hall. These crusades made wonderful theater that played even better on television. Popoff's ministry was soon raking in millions of dollars. The spectacle caught the eye of Randi and Banachek, both of whom were specialists in investigating and exposing pseudoscientific and other frauds.

As a young man, Randi (born Randall James Hamilton Zwinge) was isolated, in many ways, by his startling intelligence. He read books on magic and fell in love with the craft after spending more than one year in a body cast from a bicycle accident. The constant practice required to master the art of sleight-of-hand and misdirection offered solace for the isolation that Randi felt in his youth. He recognized early that magicians are "honest charlatans" because audiences expect to be deceived. When Randi saw others utilizing the tricks and apparatus of magic to pose as spiritualists, psychics, mediums, healers, and the like, he felt that an important role that he was to play was to use his skills and knowledge to debunk these frauds.

Randi's stage career as a so-called escapologist began in 1946. His popularity grew as host of his own radio show, *The Amazing Randi Show*, during the 1960's, and a television show, *Wonderama*, during the 1970's. He also made frequent appearances on one of the most popular network television shows of the era, *The Tonight Show*. He appeared often enough to become Carson's friend and a household name across much of the United States. However, it was Israeli spoon-bender, Uri Geller, who made Randi world famous in 1972. Carson invited Geller to appear on *The Tonight Show* to display his ability to bend spoons using the power of his mind. However, Carson had Randi secretly set up tests for the show to make certain that Geller

could not bend the spoons using sleight-of-hand. Geller was unable to bend anything during the show. Carson later explained why, leading to Randi's new fame.

In 1986, Randi was awarded the MacArthur Foundation's genius award for educating the public about magic fraud and other forms of pseudoscience. He used this money to pursue the wave of televangelist faith healers who were incredibly popular during the late 1980's. The leader of this Pentecostal group was Popoff. Randi, Banachek, and their team began investigating Popoff by attending his revival meetings in Houston, Texas, and other U.S. cities.

The team soon uncovered the method to Popoff's fraud. His wife, Elizabeth Popoff, and other members of his team would meet with those who arrived at the revival early and would ask the audience members questions and give them prayer cards to fill out. The cards were then collected. How was the information getting to Popoff on stage?

From those cards, Elizabeth was able to transfer facts about certain audience members through radio transmission to an earphone used by her husband. One of Randi's confederates, Alec Jason, an expert in electronics, brought a sophisticated radio scanner, hooked up to a tape recorder, to the parking lot of the San Francisco Civic Auditorium, where Popoff was preparing for his next crusade. Just before showtime, Jason recorded the voice of God on 39.17 megahertz. Unfortunately for Popoff, God's voice was a feminine one; in fact, it was Elizabeth's voice. She was backstage feeding information from those same prayer cards to a tiny receiver in the evangelist's ear.

Randi's team was inside the auditorium videotaping the event as well. When the video- and audiotapes were paired, the evidence was damning. To effect their magic, the Popoffs collaborated as God and faith healer: Through radio transmission, Elizabeth told her husband certain facts (obtained from the prayer cards) about his audience. Claiming he was receiving messages from God, he then healed those whom God instructed him to heal. Randi and Banachek first tried to get legal authorities interested in pursuing Popoff based on this evi-

dence, which was obtained over a period of six months in several cities around the United States. When the law showed no interest, Randi turned to his friend, Carson.

Popoff was exposed on *The Tonight Show*. Although it took some time for the news of the truth to reach the world of the faithful, donations to Popoff's ministries eventually fell to such a low level that he was forced to declare bankruptcy in 1987. Despite this fall from grace, by 2005, Popoff was once again leading a multimillion-dollar ministry, based in Upland, in no small part because of the ease of direct mail and the power and reach of infomercials.

IMPACT

Randi's and Banachek's public expose of Popoff's deception helped to dismantle what was an enormous upswing in Pentecostal televangelist faith healers during the late 1980's. The two investigators exposed other similar fraudulent healers as well and forced many of the faithful to take, for the first time, a skeptical look at practices they had always accepted on faith. The unveiling of the scam also led to a revival in skepticism. Randi's million-dollar "psychic challenge" brought all manner of fraud into the harsh light of skepticism and scientific analysis.

—B. Keith Murphy

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Faith Healer Peter Popoff Is Exposed as Fraud

Peter Popoff's ministries used fake miracles to convert nonbelievers.

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Randi, James. *The Faith Healers*. Rev. ed. Buffalo, N.Y.: Prometheus Books, 1989. Randi traces the history of faith healing, misplaced faith, and unquestioned trust. An indictment of televangelist fraud. The book, originally published in 1987, includes a chapter on his investigation and exposure of Popoff and his fraudulent "healings." Also includes a foreword by astronomer Carl Sagan.

SEE ALSO: May-June, 1926: Evangelist Aimee Semple McPherson Claims She Was Kidnapped; June 27, 1978: Evangelist Herbert W. Armstrong Excommunicates His Own Son; Sept. 10, 1981: *Chicago Sun-Times* Reports That Cardinal Cody Diverted Church Funds; Oct. 23, 1985: Guru Bhagwan Shree Rajneesh Is Indicted for Immigration Fraud; Mar. 19, 1987: Jim Bakker Resigns as Head of PTL Television Network; Feb. 21, 1988: Evangelist Jimmy Swaggart Tearfully Confesses His Adultery; June 30, 2001: Korean Religious Teacher Jung Myung Seok Is Charged with Rape; Nov. 2, 2006: Evangelist Kent Hovind Is Convicted of Federal Tax Violations; Nov. 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard.

November 13, 1986-May 4, 1989

IRAN-CONTRA WEAPONS SCANDAL TAINTS REAGAN'S ADMINISTRATION

U.S. weapons were sold to Iran and funds from the sale were secretly provided to the Contras, the anticommunist rebels seeking to overthrow the government of Nicaragua. A series of federal investigations raised questions of balance of power between the executive and legislative branches of government in the United States. Several top government officials were implicated in the scandal and more faced indictments.

ALSO KNOWN AS: Iran-Contra affair

LOCALE: Washington, D.C.

CATEGORIES: Drugs; government; politics; military; corruption; international relations

KEY FIGURES

Oliver North (b. 1943), National Security Council military aide, 1981-1986, and former lieutenant colonel, U.S. Marine Corps

Richard V. Secord (b. 1932), retired U.S. Air Force general

Ronald Reagan (1911-2004), president of the United States, 1981-1989

Bud McFarlane (b. 1937), national security adviser, 1983-1985

John M. Poindexter (b. 1936), national security adviser, 1985-1986

William J. Casey (1913-1987), director of the Central Intelligence Agency, 1981-1987

Caspar Weinberger (1917-2006), U.S. secretary of defense, 1981-1987

SUMMARY OF EVENT

Two secret, interrelated U.S. government operations, both conducted by staff of the U.S. National Security Council (NSC) and both of which violated U.S. law and stated policy, were exposed in November, 1986. One operation encompassed the sale of arms to Iran to attempt to secure the release of U.S. hostages in the Middle East while the other operation used profits from the sale of these arms to

fund the Contras, the anticommunist rebels in Nicaragua. The Iran-Contra affair, as the operations collectively came to be known, represented the most serious scandal involving a U.S. president since that of Watergate in 1972-1974.

During Ronald Reagan's first term as U.S. president, several events set the stage for the Iran-Contra affair. First, Iran and Iraq were engaged in a bitter civil war that began in 1980. Second, Hezbollah and other Middle East terrorist groups began taking more and more Western hostages, including U.S. citizens. Third, the Marxist Sandinistas, who took control of Nicaragua in 1979, were supporting leftist movements in other parts of Central America, particularly El Salvador. Reagan believed the Sandinistas were communists.

U.S. laws forbade trading arms with Iran following the events of 1979-1981, when Iranian students backed by their government seized and held American embassy staff hostage for 444 days. President Reagan had publicly pressured other nations to refrain from selling weapons to Iran. He reemphasized U.S. policy that mandated against negotiating with terrorists or making concessions to them.

At the same time, the Reagan administration, which took a hard line against communism around the world, also offered training and funds to anti-communist governments and movements through the Reagan Doctrine. In 1981, Reagan had approved covert support for the anti-Sandinista guerrilla groups that came to be known as the Contras, the anticommunist rebels in Nicaragua. However, in 1982, the U.S. Congress passed the Boland Amendments, which restricted U.S. Department of Defense and U.S. Central Intelligence Agency anti-communist military actions in Nicaragua. Reagan, seemingly emboldened by the attempt to curtail his support of the Contras, then instructed his national security adviser, Bud McFarlane, to keep the Contras together, "body and soul."

After Reagan's overwhelming reelection as presi-

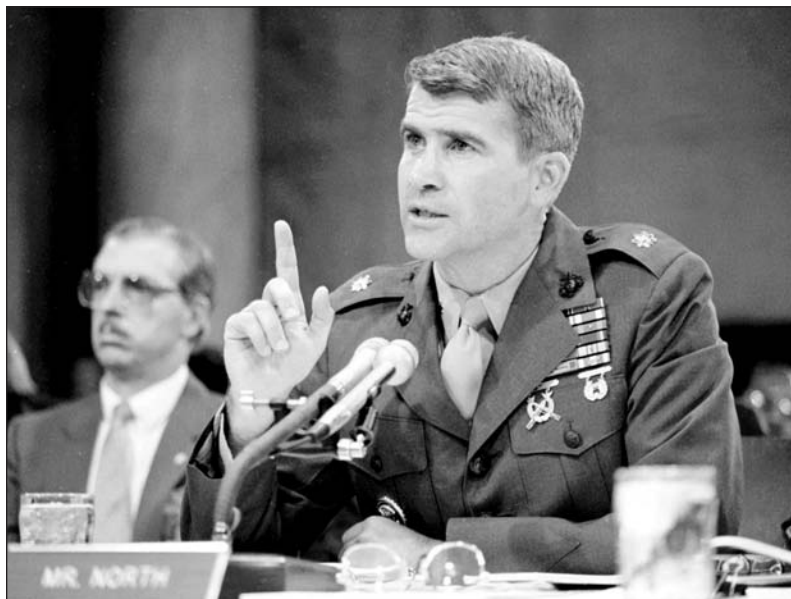
dent in 1984, certain representatives of the Iranian government contacted the United States about the possibility of buying weapons for its use against Iraq. U.S. policymakers debated the move. While Secretary of State George Shultz and Secretary of Defense Caspar Weinberger opposed the transaction, it was supported by CIA director William J. Casey and McFarlane. Casey and McFarlane reasoned that the sale not only would improve relations with Iran but also could hasten the release of American hostages held in Lebanon and other locations.

Reagan, who was adamant about freeing the hostages, one of whom was a CIA agent being brutally tortured, approved the sale of weapons on July 18, 1985. At first, the arms were funneled through Israel to Iran, with the United States promising to reimburse Israel with the same weapons. However, the resignation of McFarlane as national security adviser in December changed the nature of the operation. On the same day that John C. Poindexter replaced McFarlane, a military aide working at the NSC came up with two new ideas pertaining to the sale of missiles and other arms to Iran. That aide, U.S. Marine lieutenant colonel Oliver North, proposed selling weapons to Iran directly. In a move that brought the two operations together, North also suggested using the profits from the sale of arms to Iran to fund the Contras. Poindexter asked North to manage the operation, and North turned for assistance to retired U.S. Air Force general Richard V. Secord.

For the arms-sale ruse to work, the price of U.S. arms was inflated by as much as fifteen million dollars. Additionally, an Iranian arms broker who facilitated the transactions placed his own markup on the purchases. The overcharge for the weapons angered Iran and almost ruined the deal. However, by the time the sales and diversion were discovered, Iran had paid about thirty million dollars for

several shipments of TOW missiles and assorted spare parts for HAWK anti-aircraft missiles. One shipment of eighteen HAWK missiles was rejected by Iran.

While the Iranian initiative unfolded, Poindexter struggled to carry out Reagan's directive to hold the Contras together. North, who handled operational details, brought Secord in to help in the Contra operation. North and Secord set up an organization they called the Enterprise to help carry out their activities. As Congress cut off funds for Contra military operations, North headed a campaign to raise money from private donors, and he secretly funneled millions of dollars from Saudi Arabia to the Contras through a network of nonprofit organizations and Swiss bank accounts. The Enterprise had aircraft, warehouses, arms and other supplies, ships, and boats, and even had a hidden runway located in Costa Rica. North, with McFarlane's and Poindexter's knowledge, had created a secret government organization operating outside the authority of Congress. In his search for funds, North intermingled the Iran and Contra operations. He diverted profits from Iranian arms sales to the



Marine lieutenant colonel Oliver North testifies in July, 1987, before a joint congressional committee investigating the Iran-Contra affair. (AP/Wide World Photos)

Contras. This diversion of funds became the focal point of the investigations that began when news of the operations surfaced in November, 1986.

Following the downing of an Enterprise cargo plane that was supplying the Contras in Nicaragua on October 6, 1986, the combined operations began to unravel. The lone survivor of the crash initially stated that the two persons killed in the plane crash were CIA agents. A book of telephone numbers found in the wreckage traced the plane to an airbase in Central America.

On November 3, a Lebanese newspaper, *Al-Shiraa*, broke the story of the weapons-for-hostages deal between Iran and the United States. On November 13, after ten days of White House denials over the story, Reagan admitted that there had been some sort of a deal, but he insisted that it was a deal to provide to Iran "small amounts of defensive weapons and spare parts for defensive systems" in an attempt to lessen the "animosity" between the United States and Iran. He added that about one thousand TOW missiles were involved and that the sale included only the United States and Iran as participants. Reagan misstated the facts, however.

Over the next few days, the Justice Department continued to investigate the matter, and on November 22 it found what would become a critical April, 1986, memo from North to the president that outlined how the "residual funds" from the arms sales would be diverted to aiding the Contras. Simultaneously, Attorney General Edward Meese III discovered that only twelve million of the thirty million dollars paid by Iran for the U.S. arms had been deposited in the U.S. treasury. Meese briefed Reagan about the diverted funds on November 24 and announced it publicly the next day before Congress and the full Reagan cabinet. They also announced that Poindexter resigned and North was removed from his job with the NSC and reassigned with the Marine Corps. It was later divulged that North had destroyed pertinent evidence about the operations over a five-day period in late November.

On December 1, Reagan appointed former Texas senator John Tower to chair a commission to investigate the matter. Not to be left out, the U.S. Senate and House of Representatives set up investigative

committees in early January, 1987. The Tower Commission released its report on the scandal on February 26. A special prosecutor, independent counsel Lawrence E. Walsh, was appointed to investigate as well, and his report was released over a five-month period beginning on August 4, 1993.

The *Tower Commission Report* was the product of ten weeks of research that included the testimony of fifty-six witnesses. Though placing primary responsibility for the operations on the president's staff, the report chided Reagan for being out of touch and for failing to oversee the implementation of his own administration's policies. Televised congressional committee hearings into the scandal started on May 5 and lasted three months. They included 250 hours of testimony from twenty-eight witnesses, and they riveted television viewers. The congressional Iran-Contra committees issued their reports on November 18.

Congress largely agreed with the Tower Commission that Reagan's detached management style was to blame for the scandal, though it found that Reagan was unaware of the diversion of funds to the Contras. The congressional report identified several violations of law, including failure to notify Congress of covert U.S. operations, diversion of federal funds for purposes prohibited by Congress, tampering with and destroying official documents, and lying to or misleading Congress.

On March 16, 1988, North, Poindexter, Secord, and several others were indicted on conspiracy to defraud the United States, theft of government property, and wire fraud. North's charges included obstruction of congressional investigations, making false statements to a congressional committee and the attorney general, shredding and altering official documents, acceptance of an illegal gratuity from Secord in the form of a home-security system, conversion of traveler's checks, and tax-fraud conspiracy. Eleven persons were convicted. The convictions of Poindexter and North were overturned on appeal. Most of the public's attention to the Iran-Contra scandal diminished after May 4, 1989, with the end of North's trial.

On December 24, 1992, U.S. president George H. W. Bush—who had been vice president during

PRESIDENT REAGAN DENIES ARMS DEAL WITH IRAN

In a televised speech on November 13, 1986, U.S. president Ronald Reagan firmly denied that his administration was involved in any arms-for-hostages deal with Iran, a claim later proven false.

The charge has been made that the United States has shipped weapons to Iran as ransom payment for the release of American hostages in Lebanon, that the United States undercut its allies and secretly violated American policy against trafficking with terrorists. Those charges are utterly false. The United States has not made concessions to those who hold our people captive in Lebanon. And we will not. The United States has not swapped boatloads or planeloads of American weapons for the return of American hostages. And we will not. Other reports have surfaced alleging U.S. involvement: reports of a sealift to Iran using Danish ships to carry American arms; of vessels in Spanish ports being employed in secret U.S. arms shipments; of Italian ports being used; of the U.S. sending spare parts and weapons for combat aircraft. All these reports are quite exciting, but as far as we're concerned, not one of them is true.

During the course of our secret discussions, I authorized the transfer of small amounts of defensive weapons and spare parts for defensive systems to Iran. My purpose was to convince Tehran that our negotiators were acting with my authority, to send a signal that the United States was prepared to replace the animosity between us with a new relationship. These modest deliveries, taken together, could easily fit into a single cargo plane. They could not, taken together, affect the outcome of the 6-year war between Iran and Iraq nor could they affect in any way the military bal-

ance between the two countries. Those with whom we were in contact took considerable risks and needed a signal of our serious intent if they were to carry on and broaden the dialog. At the same time we undertook this initiative, we made clear that Iran must oppose all forms of international terrorism as a condition of progress in our relationship. The most significant step which Iran could take, we indicated, would be to use its influence in Lebanon to secure the release of all hostages held there. . . .

To summarize: Our government has a firm policy not to capitulate to terrorist demands. That no concessions policy remains in force, in spite of the wildly speculative and false stories about arms for hostages and alleged ransom payments. We did not—repeat—did not trade weapons or anything else for hostages, nor will we. Those who think that we have gone soft on terrorism should take up the question with Colonel Qadhafi. We have not, nor will we, capitulate to terrorists. We will, however, get on with advancing the vital interests of our great nation—in spite of terrorists and radicals who seek to sabotage our efforts and immobilize the United States. Our goals have been, and remain, to restore a relationship with Iran; to bring an honorable end to the war in the Gulf; to bring a halt to state-supported terror in the Middle East; and finally, to effect the safe return of all hostages from Lebanon.

1980's

Reagan's presidency—pardoned six persons associated with the Iran-Contra scandal. The pardon of Weinberger kept him from being tried on charges of perjury and making false statements. The pardon of McFarlane occurred after he pleaded guilty and was sentenced to probation and community service. The seven-year investigation by the independent counsel cost \$48.5 million, which accounted for almost one-fourth of total funds spent by twenty-two special prosecutors on unrelated cases from 1978 to 1999.

After the 1986 discovery of the Iran-Contra operations, several investigations by think tanks, congressional committees, and journalists focused on

the question of whether the CIA had engaged in criminal activity by financing the purchase of arms with the proceeds from illegal drug sales. Though the results of previous probes were inconsistent, a 1998 report by the CIA inspector general confirmed that the Contras were involved in drug trafficking and that their activities had been protected from law enforcement by the Reagan administration. The report stated that North and the NSC were aware of drug transactions by the Contras.

IMPACT

The Iran-Contra scandal had consequences on several levels. First, President Reagan suffered a

twenty-one-point decline in his approval rating after the dual operations were discovered in November, 1986. This represented the largest drop of presidential popularity within a month's time ever recorded. The revelations put the Reagan White House on the defensive, where it remained for almost all of the ensuing year. In March, 1987, Reagan admitted in a press conference that his previous assertions that the United States had not traded arms for hostages were incorrect.

Throughout the summer months, the televised congressional hearings into the scandal kept the public's attention. The deep decline in the stock market in the fall of 1987 only compounded the image problem for the White House. However, time seemed to heal the public's view of the president's performance. By the end of 1988, Reagan's popularity rating was close to where it had been before the scandal broke.

A second result of the Iran-Contra scandal was increased acrimony between the executive and legislative branches of federal government. That Reagan was the first of four chief executives in succession to experience split or opposition party control of Congress meant that the Reagan administration would have challenges in dealing with the legislature. Still, the Reagan team had an extremely successful initial year in 1981, enjoyed a forty-nine-state victory in the 1984 presidential election, and even had some notable second-term achievements, such as tax reform. However, the discovery that the president and his staff carried out the Iran-Contra operations in secret and violated several laws did not sit well with Congress. In like fashion to the post-Watergate period, Congress sought to curtail unilateral executive authority to restore a balance of power. For example, the Senate rejected the nomination of Robert Bork for the U.S. Supreme Court in October, 1987, and Congress overrode three of President Reagan's vetoes after the Iran-Contra operations became public.

A third consequence of the Iran-Contra affair was the scandal's international ramifications. Unquestionably, the sale of arms to Iran adversely affected the U.S.-led campaign against international terrorism. Not only did the operation contradict the

policy of no negotiations with terrorists, it also likewise gave enemies of the United States the impression that the United States was prepared to offer concessions to hostage-takers.

The immediate result of America's effort to gain release of its citizens held in Lebanon and elsewhere was nil: while three American hostages were released, others were subsequently taken and held for ransom. The expressed goal for the Iran operation—for the United States to improve relations with that nation—was similarly a failure. In 1987, the two nations traded attacks in the Persian Gulf after Iranian forces launched a missile at a tanker under U.S. escort. In 1988, a U.S. warship shot down an Iranian passenger jet after mistaking it for an F-14 fighter, killing all 290 persons aboard.

A final legacy of the Iran-Contra scandal involves its impact on the principal participants other than President Reagan. It was assumed that Vice President Bush was aware of the activities related to the Iran-Contra operations. However, he was not directly linked with the day-to-day running of the operations. The political damage suffered by Bush was minor. He was able to secure the 1988 Republican nomination and win the presidential election that year. Other participants in the operations went on to work in the administrations of Bush and, later, his son, George W. Bush.

Perhaps the person most responsible for the scandal, North, fared best. North retired from active military duty and became a television commentator, syndicated columnist, and speaker for various conservative causes.

—Samuel B. Hoff

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January 12 and May 11, 1987

MEDIA REPORTS SPARK INVESTIGATION OF AUSTRALIAN POLICE CORRUPTION

Investigative media reports prompted the formation of a royal inquiry into high-level police corruption in Australia. The Fitzgerald inquiry, which spanned two years, broadened to include a much larger investigation into all levels of government. The inquiry resulted in fundamental changes to Parliament, party politics, law, police work, and the practices of commissions of inquiry. Furthermore, many officials were forced to resign, including the premier of Queensland and the state's police commissioner.

ALSO KNOWN AS: Fitzgerald inquiry

LOCALE: Brisbane, Queensland, Australia

CATEGORIES: Corruption; government; radio and television; publishing and journalism; law and the courts; politics; social issues and reform

KEY FIGURES

Phil Dickie (fl. 1980's), investigative journalist
Christopher Masters (b. 1948), broadcast journalist
Tony Fitzgerald (b. 1941), chairman of the Fitzgerald inquiry

Sir Johannes Bjelke-Petersen (1911-2005),
premier of Queensland, 1968-1987

Terence Lewis (b. 1928), Queensland police
commissioner, 1978-1987

SUMMARY OF EVENT

The Australian media had hinted that there was a major problem in the state of Queensland, and especially in the city of Brisbane, with illegal gambling, drugs, prostitution and brothels, bribery of officials at all levels of government, and police corruption during the 1980's. Two reports proved to be the end for the corrupt politicians and other civil servants. Journalist Phil Dickie wrote an investigative report that was published in the *Courier-Mail* (Brisbane) on January 12, 1987, and a follow-up report was aired on the television program *Four Corners* by Christopher Masters. The revealing television episode, "Moonlight State," aired on May 11 and provided further substantial evidence of government corruption. Both Dickie and Masters are award-winning journalists.

Soon after the television show aired its report, government officials formed the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct in Queensland, which came to be known as the Fitzgerald inquiry. The commission confirmed the existence of systematic government corruption, confirmation that ultimately led to the resignation of Queensland's premier, Sir Johannes Bjelke-Petersen, as well as the state's police commissioner, Terence Lewis, and many others.

Premier Bjelke-Petersen was out of the country when *Four Corners* aired its May 14 episode. *Four Corners*, which first appeared on television in 1961, continued as the longest-running investigative television program in Australia into the twenty-first century. The program, which focuses on a single current-affairs issue with each episode, has received many awards and was one of the first such programs to expose questionable actions by public officials.

After the *Four Corners* broadcast, Bjelke-Petersen's deputy, Bill Gunn, ordered the inquiry in the premier's absence. Justice Tony Fitzgerald was appointed to conduct the inquiry. Fitzgerald, who was well respected in government and known for

his upstanding character, twice extended the probe from police activities to include higher levels of government. The inquiry continued for two years and led to the creation of an independent oversight entity named the Criminal Justice Commission (CRC), now the Crime and Misconduct Commission.

The Fitzgerald inquiry began on May 26 as an initial examination of police corruption and included allegations against specific persons. On June 24, the terms of reference were expanded and a number of handpicked Queensland Police Service (QPS) officers assisted with the investigation. On July 27, Commissioner Lewis was brought forth as the first witness. The inquiry's focus of reference expanded once again on August 25. Three days later, police detective Harry Burgess admitted to corrupt activities and resigned his position. He was followed in resignation by the assistant police commissioner, Graham Parker, who also admitted to corrupt activities. In the next few months, two retired inspectors admitted to corruption as well.

In August, Fitzgerald, for the first time in an inquiry, granted an indemnity, a legal exemption from penalties or liabilities, to Jack Herbert—who was alleged to be a bagman, or collector-distributor of illicit funds—to persuade him to testify. Herbert was the bagman for Lewis and collected his bribes. In April of 1989, Lewis was removed as the police commissioner.

The Fitzgerald Report was submitted to parliament July 3, nearly two years after the inquiry began. Without the extension of the terms of reference, the inquiry would not have had the same long-ranging effects. One motivation that Fitzgerald had for extending the inquiry was the desire to go beyond specific allegations against single persons and explore the system that allowed such corruption to develop and exist. As a result of the Fitzgerald inquiry, the thirty-year reign of the National Party government came to an end. The rule of law in Queensland was drastically changed and a new standard for commissions of inquiry had been put into place by the efforts and practices of the inquiry.

Many of the prosecutions that resulted from the inquiry, including that of Lewis and Bjelke-

Petersen, were heard by Douglas Drummond of the Office of the Special Prosecutor, which had been appointed in December, 1988. Lewis was convicted of corruption and subsequently stripped of his knighthood and confined. Bjelke-Petersen was charged with perjury but was found not guilty because he supplied evidence for investigators.

The corruption extended to many others across the political and nonpolitical spectrum. Also revealed as participants in corrupt practices were celebrities, judges, businesspeople, bankers, lawyers, and real estate agents.

IMPACT

The inquiry included 339 witnesses and 21,504 pages of testimony transcript, received 2,304 exhibits, and approved 10 indemnities (immunities) against prosecution. The Fitzgerald Report contained 630 pages and more than 100 recommendations that fell into three categories: the establishment of the Electoral and Administrative Review Commission (EARC), the establishment of the CRC, and the reform of the Queensland police force.

One of the most important reforms to result from the Fitzgerald inquiry was the establishment of the CRC, an independent oversight body that was given the power to investigate any public servant, including police officers, and the power to investigate any politician. Another important reform was the implementation of whistle-blower legislation, which increased sanctions attached to serious misconduct, including questionable recruitment and promotions. Also, the Fitzgerald inquiry was the first such inquiry in Australia to implement the use of indemnities in exchange for testimony.

—Judy L. Porter

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January 22, 1987**PENNSYLVANIA POLITICIAN KILLS HIMSELF AT TELEVISED PRESS CONFERENCE**

Pennsylvania state treasurer Budd Dwyer was convicted of taking a bribe after he obtained a state contract for a computer company. On the day before his sentencing, he called a press conference to proclaim his innocence and criticize the media for the scandal. He then put a loaded gun in his mouth and pulled the trigger. Several news outlets aired the graphic footage of his death, leading to public outrage and debate about journalistic ethics, broadcast television, newsworthiness, and sensationalism.

LOCALE: Harrisburg, Pennsylvania**CATEGORIES:** Murder and suicide; radio and television; communications and media; publishing and journalism; politics; corruption; government**KEY FIGURES**

Budd Dwyer (1939-1987), Pennsylvania state treasurer, 1980-1987

Dick Thornburgh (b. 1932), governor of Pennsylvania, 1979-1987

Robert P. Casey (1932-2000), governor of Pennsylvania, 1987-1995

SUMMARY OF EVENT

During the early 1980's, Pennsylvania officials discovered that all public employees in the state had been overpaying their Federal Insurance Contributions Act taxes. By 1984, the Pennsylvania Treasury Department was looking to hire a technology firm to determine how much to reimburse each taxpayer. On May 14, Pennsylvania governor Dick Thornburgh received an anonymous memo, alerting him to bribes that had been paid to secure a no-bid, \$4.6 million contract for Computer Technology Associates (CTA), a California-based company.

Thornburgh opened an investigation into the allegations. The investigation uncovered evidence

that John Torquato, Jr., of CTA had approached several state officials with monetary offers to guarantee his company the contract. In particular, Torquato had allegedly promised to pay Pennsylvania state treasurer Budd Dwyer \$300,000.

Dwyer was indicted two years later, on May 14, 1986, on charges of conspiracy to commit bribery, mail fraud, interstate transportation in aid of racketeering, and perjury. Acting U.S. attorney James West offered Dwyer a deal that would have reduced his maximum jail time from fifty-five to five years, but Dwyer refused to plead guilty to gain a lighter sentence. Torquato accepted a plea bargain and agreed to testify against Dwyer. Dwyer was convicted in the fall of 1986 and scheduled for sentencing in early 1987.

On January 22, 1987, one day before his sentencing, Dwyer convened a press conference at his office in Harrisburg, Pennsylvania. Given that upon sentencing he would lose his job, the public expected he was going to announce his resignation. Instead, Dwyer addressed the crowd of reporters, again declaring his innocence. He criticized the judge, the U.S. attorney, Governor Thornburgh, and even the media that had reported on his conviction for its part in painting him as a criminal. He compared himself to Job (the biblical character who faced many unjust hardships) and suggested that his imprisonment would be an act of political persecution. His rambling remarks lasted nearly half an hour, by which point the press was ready to leave. Dwyer urged the reporters to stay.

As he concluded his remarks, Dwyer handed envelopes to three of his staff members. He then pulled a .357 Magnum revolver from a fourth envelope. He then said that anyone who might be offended should leave the room. Members of the press began to urge Dwyer to lower the weapon. However, he ordered those who approached him to stand back, waving his arm and telling them that the gun

could hurt someone. Dwyer then lifted the gun toward his face. He put the barrel into his mouth and pulled the trigger.

The fatal moment was captured on film. Several cameramen had kept their tapes rolling throughout the incident. They took the footage back to their news directors, who were faced with the sudden dilemma of whether or not to broadcast Dwyer's suicide on television. The event was certainly newsworthy, but the graphic nature of the film caused concern. Several local stations, including WPVI-TV in Philadelphia and WPXI-TV in Pittsburgh, chose to air at least part of the suicide tape.

Viewers in the region were shocked by the media's decision to air the footage. Further complicating matters, many children had stayed home from school due to snow cancellations and saw the suicide as it was aired midday by WPXI. When those stations rebroadcast the film later in the day, it was edited to end just before Dwyer pulled the trigger. WCAU-TV in Philadelphia showed similarly edited footage, stopping as Dwyer put the gun in his mouth. Other stations, such as KYW-TV in Philadelphia, chose not to air the shooting at all.

The report was broadcast nationally, but not in its graphic entirety. *NBC Nightly News* edited the footage, including Dwyer with the gun and Dwyer's fatally wounded body. ABC and CBS displayed still photos of Dwyer with their report of his death. The Associated Press also distributed still photos of Dwyer before and after the shooting, but included an alert about the graphic content.

The envelopes Dwyer handed to his aides turned out to contain various items. One envelope had a letter to his wife, Joanne; another envelope contained a letter to the new Pennsylvania governor, Robert P. Casey; and a third envelope had Dwyer's organ-donor card and other items. The letter to his wife con-

tained his request for funeral arrangements. The letter to the governor complimented Casey, and stressed that Dwyer had not resigned his post but had been treasurer to the end. He likely emphasized this point so that his wife and children could continue to collect benefits from the state after his death. Dwyer took the additional step of suggesting his wife as his successor in the job, though she was not hired. It is possible the suicide was at least partly motivated by Dwyer's desire to protect his family financially.

IMPACT

The graphic television broadcasts of Dwyer's final moments shocked the public, and it soon turned into a media scandal. Dwyer's suicide would have been newsworthy even if conducted in private, but the public manner in which he chose to end his life was enough to shake the nation. People were disturbed by not only Dwyer's plan but also the media's handling of the incident, which seemingly magnified the act. Parents and teachers began to discuss and question the advisability of letting children watch



Budd Dwyer, moments before he shoots himself to death in front of colleagues and media. (AP/Wide World Photos)

live television broadcasts, whether in school or at home. Dwyer's death was not broadcast live, but it highlighted the potential unpredictability of live television. Overall, viewers were most disturbed by the decision to rebroadcast the taped footage, especially unedited or underedited.

In academic circles, Dwyer's suicide continues to fascinate as a case study in journalistic ethics. The question of whether such graphic footage should be broadcast requires journalists to weigh the responsibility of reporting incidents thoroughly and with accuracy against public pressure to keep news broadcast images acceptable for all viewers. It also sparks debate about the changing perceptions of what is acceptable for television broadcast.

Decades after Dwyer's death, the footage of his final press conference is readily available on the World Wide Web. It is no longer current news, but the video's continued presence speaks to a cultural fascination with violence and death. Pop culture references to the suicide include several tribute songs and appearances in film and advertising.

Dwyer's suicide led the Associated Press (AP) to change its film protocols. Prior to 1987, AP photographers carried black-and-white film for everyday use and switched to color film only in anticipation of special events. Thus, the photographers present at Dwyer's final press conference had cameras loaded with black-and-white film only. As the story broke nationwide, however, hungry news outlets requested color pictures. AP did not have color photos. From that point on, AP photographers shot with color film.

—Kekla Magoon

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February 25, 1987

NCAA IMPOSES “DEATH PENALTY” ON SOUTHERN METHODIST UNIVERSITY FOOTBALL

For rules violations that included alumni payments to college football players, the Southern Methodist University (SMU) football team was suspended from competition during the 1987 season and then voluntarily remained out of the 1988 season because of NCAA restrictions. The NCAA sanction against competition is known as the death penalty for its severity and seriousness.

LOCALE: Dallas, Texas

CATEGORIES: Corruption; sports; education

KEY FIGURES

Bill Clements (b. 1917), two-term governor of

Texas, chairman of SMU’s board of governors

Ron Meyer (b. 1941), SMU football coach

David Stanley (b. 1965), high school football star paid to attend SMU

SUMMARY OF EVENT

During the early to mid-1980’s, Southern Methodist University (SMU) fielded one of the best college football programs in the United States. According to author David Whitford, from 1980 to 1985 no major college football program won as many games as SMU, few went to as many postseason bowl games, and few were ranked among the nation’s elite as regularly. SMU was also one of the most corrupt college football programs in the country. It already had been penalized six times by the National Collegiate Athletic Association (NCAA) prior to its receiving the so-called NCAA death penalty in 1987.

Southern Methodist is a private, liberal arts university in Dallas, Texas, with an enrollment averaging about eleven thousand students. Founded in 1911, it is affiliated with the United Methodist Church. The university is governed by a board of trustees, which until 1987 was led by an executive committee called the board of governors. The board of governors during the 1980’s consisted of

elite Dallas businessmen and politicians, including Bill Clements, a Dallas politician who would be elected to serve a second term as governor of Texas in 1986.

In 1987, the SMU Mustangs competed in the Southwest Conference (SWC), an intercollegiate conference consisting of five large state universities (Texas, Texas A&M, Arkansas, Texas Tech, and Houston), as well as four smaller private universities (SMU, Baylor, Rice, and Texas Christian). Although SMU had experienced some success during the 1930’s and 1960’s, its football team was not competitive during most of the 1970’s. Between 1973 and 1975, SMU won just sixteen of thirty-three games.

In 1976, however, the university made an enhanced commitment to football, hiring a brash young coach named Ron Meyer who had previously built a successful football program at the University of Nevada, Las Vegas (UNLV). Whitford suggested that Meyer’s success at UNLV came from bending, if not breaking, the rules governing intercollegiate athletics.

Whatever he did at UNLV, at SMU, Meyer reinvigorated the Mustang football program by creating a system of boosters and rich alumni who were able to get elite high school athletes to enroll at SMU; the alumni-boosters also paid the athletes monthly cash stipends to stay at SMU. More than twenty athletes (or their families) were given thousands of dollars in cash, cars, and other valuables. Meyer’s program reeked of hypocrisy. In addition to SMU, other schools in the SWC bribed high school athletes; paying players was rationalized as a necessary evil for a small private school without a glowing athletics reputation.

Within a few years, SMU’s football program was riding high. By 1981, its record was 10-1 and it earned a SWC championship and a postseason bowl game. Its record in 1982 was even better (11-0-1) and the program ranked second in the nation. How-

ever, with the victory came NCAA probation in 1982, 1985, and 1987.

During the 1970's and 1980's, most universities in the United States competed against each other under the auspices of the NCAA, which is a voluntary association of more than one thousand schools that sets rules for intercollegiate athletics. The most sacrosanct rules concern the amateur status of student athletes. Although student athletes are given a host of benefits—room and board, tuition, books, health care, and apparel—they cannot be given money to play. For example, athletes cannot use their "star" status to generate personal income, nor can they sell tickets allotted to them, be reimbursed for expenses, or borrow money from coaches. Also, parents of student athletes are prohibited from receiving complimentary tickets to a sporting event.

SMU demonstrated considerable contempt for the rules and was repeatedly penalized by the NCAA. In 1985, the program was placed on three years' probation for paying players, a virtual "slap on the wrist" for promises that it would stop making illicit payments and that boosters who had paid players would be banned from contact with the football program. Clements, the head of the board of governors, knew about the payments yet ordered the athletics director to continue making them. Clements made the order even though he promised to comply with NCAA sanctions and rules.

Clements believed that the university had to honor its promises to the athletes until they graduated. He hoped that by 1987 those athletes who had been receiving money would have graduated or otherwise left the school. Moreover, he feared that if SMU stopped paying, disgruntled athletes would document for the NCAA and for the media the extent of the corruption. That is exactly what happened. After his monthly stipend was ended, David Stanley, a former football player who had been unhappy at SMU and had gotten into trouble with cocaine, revealed he had been paid twenty-five thousand dollars to enroll at SMU and received seven hundred fifty dollars per month until he left school. The news led to a yearlong investigation by the NCAA. Expecting another slap on the wrist, SMU was stunned by the penalty it received.

On February 25, 1987, as a result of sustained, repeated violations, the NCAA imposed its so-called death penalty on SMU. The infractions committee meted out severe punishments, including a ban on televised games and on postseason bowl games, limitations on scholarships for four years, and a one-year ban on competition (which, subsequently, was extended to two years). In announcing the penalty, the NCAA observed that the severity was justified because of the program's brazenness in flouting the sanctions and rules, even in the face of multiple investigations.

IMPACT

New York Times reporter Peter Appleborne noted that 1986 was to be a year of celebration for SMU. It was the school's seventy-fifth anniversary and the university community had been looking forward to celebrating SMU's development into a major regional university with hope for national prominence. In contrast, the year was marked by disgrace. As Appleborne noted, "What hurt most was not that a bunch of football-mad alumni had put together a \$400,000-a-year slush fund for athletes, but that the university's response for years had reflected skewed priorities and an absence of leadership."

In short, the athletics director and the board of governors were willing to continue a corrupt system because football wins led to enhanced prestige, increased donations, and a larger student enrollment. They were willing to bet the university's reputation that the depth of the corruption would never be exposed and that any NCAA penalties would be minor. Resignations included senior university trustees, the university president, the athletics director, and the football coach. Some even called for the impeachment of Texas governor Clements because of his complicity in the scandal as a university official.

In the wake of the scandal, the SMU board of trustees voted to replace the select board of governors and to make the board of trustees smaller, more inclusive, and with shorter terms in office. There also were sweeping changes made to the football program. As SMU athletics directors realized,

fielding a competitive team, let alone rebuilding the program, would be impossible in the short term. The two-year hiatus gutted the program, and virtually every SMU football player on scholarship in 1986 was gone by 1989. Many had transferred to other schools; others had graduated. Scholarship limitations imposed by the NCAA made it more difficult to attract topnotch athletes to SMU. In retrospect, the NCAA death penalty did not keep other university programs from cheating. Ironically, the severity of the penalty has kept it from being used by the NCAA.

The impact of the scandal extended beyond SMU. During the mid-1980's, four of the nine football programs in the SWC were on probation, including SMU. The reputation of the conference plummeted, and by 1994 most of the major universities in the SWC joined other conferences. Two years later, the SWC disbanded.

—Michael R. Meyers

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March 19, 1987

JIM BAKKER RESIGNS AS HEAD OF PTL TELEVISION NETWORK

Jim and Tammy Faye Bakker, evangelists who ran an empire that centered around the PTL television network, were enmeshed in personal problems that led to their fall from grace. Tammy Faye admitted to an addiction to painkillers and Jim admitted to having an affair with a church secretary and paying for her silence. This latter incident led to Jim's resignation and eventually a financial investigation of the ministry. Jim was imprisoned and the couple divorced.

LOCALE: Charlotte, North Carolina

CATEGORIES: Public morals; religion; radio and television; sex; law and the courts

KEY FIGURES

Jim Bakker (b. 1940), American televangelist and author

Tammy Faye Bakker (1942-2007), American televangelist, author, singer, and actor

Jessica Hahn (b. 1959), American model, actor, and church secretary

Jerry Falwell (1933-2007), American pastor and televangelist

SUMMARY OF EVENT

Married evangelists Jim and Tammy Faye Bakker began their television career in 1966 when working with evangelist Pat Robertson at his Christian Broadcasting Network. The burgeoning ministers first found fame via *The 700 Club*, a variety show focused on various conservative Christian topics. After spearheading the program through 1973, the couple joined Christian broadcasters Paul and Jan Crouch and founded Trinity Broadcasting Systems (now Trinity Broadcasting Network, or TBN) in Costa Mesa, California, beginning their on-air ministry with the show *Praise the Lord* on a local television station with rented airtime.

Even though the partnership with TBN lasted

only one year, the Bakkers' success would continue. They moved from Southern California to Charlotte, North Carolina, and after securing the rights to the acronym PTL, formed Praise the Lord Network (also known as the PTL Network) and began their flagship show *The PTL Club*. Between the pair's surging popularity and ability to reach nearly one hundred stations around the globe, the program, in a talk-show format, earned tremendous traction throughout the late 1970's into the 1980's.

In addition to television outreach (which welcomed a diversity of people from all denominations), the couple unveiled Heritage USA, a 2,300-acre theme park (complete with a resort atmosphere and residences) in Fort Mill, South Carolina, in 1978. The park drew more visitors than any other park in the United States except Disneyland and Disney World. Though all appeared well at face value and PTL finances were strong (backed by over one million dollars per week in viewer donations), the cracks started to surface during the mid-1980's. The media became particularly suspicious of what skeptics claimed was an excessive empire (including reports that Jim and Tammy Faye's home included an air-conditioned doghouse and gold-plated bathroom fixtures, which the couple later denied).

Additional fuel was added to the fire in 1987, a year that included Tammy Faye's public admission of being addicted to prescription painkillers (and subsequent treatment at the Betty Ford Center) and Jim's looming sex scandal. Jim had sexual relations with one-time church secretary Jessica Hahn, and his staff paid her a reported \$279,000 to keep the secret hidden from the media. On March 19, Bakker personally broke the silence, tearfully admitting of the affair (which happened in 1980) but denying allegations of rape. With this admission, Jim also resigned from PTL and turned over the organization to fellow televangelist (and longtime rival) Jerry

Falwell in hopes of rebuilding trust within the religious community.

Initially, the plan was for Falwell to maintain the ministry until Jim could be restored to a position of leadership following a time steeped in personal prayer. However, Falwell quickly turned against the couple, calling Jim a hypocrite, accusing him of homosexual leanings (which were never substantiated), and scorned him for the shame surrounding the ministry's downfall. With the change in command at PTL, Falwell now had control of the station's satellite and Heritage USA, but the negative publicity surrounding the circumstances led to a sharp decline in viewership and park attendance. To make matters worse for the Bakker legacy and for Falwell's attempt to regenerate the brand name, the Internal Revenue Service revoked Heritage USA's tax-exempt status, leading to the organization's filing for bankruptcy protection.

Additional turmoil set in when *The Charlotte Observer* published reports of potential financial wrongdoings during the Bakker reign of PTL. The paper claimed that, most notably, the organization sold lifetime memberships that gave donors of one thousand dollars or more an extended weekend vacation at Heritage USA every year. Approximately 165,000 people contributed to the program, but at the time of Jim's descent, only one five-hundred-room hotel had been constructed to accommodate the tens of thousands of donors.

As a result of subsequent book-keeping discrepancies, Jim was tried in a well-publicized case that continued as tabloid fodder into 1988. In December of that year, he was indicted for fraud and conspiracy to defraud, resulting in a conviction on twenty-four counts and a forty-five-year prison sentence. The Bakkers would never

return as a couple to television nor to Heritage USA, which officially closed its doors in 1989 (lifetime donors each received \$6.54 in legal compensation).

The Bakkers continued to make headlines even during the prison term, as Jim appealed his case and was sentenced to eighteen years in 1991 (though he would serve only five). The next year, Tammy Faye filed for divorce and married Roe Messner, the builder of Heritage USA, in 1993. In prison, Jim wrote in his autobiography *I Was Wrong* (1996) about his theological and sexual mistakes, though he maintained his innocence when it came to issues of financial fraud. (An epilogue written after he finished the text reveals a 1996 federal jury ruling that Bakker was not selling securities through his partnership offers at Heritage USA.)

Though much less publicity was granted to the epilogue and Jim's subsequent career moves, he regained some exposure by marrying Lori Graham in 1998. The pair sought to recapture his original tele-



Jim Bakker is escorted from his lawyer's office by U.S. marshals on August 31, 1989, in Charlotte, North Carolina. Bakker was ordered to undergo psychiatric evaluation to determine if he was competent to continue standing trial. (AP/Wide World Photos)

A JIM BAKKER CONFESSION

In prison for fraud, televangelist Jim Bakker wrote his autobiography I Was Wrong, published in 1996. In the following excerpt from the book, Bakker shows remorse for practicing a negative form of prosperity theology, that is, he admits to teaching a false theology of materialism and abundance and leading people astray in the process.

I may not always have been so blatant about it, but I often preached a prosperity message at Heritage USA and on our PTL television programs. But when I began to study the Scriptures in depth while in prison, something I am embarrassed and ashamed to admit that I rarely took time to do during the hectic years of constant building and ministering at PTL, I was very distressed at what I discovered. I realized that for years I helped propagate an impostor, not a true gospel, but another gospel—a gospel that stated “God wants you to be rich!” Christians should have the best because we are children of God, “King’s Kids,” as I often put it. And shouldn’t the King’s kids have the best this world had to offer?

The more I studied the Bible, however, I had to admit that the prosperity message did not line up with the tenor of Scripture. My heart was crushed to think that I led so many people astray. I was appalled that I could have been so wrong, and I was deeply grateful that God had not struck me dead as a false prophet!

through their television shows and their amusement park (perhaps more than anyone else within the Christian ministry at the time). Even with throngs of supporters, however, a more secular-minded public considered their lifestyles lavish, their methods deceptive, and their intentions deceitful. The entire episode leaves many lingering questions, ranging from Falwell’s motives in his takeover of PTL and Heritage USA to whether or not the media focus on Jim’s trial affected the outcome of the case, to Jim’s detriment. It is clear from the Bakkers-PTL scandal that the public holds religious figures of any affiliation to high moral standards.

Even though triumph was followed by a fall from grace, the Bakkers proved they still had faithful followers. Jim and Tammy Faye both returned separately to television—albeit with a fraction of their previous viewers—but nonetheless resumed their careers. For admitting to some past mistakes they were greeted with some forgiveness.

—Andy Argyrakis

vision audience in 2003 with the variety-styled *Jim Bakker Show* (also broadcast throughout various satellite networks). Tammy Faye turned to secular television in 1996 with *The Jim J. and Tammy Faye Show* (a talk show with costar Jim J. Bullock, a gay comic), followed by VH1’s reality show *The Surreal Life* in 2004. Despite Jim and Tammy Faye’s split, they remained friends until Tammy Faye’s death from cancer in 2007.

IMPACT

Though televangelists were sometimes viewed with skepticism prior to this scandal (either because of sexual or financial indiscretions), Jim’s resignation marked the pinnacle of poor publicity for the television genre. The consequences of the resignation were particularly heavy because of Jim’s and Tammy Faye’s larger than life personalities, plus the massive amount of fame they accumulated

FURTHER READING

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Bakker, Jay, with Linden Gross. *Son of a Preacher Man: My Search for Grace in the Shadows*. San Francisco, Calif.: HarperSanFrancisco, 2001. Jim and Tammy Faye’s son, Jay, discusses his father in this telling memoir of living “in the shadows” of scandal and controversy.

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Messner, Tammy Faye. *Telling It My Way*. New York: Villard, 1996. Tammy Faye tells her side of the story and supports Jim's accounts of innocence in the case of financial improprieties.

Miller, Brett A. *Divine Apology: The Discourse of Religious Image Restoration*. Westport, Conn.: Praeger, 2002. Analyzes religious figures accused of sexual misconduct. Includes some discussion of Jim Bakker in the chapter on fundamentalist preacher Jimmy Swaggart, whose scandalous dalliance with a prostitute was covered closely by the national media.

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Shepard, Charles E. *Forgiven: The Rise and Fall of*

Jim Bakker and the PTL Ministry. New York: Atlantic Monthly Press, 1989. A reporter from *The Charlotte Observer* analyzes the ascent and collapse of Jim and Tammy Faye's empire.

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April 9, 1987

BESS MYERSON RESIGNS AS NEW YORK COMMISSIONER OF CULTURAL AFFAIRS

Bess Myerson, a former Miss America, television personality, columnist, and consumer advocate, was appointed New York City's commissioner of cultural affairs by Mayor Edward I. Koch. She was indicted, then acquitted on charges of bribery, conspiracy, and mail fraud in a case involving her lover, contractor Carl Capasso. Capasso had bribed the judge, Hortense W. Gabel, by helping her daughter get a job in Myerson's city department.

ALSO KNOWN AS: Bess mess

LOCALE: New York, New York

CATEGORIES: Corruption; government; politics; law and the courts

KEY FIGURES

Bess Myerson (b. 1924), New York City commissioner of cultural affairs, 1983-1987

Carl Capasso (1945-2001), business contractor
Hortense W. Gabel (1912-1990), New York State Supreme Court justice
Edward I. Koch (b. 1924), mayor of New York City, 1978-1989

SUMMARY OF EVENT

Born in the Bronx to Russian immigrant parents, Bess Myerson was the first Jewish woman to win the Miss America title. She entered the contest because she wanted a new piano for her graduate studies in music. In the following decades, she made numerous television appearances on shows such as *The Big Payoff*, *The Jackie Gleason Show*, *The Name's the Same*, and *I've Got a Secret*.

Myerson became an icon for civil rights during her beauty pageant days when she refused to change her name to the pseudonym Beth Merrick to make it sound less Jewish. In response, numerous sponsors,

including the Ford Motor Company, and events associated with the pageant refused to deal with her. A country club denied her admission to its facilities. She traveled around the United States for the Anti-Defamation League, speaking against anti-Semitism. She became involved in New York politics during the 1960's and 1970's, serving as New York City's first commissioner of consumer affairs.

In 1977, Myerson was a frequent companion to Edward I. Koch during his campaign for mayor of New York City, dispelling rumors that Koch was gay. In 1980, Myerson ran for the Democratic nomination to the U.S. Senate and lost by a slim margin. Her presidential appointments included sitting on committees for Lyndon B. Johnson, Gerald R. Ford, and Jimmy Carter. In 1983, Koch appointed Myerson commissioner of New York City's Department of Cultural Affairs, after the position had been turned down by former first lady Jacqueline Kennedy Onassis and opera star Beverly Sills. The department's principal function is to care for the city's cultural institutions, such as its museums, theaters, art centers, and gardens, although it fulfills other functions, such as facilitating and funding free public performances and concerts as well as small arts groups.

Myerson's tenure was marred by political and personal scandal. In a 1983 divorce case, a Bronx sewer contractor, Carl Capasso, was accused of bribing New York State Supreme Court justice Hortense W. Gabel to cut his alimony payments by inducing Myerson to give the judge's daughter, Suhkreet Gabel, a job as a special assistant in her department in 1983. (Gabel, who resigned in 1987, was indicted, then acquitted in late 1988 for her role in the case against Capasso.) Capasso was Myerson's lover.

Myerson had been summoned before a federal grand jury investigating Capasso's alleged bribery, but she invoked her Fifth Amendment rights to not testify against him. She did this despite Mayor Koch's earlier assertion that he would consider a refusal to appear before a grand jury grounds for dismissing any high-ranking city employee, including Myerson. In a report commissioned by the mayor and written by Harold Tyler, a former federal judge,

there were numerous infractions and other ethical issues to be concerned about.

Further investigations, led by U.S. attorney Rudy Giuliani, revealed that Suhkreet Gabel had been unfit for the government position she was given by Myerson. Gabel's former employers included a massage parlor, and she had a history of mental instability. At the time she was hired, the mayor's assistant, Herbert Rickman, raised questions about her qualifications, but the mayor was reassured by Myerson that Gabel was the most qualified candidate. She failed to mention, however, that no other candidates had been interviewed. Rickman, who was not the most reliable witness, told federal investigators that he was in the early stages of Alzheimer's disease. It was later revealed that an assistant commissioner, Richard Bruno, helped create a false story to justify Gabel's hire. The post had been eliminated and then re-created specifically to make the hire possible.

In the meantime, during the last months of the grand jury investigations, Capasso was convicted in a separate criminal case for tax evasion. He was sentenced to four years in prison and fined \$500,000. A federal grand jury then indicted Myerson, Capasso, and Judge Gabel for their roles in hiring Gabel's daughter in exchange for reducing Capasso's alimony payments.

The scandal proved stressful for Myerson. Just before her trial opened, she was arrested and fined for shoplifting forty-four dollars worth of merchandise from a shop in a small Pennsylvania town. Her spoils included six bottles of nail polish, five pairs of earrings, a pair of shoes, and flashlight batteries. She was in the area to visit Capasso at the Allenwood Federal Prison Camp. Other past indiscretions were uncovered by the media, including a London shoplifting charge from decades earlier as well as later police reports of dozens of anonymous phone calls and abusive letters to people involved in personal relationships that affected Myerson's romantic involvements. Myerson's Cultural Affairs Commission staff described her as effective but not personable. A former deputy commissioner went so far as to call her "the meanest manager I ever saw."

The trial exposed details of Myerson's unethical

behavior, including having city employees run personal errands for her—such as grocery shopping and picking up dry cleaning—and she failed to disclose lavish gifts such as jewelry and a Mercedes sedan from Capasso, who had been a city contractor. Other erratic behavior included attending a morning meeting in hair curlers and talking through the first act of an opera before leaving at intermission.

Midway through the trial, Judge Kevin Thomas Duffy withdrew after U.S. attorney Giuliani submitted a motion to disqualify him on the basis that he had failed to disclose the extent of his relationship with one of Gabel's lawyers as well as with Gabel herself. Duffy, who said he was withdrawing because he resented the prosecution's tactics so much that he could no longer remain impartial, charged that Giuliani's motion had been driven by the judge's strict orders regarding publicity. Duffy had rebuked Giuliani for leaks of grand jury information that the judge believed could only have come from him. Duffy had an established contentious relationship with prosecutors. He accused them of delaying their response to defense motions in order to delay the trial, although he did not specify their motivation in doing so.

Duffy was replaced by Judge John F. Keenan, who was selected at random from the pool of active judges in federal district court. Myerson was indicted, then resigned on April 9, 1987. She was ultimately acquitted, as were Capasso and Judge Gabel.

IMPACT

Myerson was not the only city official accused of corruption during the administration of Mayor Koch. Other officials whose actions were examined in court during the Koch years included transportation commissioner Anthony R. Ameruso and comptroller Alan G. Hevesi. Despite the scandals, Koch's work led to an overall improvement in city services and the lowest unemployment rate in twelve years. Nonetheless, the Myerson scandal led to the end of the Koch era.

Even Myerson's detractors admitted that, in general, the Department of Cultural Affairs had been

handled well during her tenure as its commissioner. She was a conscientious and thorough advocate for the department, whose budget doubled from \$60 million to \$123.5 million, making it second in the nation only to the federal National Endowment for the Arts in the amount of government funding it administered.

After her resignation, Myerson remained a frequent philanthropist. She helped found the Museum of Jewish Heritage, where she established the Bess Myerson Film and Video Collection, and she endowed the Bess Myerson Campus Journalism Awards given out by the Anti-Defamation League each year.

—Catherine Rambo

FURTHER READING

Alexander, Shana. *When She Was Bad*. New York: Random House, 1990. Focuses on the Myerson scandal and the circumstances behind Myerson's employment of Judge Gabel's daughter.

Mollenkopf, John H. *A Phoenix in the Ashes: The Rise and Fall of the Koch Coalition in New York*. Princeton, N.J.: Princeton University Press, 1994. Lays out and explicates the major events of the Koch administration, including the Myerson scandal, and discusses the relationship between Koch and Myerson.

Preston, Jennifer. *Queen Bess: The Unauthorized Biography of Bess Myerson*. New York: Contemporary Books, 1990. An unauthorized biography of Myerson that explores the scandal and its aftermath on her life.

Seidemann, Joel. *In the Interest of Justice: Great Opening and Closing Arguments of the Last One Hundred Years*. New York: HarperCollins, 2005. Includes arguments from the Myerson legal case from both the defense and the prosecution.

SEE ALSO: May 2, 2000: New York Mayor Rudy Giuliani's Extramarital Affair Is Revealed; Mar. 4, 2004: Former United Way Charity Chief Pleads Guilty to Embezzlement.

July 25, 1987

NOVELIST-POLITICIAN JEFFREY ARCHER WINS LIBEL TRIAL AGAINST THE *DAILY STAR*

Jeffrey Archer was a best-selling British novelist and rising Conservative Party politician in 1986 when London's Daily Star revealed that he had paid for sex, an accusation that led Archer to sue the newspaper successfully for libel. After two former associates came forward in 1999 to say that Archer lied during his testimony and manufactured evidence in the libel case, he was arrested, convicted of perjury, and imprisoned.

LOCALE: London, England

CATEGORIES: Law and the courts; publishing and journalism; government; politics; sex

KEY FIGURES

Jeffrey Archer (b. 1940), novelist and politician

Monica Coghlan (1951-2001), prostitute

Michael Stacpoole (b. 1938), friend and business associate of Archer

Ted Francis (b. 1934), friend of Archer and freelance television producer

Angela Peppiatt (b. 1945), personal assistant of Archer

Terence Baker (1939-1991), Archer's film and television agent

Adam Raphael (1937-1999), journalist

SUMMARY OF EVENT

Jeffrey Archer became the United Kingdom's fourth youngest member of Parliament in 1969 when he won a seat as a Conservative representing Louth, Lincolnshire. However, he had to step down in 1974 after he was victimized in a stock swindle and was close to bankruptcy. He then turned to writing to make a living. He based his first novel, *Not a Penny More, Not a Penny Less* (1976), on his experience with the swindler, and the book became a best seller. After writing more best sellers, including the *Kane and Abel* trilogy (1979, 1982, 1987), Archer reentered politics in 1985 when he was appointed deputy chairman of the Conservative Party

by Prime Minister Margaret Thatcher, who chose to ignore warnings about his character.

Unfortunately for the Conservatives, those warnings turned out to be accurate. Archer resigned his position in October, 1986, when the newspaper *The News of the World* ran a story alleging that Archer had paid Monica Coghlan, a prostitute, £2,000 to leave England. She was allegedly paid through a go-between, Michael Stacpoole, a friend and business associate of Archer. However, the newspaper stopped short of saying that Archer actually had sex with Coghlan. It was another newspaper, the *Daily Star*, that reported Archer paid £70 for sex with Coghlan at the Albion Hotel in the Mayfair district of London. Archer sued the *Daily Star* for libel.

The civil trial began in early July, 1987. Archer testified that he had never met Coghlan, but journalist Adam Raphael testified under subpoena that Archer told him that he had met Coghlan about six months before the events in dispute. Archer explained the payment as the act of a kindhearted person rather than that of a guilty party trying to buy silence, and his wife, Mary Archer, a scientist, testified on his behalf. The reporters for the *Daily Star* and *The News of the World* testified that they had recorded telephone conversations between Archer and Coghlan without Archer's knowledge, had paid Coghlan £6,000, and had arranged to have Coghlan wear a microphone for a meeting she had with Stacpoole at Victoria Station. Their conversation was recorded.

Some confusion arose, however, regarding the exact date of the alleged sexual encounter. In any case, Archer had alibis from friends Ted Francis and Terence Baker for both nights in question, and Baker ultimately testified on Archer's behalf. Archer also provided an appointment book for the period that challenged the chronology of the *Daily Star* article. Observers at the trial felt that the judge was biased in Archer's favor, especially when he strongly argued for the support of Mary Archer in

his instructions to the jury. (Judges in Britain are given more leeway in expressing their opinions before the jury than are judges in the United States.) On July 25, Archer won his lawsuit against the *Daily Star*, which had to pay him £500,000 in damages.

Archer then resumed his career as an author, writing plays, short stories, and novels. In 1992, he became Baron Archer of Weston-super-Mare at the recommendation of Prime Minister John Major for his fund-raising efforts for displaced Iraqi Kurds. In 1999, he was selected by the Conservative Party as its candidate for the London mayoral election of 2000.

After Archer's nomination, Francis, by then a former friend who claimed Archer owed him money, along with Archer's former personal assistant, Angela Peppiatt, whom Archer had fired in a dispute over expense reports, asserted that he had made up an alibi for the 1987 trial. They claimed it was their civic duty to report the fabricated alibi. It was later revealed, however, that Francis had accepted £19,000 from *The News of the World*. Francis claimed that Archer had asked him to lie under oath by testifying that they had dinner together on the night mentioned in the original *Daily Star* article. The newspaper later changed the date of the encounter in its story, so Francis never actually testified.

Peppiatt claimed that Archer had ordered her to forge an appointment book to back up his alibi, but that she had secretly kept the original book, photocopies of the false entries, and Archer's written instructions. Journalists also found Stacpoole, the intermediary who had given the money to Coghlan, in Thailand, where he was managing a brothel. Stacpoole revealed that Archer had given him £40,000 to live in Paris until after the 1987 trial was finished. Reportedly, Stacpoole had knowledge about Archer's business and marital affairs that would have damaged Archer's case. Finally, two friends of Archer's agent Baker, who had died in 1991, revealed that he had told them that he lied under oath to provide Archer with an alibi in return for the television and film rights to Archer's books.

The *News of the World* printed its investigative story in November, 1999, and Archer promptly withdrew from the election. In February, 2000, he was banned from the Conservative Party for five years; he was arrested in April and, in September, was charged with perjury and perverting the course of justice during the 1987 trial. The new trial took place from May through July, 2001. Archer was found guilty of both charges and was sentenced to four years in prison, of which he served two.

Archer was initially sent to Belmarsh Prison, a maximum-security facility, then moved to Wayland Prison (medium security) in August and finally to North Sea Camp (minimum security) in October. Media reports allege that he had been abusing his privileges, so in September, 2002, he was transferred to Lincoln Prison, a medium-security facility, for one month. In July, 2003, he was released on parole.

IMPACT

Archer's receipt of £500,000 in damages from the *Daily Star* in 1987 marked the highest award ever given in a libel case in the United Kingdom. Lloyd Turner, the newspaper's editor, was fired six weeks after the trial. In October, 2002, Archer repaid the monies he had received in 1987, plus £1 million for the newspaper's legal expenses. However, vindication came too late for Turner, who died in 1996.

Shortly after his release, Archer announced that he would never again enter politics, although he eventually joined a local branch of the Conservative Party. Instead, he concentrated on his writing career. He wrote the nonfiction trilogy *A Prison Diary* (2002, 2003, 2004) while in prison. After prison, he wrote the novels *False Impression* (2006) and *The Gospel According to Judas* (2007; cowritten with Francis J. Moloney) and the short-story collection *Cat O'Nine Tales* (2006). Nine of the stories in *Cat O'Nine Tales* were based on stories told to Archer by other prisoners during his incarceration.

—Thomas R. Feller

FURTHER READING

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SEE ALSO: July 10, 1934: Sex Scandal Forces Resignation of Alberta Premier Brownlee; Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; Mar. 2–Sept. 25, 1963: John Profumo Affair Rocks British Government; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; 1985–1986: Westland Affair Shakes Prime Minister Thatcher's Government; Aug. 10, 1989: Japanese Prime Minister Sosuke Resigns After Affair with a Geisha; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair; Jan. 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock; Sept. 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major; Jan. 21, 2006: British Politician Resigns After Gay-Sex Orgy; Apr. 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary.

September 23, 1987

PLAGIARISM CHARGES END JOE BIDEN'S PRESIDENTIAL CAMPAIGN

Joe Biden, a three-term U.S. senator from Delaware whose populist style marked him as a rising star in the Democratic Party, was forced to abandon his presidential campaign after he was accused of using the words of a British politician as his own in a campaign speech that was videotaped. The media also revealed his academic difficulties in law school. Biden's career in politics flourished, despite the accusations of plagiarism and misappropriation.

LOCALES: Iowa; Washington, D.C.

CATEGORIES: Politics; government; plagiarism; publishing and journalism

KEY FIGURES

Joe Biden (b. 1942), U.S. senator from Delaware, 1973–2009, and vice president, 2009–

Michael Dukakis (b. 1933), governor of Massachusetts, 1975–1979 and 1983–1991
Neil Kinnock (b. 1942), member of the British parliament, 1970–1995, and leader of the opposition Labour Party, 1983–1992

SUMMARY OF EVENT

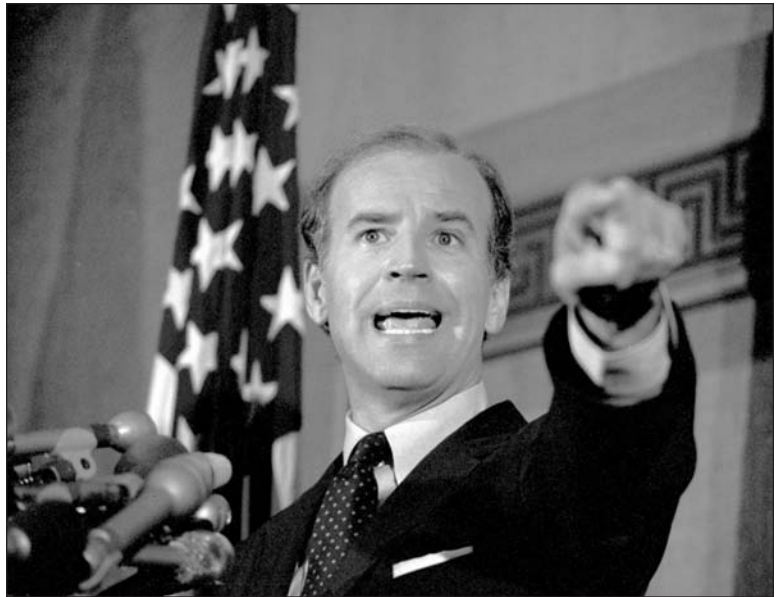
In November, 1965, Joe Biden, a struggling first-year student at Syracuse University College of Law, plagiarized five pages from a May, 1965, *Fordham Law Review* article for a fifteen-page paper in a legal methodology seminar. When the plagiarism was detected, Biden, a graduate of the University of Delaware whose undergraduate record was itself undistinguished, claimed the borrowing was inadvertent and that he misunderstood the importance of source citation (he provided only one footnote in the paper). The law school, however,

citing its code of integrity, maintained zero tolerance for material theft, and Biden was given a reprimand and a grade of F in the class.

Biden retook the class and earned a low B. He graduated three years later, seventy-sixth in a class of eighty-five. He returned to Delaware and moved from law into politics. Charismatic, good looking, and with a reputation for eloquence, Biden became the fifth youngest senator in U.S. history in 1972.

In 1987, Republican Ronald Reagan's presidency was coming to a close. Biden, by this time a popular three-term senator and chairman of the powerful Senate Judiciary Committee and considered a moderate liberal (important given the legacy of the conservative revolution over which Reagan had presided), launched what appeared to be a promising presidential campaign. He quickly became one of the front-runners as he carried his campaign into Iowa, the first of the caucus states and, hence, critically important. The Democratic field was wide open and already quite contentious. Although the field of candidates included the Reverend Jesse Jackson, U.S. Representative Richard Gephardt, and U.S. Senator Al Gore, Biden's most significant challenge was Michael Dukakis, in his third term as governor of Massachusetts, whose reputation as a cool economics-driven technocrat and a reserved campaigner was juxtaposed against Biden's affable personality. Biden also was passionate and eloquent in his stump speeches and embraced a populist style that drew massive crowds and generated tremendous excitement despite his reputation for lengthy speeches.

In early September, Biden was delivering his stump speech at the Iowa state fairgrounds. As he closed the speech, he appeared to move off his prepared script and talk candidly and passionately about how, on his way to the fairgrounds, he had thought back over his own difficult childhood, about how his family had come from humble ori-



Presidential hopeful Joe Biden denies charges of plagiarism in 1987.
(AP/Wide World Photos)

gins and had worked long hours in the forbidding conditions of the mines of northeastern Pennsylvania (he was born in Scranton). He spoke of how his family had never been able to attend college and yet managed to endure despite never having a voice in politics. He added that he was proud to now run as a candidate to be that voice. The closing surprised his staffers and was quite moving; indeed, it was vintage Biden.

Several days later a video, quietly (and anonymously) distributed to the media in Iowa, showed populist British Labour Party leader Neil Kinnock delivering virtually the same remarks weeks earlier at a rally in northern England. The video juxtaposed Biden and Kinnock in vivid split screen. Biden, however, had used the same words in speeches before the speech in Iowa and always acknowledged Kinnock as the source. On the one occasion that he failed to attribute the passage to Kinnock, Biden was videotaped. Reporters jumped on the story and quickly discovered that no relative in the Biden family had ever worked in the mines, that his father was in fact fairly successful in car sales, and that most of his mother's family had graduated from college.

The juxtaposition of Biden's apparent earnestness against his obvious pilfering of the sentiments of the British politician was particularly embarrassing because it raised questions of Biden's credibility and his sincerity. Accusations quickly surfaced that opposition campaigns had manipulated the media to create the controversy. Although responsibility was never established, it was held that the Dukakis campaign, then under the direction of veteran campaign coordinator John Sasso, had prepared the video. Dukakis, who maintained he knew nothing of the video, quickly acted to distance himself from what was considered a vicious attack campaign. He dismissed both Sasso and junior campaign political director Paul Tully, even as his staff repeatedly claimed the Kinnock video had been leaked to the Dukakis campaign by the staff of a struggling Gephardt eager to thwart Biden. Indeed, during the two weeks leading up to his withdrawal from the race, Biden dismissed the accusations of pilfering from Kinnock as ludicrous. Nevertheless, the damage to Biden's campaign was done.

In a series of investigative reports, *The New York Times* detailed Biden's problems in law school at Syracuse and, more damaging, found other instances in which Biden had used phrases and passages from other speeches earlier on the campaign trail in New Hampshire and New Jersey. The newspaper reported how he had used the words of others, including those of Democratic Party icon Robert F. Kennedy, to exaggerate his own public record, most notably his involvement in the Civil Rights movement of the 1960's.

The news coverage was devastating to the Biden campaign. In an emotional conference on September 18, he acknowledged that he had lifted the Kinnock passage and then admitted to his own mediocre academic record but attempted to defuse the implications of using Kinnock's words by insisting that politicians often echoed each other as a tribute and that the other occasions of borrowing reflected carelessness rather than deceit. He went on to describe himself as just an average Joe, hoping to draw on Reagan's winning legacy of charm. He vowed to stay in the presidential race.

Biden never recovered from the scandal, though, and he faced a continual barrage of questions about his intelligence and trustworthiness. Although the passages cited by reporters accounted for a small percentage of Biden's voluminous public record of speeches, and although the media acknowledged that plagiarism was hardly a criminal offense, questions persisted. Biden's consistently high ratings as a senator plummeted even as he continued to fend off questions of his integrity and ethics. Although dismissing the firestorm as politically motivated and trivial, Biden suspended his presidential run on September 23, only five days after he admitted to using Kinnock's words without attribution.

IMPACT

Biden certainly was not the first politician or student to plagiarize, and many supporters believe he was unfairly—or overly—targeted for an action that pales in comparison to the gravity of other offenses that ruin politicians with much thinner records of public service. Even so, once the revelations of his academic record came to light, and once the media found the pattern of misappropriation, Biden was considered a politician without core values or integrity. Because of this character assessment, his initial claims of innocence reaffirmed the belief by many that he was a moral relativist and an intellectual flyweight.

Furthermore, because Biden was a promising Democratic Party visionary and one of the party's most eloquent and articulate speakers, his downfall for plagiarism made him a point of reference for a generation of teachers and professors who, confronting the insidious opportunities for plagiarism brought by the Web, tirelessly remind students that academic and personal honesty matter.

Biden, however, survived the scandal politically. Several years after his 1987 campaign imploded, he jokingly presented Kinnock with a bound volume of his own speeches and invited the British politician to borrow what he wanted from that volume. Biden remained in the Senate and emerged in the post-September 11, 2001, era as a member of the Senate Foreign Relations Committee, working as one of the most passionate and articulate voices on

international law and U.S. military deployment. When his presidential run in 2008 ended early, little notice was paid to the 1987 scandal, which indicated that his reputation and the perception of his integrity and intelligence had not been irrevocably defined by the scandal. Indeed, he was chosen as Barack Obama's vice presidential running mate during the presidential campaign of 2008, becoming vice president of the United States in January, 2009.

—Joseph Dewey

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Plagiarism Charges End Biden's Presidential Bid

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SEE ALSO: Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; May 31, 1989: Speaker of the House Jim Wright Resigns in Ethics Scandal; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Dec. 5, 2002: Senator Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign.

November 28, 1987

BLACK TEENAGER CLAIMS TO HAVE BEEN GANG-RAPED BY POLICE OFFICERS

Tawana Brawley, an African American teenager living in upstate New York, alleged that she was abducted and gang-raped by several white men, including police officers. Her claim, which turned out to be a hoax, nevertheless focused public attention on racial inequalities within the U.S. legal system. Critics following the case accused local police of covering up the charges and the justice system of ignoring, or downplaying, crimes against African Americans.

LOCALE: Wappingers Falls, New York

CATEGORIES: Hoaxes, frauds, and charlatanism; racism; law and the courts; social issues and reform; women's issues; families and children

KEY FIGURES

Tawana Brawley (b. 1972), fifteen-year-old student who made a false claim of rape and abduction

Al Sharpton (b. 1954), Pentecostal minister and civil rights activist

C. Vernon Mason (b. 1946), politician, lawyer, and civil rights activist

Alton H. Maddox, Jr. (b. 1945), lawyer and civil rights activist

Steven Pagones (b. 1962), assistant district attorney, Dutchess County, New York

SUMMARY OF EVENT

Tawana Brawley, a fifteen-year-old African American girl living in Wappingers Falls, New York, failed to return home on November 24, 1987, prompting a neighborhood search by her parents, Glenda Brawley and Ralph King. Brawley was discovered by a neighbor several days later, on November 28, outside the Brawley family's previous residence, the Pavilion apartments complex.

A disheveled Brawley was found lying on the ground inside a garbage bag up to her neck, appear-

ing weak and partially conscious. Her clothes were ripped, her hair was matted, and feces covered her arms, legs, chest, and hair. She was taken to St. Francis Hospital in Poughkeepsie, New York, where medical staff discovered burn marks in the crotch area of her pants, a grayish cottonlike material in her nose and ears, and several racial slurs written on her chest and stomach in a charcoal-like substance. Brawley exhibited no major injuries aside from a small bruise behind her ear, which surprised medical staff. The Federal Bureau of Investigation (FBI) joined the investigation because of the racial slurs on Brawley's body. The slurs would make the case a hate crime as well.

On November 29, Brawley remained silent during most of her first interview with a local white police officer, but she began to disclose details about the alleged rape after a black police officer was assigned to the interview upon her request. Brawley revealed that her assailants had been three white men, including police officers, and in a later interview she alleged that they had kidnapped, sodomized, and repeatedly raped her in the woods behind her old apartment building during the four days she was missing. Brawley did not name any of her attackers during the interviews, and many of the details concerning her abduction and assault remained unclear. On January 13, 1988, Brawley and her mother, Glenda, were due to testify in front of a grand jury at the Dutchess County Courthouse in Poughkeepsie, but neither Brawley nor her mother appeared. By this time, Brawley was telling her friends that she was attacked by six white men instead of three. The media began to discuss the grisly details, and the mysteries, of the alleged abduction and sexual assault.

With growing public interest in the Brawley case, two black civil rights activists, lawyers Alton Maddox and C. Vernon Mason, began to rally behind Brawley and claim that local government offi-

cials were attempting to cover up the case to protect the white police officers who allegedly raped her. Support for this claim grew because of suspicious behavior and unexplained appointment changes in legal counsel in the criminal case. Three different prosecutors had been assigned to the case by New York governor Mario Cuomo; the first two prosecutors left after citing a conflict of interest in the case. Also, a local police officer committed suicide around this time, stirring further public distrust. In Maddox's and Mason's view, these events validated their accusations of a police cover-up. The Brawley media frenzy reached its height when Pentecostal minister and social activist the Reverend Al Sharpton began organizing rallies, holding conferences, and appearing on talk shows to demand that justice be served in the Brawley case.

Suspects in the Brawley case were left unnamed until March 13, 1988, when Brawley, Maddox, Mason, and Sharpton accused Steven Pagones, a white Dutchess County assistant district attorney, of being involved in the gang rape. Pagones, who had once lived near the Brawley family, received death threats, and the media and Brawley's supporters demanded his arrest. Protest marches that demanded racial equality and justice in the case became more widespread and drew the attention of celebrity supporters, including comedian Bill Cosby, boxing promoter Don King, and professional boxer Mike Tyson. Public donations for the Brawley family began to pour in as well.

By the end of June, the numerous discrepancies and a lack of concrete facts in the case led to increased public frustration and outrage. Most damning were the results of Brawley's medical examination, conducted the day she was found in the woods outside the apartment complex. The exam revealed that she had no bodily injuries consistent with sexual assault, and the only DNA found on her body was that of Brawley herself. Experts on rape testified that Brawley's story mimicked the testimony of those found to have falsely alleged rape.

Despite the burn marks on Brawley's pants, medical personnel found no sign of a burn to her body. Also, Brawley had been discovered outdoors during the cold month of November, but she

showed no signs of exposure; indeed, the exam showed that she was well nourished, a finding that contradicted her claim that she had been abducted four days earlier. Prosecutors claimed that the cottonlike substance found in her nose and ears had been used to diminish the smell of feces that covered most of her body, except her face, and that the use of cotton was simply uncharacteristic of a hate crime. Prosecutors also claimed that the racial slurs found on her body were written by Brawley herself with burned wet cotton, identical to a substance found under her fingernails at the hospital.

The investigation also identified witnesses who said they saw Brawley at parties during the four-day-period she claimed she was abducted. The neighbor who first discovered Brawley on November 28 testified that she saw the girl climb into the



Tawana Brawley, left, with Al Sharpton at a rally protesting Brawley's mistreatment in her case alleging that she was raped. (AP/Wide World Photos)

garbage bag herself. Witness testimony also disclosed that Glenda Brawley's alibi the day her daughter was found was not concrete. The anomalies in the case pointed to a hoax.

Further details emerged as the case moved forward. Brawley had a history of running away from home, and her parents, particularly her stepfather, Ralph King, were known to be physically violent. The Brawleys also had financial problems at the time of the alleged rape, so they benefitted from the monies they received from sympathetic supporters.

The media began to report on the court testimony and the evidence that suggested Brawley's allegations were a farce. In response, her advisers scheduled a news conference so that she could counter the hoax claim. She never got the chance. On October 6, New York Supreme Court justice Angelo J. Ingrassia concluded from the grand jury's 170-page report that the gang-rape was fabricated, that Brawley's injuries had been self-inflicted, and that the accusations against Pagones were unfounded. Brawley never testified.

On May 21, 1990, attorney Maddox was disbarred from practicing law by the New York Supreme Court. In November, 1997, Pagones filed defamation lawsuits against Mason, Maddox, Sharpton, and Brawley, seeking \$395 million in damages; he was awarded \$345,000 from Brawley's advisers and \$185,000 from Brawley on July 13, 1998.

In the meantime, Brawley maintained that she was raped. She also continued to receive support from Maddox and Mason, as well as from others who believed that justice was not served. Sharpton declined to pursue the case further. In November, 2007, Brawley's parents requested that their daughter's case be reopened and that Brawley receive not only justice but also monetary compensation.

IMPACT

Brawley's gang-rape allegations and their revelation as a hoax became a catalyst for intense discussion and debate about racism and racial inequalities in the United States. Despite suspicions that the Brawley family, as well as Maddox, Mason, and Sharpton, had used the case to further their own per-

sonal agendas, whether financial or political, the hoax focused attention on a broken legal system, a racist America, and a sensationalist media. Polls conducted during the investigations revealed a wide gap between blacks and whites on the question of whether Brawley was telling the truth.

The case also reveals the extent to which a person may go in seeking financial or political gain. The Brawleys concocted a hoax so real that it captured a legal system during months of grand-jury investigations, which included interviews of close to two hundred witnesses. In his opinion in Pagones's defamation suits in 1998, New York Supreme Court justice S. Barrett Hickman wrote,

It is probable that in the history of this state [New York], never has a teenager turned the prosecutorial and judicial systems literally upside down with such false claims. The cost of the lengthy, thorough and complete grand jury investigation was reportedly estimated at one-half million dollars.

—Sheena Garitta

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SEE ALSO: Mar. 30, 1931: "Scottsboro Boys" Are Railroaded Through Rape Trials; Mar. 13, 1964: Kitty Genovese Dies as Her Cries for Help Are Ignored; Aug. 12, 1983-July 27, 1990: McMartin Preschool Is Embroiled in Child-Abuse Case; Dec. 22, 1984: Subway Vigilante Bernhard Goetz Shoots Four Black Youths; Jan. 22, 1987: Pennsylvania Politician Kills Himself at Tele-

vised Press Conference; Mar. 30, 1991: William Kennedy Smith Is Accused of Rape; July 1, 2003: Basketball Star Kobe Bryant Is Accused of Rape; Mar. 14, 2006: Duke Lacrosse Players Are Accused of Gang Rape; Apr. 11, 2007: Shock Jock Don Imus Loses His Radio Show Over Sexist and Racist Remarks.

December 1, 1987

YALE SCHOLAR'S WARTIME ANTI-SEMITIC WRITINGS ARE REVEALED

The New York Times *revealed that Paul de Man, noted for his work in deconstruction, had written a number of newspaper articles during World War II, at least one of which contained anti-Semitic views. Critics of deconstruction, a method of literary criticism, argued that this bigotry discredited deconstruction because it exposed its morally neutral inability to condemn bigotry. Among the most serious charges against de Man was his long-time silence about these early writings.*

LOCALE: New York, New York

CATEGORIES: Racism; publishing and journalism; education

KEY FIGURES

Paul de Man (1919-1983), Belgian-born

American literary critic and philosopher

Ortwin de Graef (b. 1963), Belgian graduate student

Jacques Derrida (1930-2004), French philosopher and literary critic

SUMMARY OF EVENT

In August, 1987, a Belgian doctoral student, Ortwin de Graef, made a disturbing discovery while researching his dissertation on Belgian-born literary critic and philosopher Paul de Man. Early in World War II, when de Man was in his early twenties, he

had over a three-year period written seventy articles as chief literary critic for the Belgian collaborationist newspaper *Le Soir*. Belgium was then under German occupation, which involved close Nazi editorial control of major newspapers such as *Le Soir*. Most of de Man's articles were standard reviews of books, music, and plays. However, a number of these articles had clear political implications. Some articles expressed both anti-Semitic and profascist opinions consonant with the Nazi Party line.

After the war, de Man had gone on to a very distinguished career as a literary critic and philosopher in the United States. His wartime journalism became public four years after his death in 1983. De Graef had sent photocopies of the most controversial articles to American scholars in de Man's field of deconstructionist criticism, most especially to scholars at Yale University, where he had held an endowed chair in the humanities.

The news from Belgium shocked de Man's colleagues and students. None could recall him expressing anti-Semitic or profascist sympathies. Nonetheless, the de Man scandal came to national and international attention when, on December 1, 1987, *The New York Times* published the article "Yale Scholar Wrote for Pro-Nazi Newspaper" on its front page. Accounts followed in other influential media, and an angry debate erupted among Western academics.

What exactly had the young de Man written be-

tween 1940 and 1942 that would provoke such heated disputes nearly fifty years later? On March 4, 1941, *Le Soir* had published a special edition devoted to "The Jews and Us." Among the articles was one by de Man. Next to his article, "The Jews in Contemporary Literature," was a caricature of two bearded, elderly Jews praying to God to "confound the gentiles." De Man's article appraised the quality of Jewish literature at the time and argued that it had "polluted" modern literature in unspecified ways. He thought it best for European society if Jews were isolated somewhere outside Europe.

By this time, Belgian legislation under Nazi guidance had excluded Jews from the professions of law, teaching, journalism, and government service. De Man later published a piece in *Le Soir* to counter the claim that the German occupiers of Belgium were barbarians. Their conduct, he wrote, had been impeccable and they were both disciplined and civilized. On other occasions de Man praised Italian dictator Benito Mussolini for his strong authoritarian rule as a possible model for Belgium. De Man also admired the place fascism gave to literature and art in society, and he praised the first generation of Italian poets under fascism.

After the war, in 1948, de Man emigrated to the United States and completed a doctorate in comparative literature at Harvard University. He taught at several American universities, until his appointment in 1970 as a humanities professor at Yale. Then he began to teach what was then a new mode of literary criticism: deconstruction. Deconstruction had not originated with de Man but with his close friend, French philosopher and literary critic Jacques Derrida. In 1967, Derrida published a book that elaborated a new strategy for analyzing philosophic and literary texts. For Derrida, there was no objective reality, no ultimate truth, and no absolutes. He insisted on the uncompromising questioning, or "deconstructing," of everything thinkable.

Deconstruction was a special kind of literary analysis that focused primarily on language and meaning in literature and in philosophy texts. The actual literary text conferred no meaning, as such, but only what each reader was able to "construct" from reading a given text and then creating a virtual

text for oneself. In this sense, no real world existed—only a construct of it existed in the minds of readers. For Derrida, nothing exists "outside the text." That is, meaning is derived from the mind's interaction with words to form a temporary virtual text.

Sharing Derrida's radical skepticism and interest in literary criticism, de Man published two books during the 1970's that brought him to the unchallenged leadership of the deconstructionist movement in the United States. Like Derrida, de Man made literary language his main focus. He insisted that language could never describe any objective reality because an author's words, and a reader's perception, were always shifting in meaning. For de Man, language was incapable of communicating what it intended because the author of a text had motives or "intentions" that could never be known in any permanent sense, even by the author. Basically, things are what one says they are. Truth cannot be defined. Every text, whether a novel, a history, a document of any kind, had to be deconstructed or "decoded" before it could be profitably approached.

The disclosure of de Man's articles in 1987 was greeted with vehement denunciations by academics and the general public. De Man's defenders were quick to accuse detractors of using the scandal to undermine deconstruction itself. What many critics found most objectionable and dangerous in deconstruction was its uncompromising relativism. For example, de Man's deconstructionist approach, they claimed, involved the rejection of any moral standards whatsoever, which rendered the approach incapable of confronting, for example, fascism and racial prejudice.

De Man's supporters and advocates of deconstruction countered that deconstruction was badly misunderstood by its critics. Deconstruction offered, rather, an exhilarating liberation from all stereotypes and stale certainties. Everything must be thought and experienced anew, always. Deconstruction was a subtle, complex, and ambivalent process that could not be generalized.

Most critics found inexcusable de Man's article of 1941. Supporters contend that the anti-Semitic

article was a form of cultural anti-Semitism. It pertained only to the realms of literature and art, which distinguished it from the vulgar, or commonplace, racial and religious anti-Semitism so prevalent in occupied Belgium and the rest of Europe.

Among the most serious charges leveled against de Man, however, was that in his thirty-five years in the United States, he failed to mention publicly his early anti-Semitic, profascist writings. His great silence was considered a cowardly failure to come to terms with his secret. Defenders responded that his later writings showed a clear rejection of authoritarianism and, in other respects, could be seen as atonement for his questionable, though hidden, past.

IMPACT

Deconstruction reached its peak of influence and popularity during the 1970's and 1980's, especially at Yale, whose leading scholar was de Man. However, the deaths of the primary formulators of deconstruction (de Man in 1983 and Derrida in 2004) seemed, in retrospect, to be benchmark events in the diminishing profile of the movement. De Man's wartime articles clearly contributed to the waning popularity, but in ways difficult to measure.

Meanwhile, new varieties of literary criticism and philosophy appeared with other agendas. De Man's primary focus on literature was supplemented by a fresh emphasis on neglected issues of politics and ethics, and it came to include post-colonial, gender, and cultural studies. However, de Man's influence would remain, even though the Yale School of deconstruction lost prestige in the field of literary theory. Dozens of his students, and their students as well, would become professors at universities in the United States and Canada. Many testified to the vivid, inspirational quality of de Man's teaching.

As for the de Man scandal, many found his collaborationist conduct indefensible. Others were less condemning. Either way, it seemed essential to examine his later writings in the light of his early articles. De Man, it seemed, had carefully avoided racial and political topics, except for a firm rejection of authoritarian government. He also made occa-

Yale Scholar's Anti-Semitic Writings Are Revealed

sional oblique references to the burden of guilt and remorse carried by his generation after World War II.

De Man's reputation for integrity certainly suffered following the posthumous discovery of the *Le Soir* articles. For some, his subsequent public silence on the matter only compounded his moral offense. The question remained whether de Man would be remembered more as the dynamic and influential leader of deconstruction in literature or as the youthful wartime collaborator with Nazi politics. His legacy, overall, remains mixed.

—Donald Sullivan

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SEE ALSO: July 12, 1906: French Court Declares Alfred Dreyfus Innocent of Treason; Apr. 22, 1942: French Prime Minister Pierre Laval Wants

Germany to Win World War II; Dec. 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration; May 9, 1945: Norwegian Politician Quisling Is Arrested for Nazi Collaboration; May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Dec. 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized; Oct.

26, 1962: West German Police Raid *Der Spiegel* Magazine Offices; Feb. 23, 1963: Play Accuses Pope Pius XII of Complicity in the Holocaust; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Mar. 3, 1986: Former U.N. Secretary-General Kurt Waldheim's Nazi Past Is Revealed; Aug. 12, 2006: Novelist Günter Grass Admits to Youthful Nazi Ties.

January 15, 1988

ZZZZ BEST FOUNDER IS INDICTED ON FEDERAL FRAUD CHARGES

ZZZZ Best, founded by Barry Minkow, was a carpet-cleaning and, later, insurance restoration company. It also had ties to organized crime and was essentially run as a Ponzi scheme. Auditors, investment bankers, attorneys, and federal investigators were badly fooled by Minkow and his associates, and stockholders lost more than \$240 million when the fraud was uncovered.

LOCALE: Los Angeles, California

CATEGORIES: Law and the courts; hoaxes, frauds, and charlatanism; corruption; banking and finance; business; organized crime and racketeering

KEY FIGURES

Barry Minkow (b. 1967), founder and president of ZZZZ Best Company

Tom Padgett (b. 1950), insurance claims adjuster and coconspirator in the fraud scheme

Mark Morze (b. 1955), Minkow's financial consultant and coconspirator in the fraud scheme

SUMMARY OF EVENT

Barry Minkow started his own carpet-cleaning business, ZZZZ Best Company, when he was just sixteen years old, and within two years he was the president of his own corporate empire. However,

that empire, which expanded to include insurance restoration, was mostly nonexistent. Minkow had been perpetrating a gigantic fraud—one of the largest of the twentieth century. His real business was to create an attractive company that induced investors to hand over their money to ZZZZ Best.

Minkow's carpet-cleaning business never was profitable, so he had to borrow money to buy equipment and pay off debts. When it came time to repay his loans, Minkow began creating phony financial statements to fool the bankers. To make it look like he had more business than he really had, Minkow created the phony insurance restoration business, claiming to clean and remodel buildings that had suffered fire and other damage losses. Although this part of his business was fabricated, it nevertheless produced 90 percent of the company's revenues. Critical to Minkow's success was convincing the large international auditing firm of Ernst & Whinney (now Ernst & Young) that his restoration business was real.

The ultimate fraud would be to make ZZZZ Best a public company and thereby open the doors to investors around the United States. ZZZZ Best's chief financial officer, Mark Morze, had convinced Minkow that going public would enable the company to grow, and grow it did. Investors quickly pushed the company's market price up to eighteen dollars per share. Minkow's share of the company

(52 percent after the public offering) was worth well over \$100 million, making him the so-called boy-wonder of Wall Street. He appeared on many television shows, including *Oprah*, and was the subject of numerous magazine articles.

Minkow used many tricks to convince auditors that his nonexistent clients really existed: One of those tricks was check kiting, that is, he wrote checks to his own company using an account without funds. His financial statements would show an account receivable, or payment, from a nonexistent customer. If an auditor tried to determine the validity of that receivable, Minkow would be able to show that the customer had indeed paid the account on the due date. However, it was Minkow himself who would pay the ZZZZ Best account with a check written on a ghost account—an account of a “customer.”

In another instance, Minkow bribed a security guard to allow him to take auditors into a building in Sacramento, California, purportedly restored by Minkow’s company after a fire. The auditors had no reason to doubt Minkow. Many critics would later argue that auditors failed to do their jobs, which made the scheme even more successful.

Minkow was aided in his fraud scheme by Morze and Tom Padgett, an insurance claims adjuster whom he had earlier befriended. Minkow, Padgett, and Morze, through their fictitious business Interstate Appraisal Services, prepared phony documents to support the scheme, so documentation was always available for auditors. The fraud involved the use of a copy machine for invoices and stationery for customers and suppliers—neither of which existed. Minkow, Padgett, and Morze worked hard to make the fraud look real, spending several million dollars to convince auditors that the company’s restoration jobs were authentic.

Minkow’s lifestyle also exuded success. He lived in a large mansion and drove one of the world’s highest-priced cars, a Ferrari Testarossa. He lectured at business schools, and the mayor of Los Angeles even declared a Barry Minkow Day for the city. The glitz apparently blinded the auditors, lawyers, and underwriters. Minkow later stated that he tried to become friends with the audi-

tors and their spouses so they would not be suspicious of him. He also manipulated the auditors by asking for their business advice; the result was that they spent their time as consultants rather than investigators. It would take the curiosity of a homemaker in Los Angeles to bring down Minkow’s fraud scheme.

One of Minkow’s minor schemes was overcharging customers who paid their carpet-cleaning bills with a credit card. If they complained about the overcharge, he would eventually refund their money. However, one woman whom he had cheated told her story to a reporter with the *Los Angeles Times*, which ran a damning story about ZZZZ Best and Minkow on May 22, 1987. At the time, Minkow also was trying to buy a rival carpet-cleaning company, KeyServe, for eighty million dollars. The price of ZZZZ Best stock dropped and subsequent investigations found that many of the ZZZZ Best customers did not exist. Another story alerted the Federal Bureau of Investigation that Minkow had done some work for the Genovese crime family. Essentially, a combination of media sources, initiated by one woman’s anger at being overcharged for carpet cleaning, uncovered the full extent of the fraud.

Minkow and nine others associated with the fraud scheme were indicted on January 15, 1988, by a Los Angeles federal grand jury. Charges included racketeering, securities fraud, and tax fraud. Minkow was found guilty on December 15 and was sentenced to twenty-five years in prison but served just over seven years before being paroled in 1995. At the time of his indictment, he was twenty years old. While in prison, Minkow said that he found religion, and he also enrolled in a college program through Liberty University, founded by Christian conservative Jerry Falwell. In prison he earned a bachelor’s degree, and he earned a master’s degree in 1996.

Following his parole in 1995, Minkow became the associate pastor of a church near his hometown in the San Fernando Valley of Los Angeles, and in 1997 he became the pastor of Community Bible Church in San Diego. He speaks as an expert on corporate fraud and is associated with the Fraud Dis-

covery Institute, which he cofounded, in San Diego. He also works undercover, on occasion, to expose fraud.

IMPACT

The bankruptcy of ZZZZ Best came at a time when other companies, including ESM Government Securities and a host of banks and savings and loan associations, were facing similar fraud charges. The ZZZZ Best fraud, which bilked \$240 million from duped investors and others, led the U.S. Congress to begin its own investigation of the auditing industry. Partners from large accounting firms were called to testify to a congressional committee about how such blatant frauds were missed by auditors. An Ernst & Whinney partner said that the ZZZZ Best fraud, for example, was too complex for any single auditor. The committee members then asked why, then, did it take Los Angeles police a fraction of the time to solve the case against Minkow, Padgett, Morze, and others, once the scheme was brought to the attention of law enforcement. The auditor responded, "The police were tipped off."

Auditing and accounting firms would suffer the consequences of the scandal, mostly in the form of professional embarrassment. The American Institute of Certified Public Accountants soon changed the auditing standards of the accounting profession in the United States, leading auditors to be more proactive in combating fraud.

—Dale L. Flesher

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SEE ALSO: 1919-1920: Ponzi Schemes Are Revealed as Investment Frauds; Mar. 29, 1962: Billie Sol Estes Is Arrested for Corporate Fraud; Nov. 28, 1967: Investor Louis Wolfson Is Convicted of Selling Stock Illegally; Oct. 19, 1982: Car Manufacturer John De Lorean Is Arrested in a Drug Sting; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racke-teering and Fraud; Aug. 27, 1990: Guinness Four Are Found Guilty of Share-Trading Fraud; Apr. 15, 1992: Hotel Tycoon Leona Helmsley Enters Prison for Tax Evasion; Jan. 28, 2000: John Spano Is Sentenced for Fraudulent Purchase of Ice Hockey Team; Sept. 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices; Sept. 12, 2005: Westar Energy Executives Are Found Guilty of Looting Their Company.

February 21, 1988

EVANGELIST JIMMY SWAGGART TEARFULLY CONFESSES HIS ADULTERY

Jimmy Swaggart was an internationally known Pentecostal preacher ordained through the Assemblies of God when church officials received photographs from a rival televangelist, Marvin Gorman, showing Swaggart entering and leaving a motel with a prostitute. After Swaggart made a vague confession to his congregation and begged forgiveness, the prostitute went public and described Swaggart's unconventional sexual tastes. Despite this and a later public debacle involving a prostitute, Swaggart continued to preach.

LOCALE: Baton Rouge, Louisiana

CATEGORIES: Prostitution; sex; religion; public morals; radio and television

KEY FIGURES

Jimmy Swaggart (b. 1935), American televangelist

Marvin Gorman (b. 1934), American televangelist

Debra Murphree (b. 1960), prostitute

SUMMARY OF EVENT

During the middle of the so-called holy wars between the multimillion dollar televangelists of the 1980's, Jimmy Swaggart seemed to be the one, straight-shooting preacher who was above the fray. He was the one televangelist who was respected by the media, as he seemed to practice the strict Pentecostal dogma that he preached on *The Jimmy Swaggart Telecast*. Swaggart's blend of old-fashioned Pentecostal revival-meeting and rock-star pathos was netting his ministry millions of dollars in donations. Television made him a multimillionaire. The entire time, too, Swaggart was busy tearing down those televangelists whom he felt were not worthy of being anointed by God.

In 1986, Swaggart crushed up-and-coming rival televangelist Marvin Gorman by revealing that Gorman was having an extramarital affair with an-

other pastor's wife. In 1987, Swaggart turned on one of his main competitors, Jim Bakker, exposing Bakker's infidelities to the Assemblies of God's executive presbytery and then calling him a "cancer in the body of Christ" on CNN's *Larry King Live*. Swaggart's exposé of both Gorman and Bakker effectively destroyed their ministries. Gorman, not Bakker, would be the architect of Swaggart's downfall.

Gorman hired a private detective to follow Swaggart, tracking him and a local prostitute, Debra Murphree, to a seedy motel in Jefferson Parish, Louisiana. The private detective took photos of the couple entering and leaving the motel, providing Gorman with the proof he needed to crucify Swaggart. Gorman first attempted to blackmail Swaggart with the photos, but after he failed to do so, he took the photos to the leadership of the Assemblies of God. Swaggart was forced to apologize to his flock and family, and to God, after his tryst became known to church leadership.

Swaggart, first cousin to Jerry Lee Lewis and Mickey Gilley, was born to Pentecostal evangelists in Ferriday, Louisiana, in 1935. As a child, Swaggart brought attention to himself by uttering prophecy and speaking in tongues at a local Pentecostal church. In 1958, he began a successful traveling revival ministry, which he followed with a successful gospel music recording career and, by 1969, a syndicated radio program, *The Camp Meeting Hour*, which had made him a household name in much of the Bible Belt.

After receiving his ordination from the Assemblies of God Church, Swaggart made the move to televangelism. By 1980, *The Jimmy Swaggart Telecast* was a staple on two hundred stations and seen in two million homes. Jimmy Swaggart Ministries grew to a \$100-million-per-year business and built its headquarters and a Bible college in Baton Rouge, Louisiana. Swaggart took a simple message: the average person is miserable and distracted

by desire, and Swaggart could offer a means of escaping that misery. Naturally, that escape begins with a small monetary offering. Swaggart paired this with the dominant media of the day and became a media juggernaut. However, he was not content with the niche he had created; he took it upon himself to attack those whom he saw as rivals.

The Swaggart sex scandal erupted on February 18, 1988, three days before Swaggart made his public confession. He flew to the Assemblies of God international headquarters in Springfield, Missouri, to meet with the members of the executive presbytery, before whom he was supposed to confess his moral failures and receive his punishment. Instead, he was reportedly argumentative and said that he, rather than the church, spoke for God.

Three days later, on February 21, without providing details of the “sins” he had committed, Swaggart took the stage in front of about seven thousand of his flock at his Family Worship Center in Baton Rouge to deliver his sermon of apology. With tears streaming down his face, Swaggart apologized to his wife and family but still condemned

the Assemblies of God when he said, “Yes, the ministry will continue. . . . I step out of the pulpit at the moment for an indeterminate period of time and we will leave that in the hands of the Lord.”

Following Swaggart’s televised apology, the representative of the Louisiana district of the Assemblies of God explained that Swaggart showed true humility in blaming only himself for his actions after confessing to specific incidents of moral failure. The Louisiana district recommended that Swaggart be barred from the pulpit for a period of three months after this public confession and display of humility. It was somewhat of a surprise, however, when the executive presbytery accepted the sanctions suggested by the Louisiana regional leadership body that Swaggart not be allowed to preach for three months.

Just four days later, Murphree came forward on a New Orleans television news program and provided more details regarding Swaggart’s unusual predilections. She said that while Swaggart was a regular customer, the two never had intercourse; rather, he paid her to pose in the nude.

Swaggart found he could not wait three months to preach again. After claiming that millions would go to Hell otherwise, he returned to the pulpit. On March 30, the executive presbytery defrocked Swaggart, banned him from the pulpit for a year, and demanded he seek two years of rehabilitation and counseling. Swaggart also was to be banned from distributing videotapes of his evangelical services, a practice that had enabled him to build both an enormous amount of wealth and an enormous worldwide audience. The church also removed Swaggart’s ministerial license; yet, they consistently refused to make the details of Swaggart’s confessions public.

In 1991, a highway patrol officer stopped Swaggart’s car in Southern California. The preacher had yet another prostitute, Rosemary Garcia,



Jimmy Swaggart breaks down crying while confessing his sins to his congregation. (Hulton Archive/Getty Images)

SWAGGART'S APOLOGY

Jimmy Swaggart apologized for his "sin" in a sermon, excerpted here, delivered February 21, 1988, in Baton Rouge, Louisiana, but he did so without discussing his actual sin: adultery.

I do not plan in any way to whitewash my sin. I do not call it a mistake, a mendacity; I call it sin. I would much rather, if possible—and in my estimation it would not be possible—to make it worse than [instead of] less than it actually is. I have no one but myself to blame. I do not lay the fault or the blame of the charge at anyone else's feet. For no one is to blame but Jimmy Swaggart. I take the responsibility. I take the blame. I take the fault. . . .

Swaggart included in his apology a lengthy quotation from Psalm 51, "with the words of another man that lived 3,000 years ago."

Have mercy upon me, O God. According to thy lovingkindness; according unto the multitude of thy tender mercies, blot out my transgressions. Wash me thoroughly from mine iniquity, and cleanse me from my sin. For I acknowledge my transgressions; and my sin is ever before me. Against thee, thee only, have I sinned and done this evil in thy sight, that thou mightest be justified when thou speakest, and be clear when thou judgest. Behold, I was shapen in iniquity; and in sin did my mother conceive me. Behold, thou desirest truth in the inward parts; and in the hidden parts thou shalt make me to know wisdom. Purge me with hyssop, and I shall be clean; wash me, and I shall be whiter than snow.

Source: Quoted in Michael J. Giuliano, *Thrice Born: The Rhetorical Comeback of Jimmy Swaggart* (Macon, Ga.: Mercer University Press, 1999).

in his vehicle. In 2004, Swaggart said during a broadcast sermon on gay marriage, "if one [a gay man] ever looks at me like that I'm gonna kill him and tell God he died." Nevertheless, Swaggart continued to preach. By 1995, after the legal battles had ended, Jimmy Swaggart Ministries had been reduced to approximately 85 percent of its size before the scandal, when broadcasts brought in an estimated \$140 million from viewer donations.

IMPACT

Swaggart's fall from grace marked the beginning of the end of the glory days of the so-called holy-roller television evangelists and their multimillion dollar crusades. Despite Swaggart, Bakker, Gorman, and the others returning to the pulpit following their well-publicized sins, Swaggart's fall seemed to be the one that broke the public's mass desire to send in their money to keep this message on the air.

At the time of the Swaggart scandal, Pat Robertson, another televangelist, ran an unsuccessful presidential campaign. After the Swaggart scandal, audience size and generosity shrank to the point that televangelist Oral Roberts could not convince his viewers to donate enough money to keep God from taking his life. This new skeptical view of televangelists reduced a major media market to a tiny trickle that struggled to purchase air time on a handful of local stations, turning instead mostly to late-night television, the World Wide Web, and direct mail to solicit donations.

Swaggart's defrocking also played a major role in the deflation of the political power of the Moral Majority and similar evangelical Christian political action groups. His actions tarred the credibility of all evangelical Christian leaders.

—B. Keith Murphy

FURTHER READING

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June, 1988-June, 1989

INSIDER-TRADING SCANDAL ROCKS JAPANESE GOVERNMENT

Japan was scandalized when it learned that an upstart Tokyo company, Recruit, had offered, in exchange for political favors, inexpensive stock to seventeen members of parliament, civil servants, businessmen, a publisher, and two university professors. Because many beneficiaries were tied to the ruling Liberal Democratic Party, the scandal contributed to the party’s temporary loss of power in 1993.

ALSO KNOWN AS: Recruit scandal

LOCALE: Tokyo, Japan

CATEGORIES: Corruption; business; government; politics; banking and finance

KEY FIGURES

Hiromasa Ezoe (b. 1936), chairman of the Recruit Company

Noboru Takeshita (1924-2000), prime minister of Japan, 1987-1989

Kiichi Miyazawa (1919-2007), finance minister of

Japan, 1987-1989, and prime minister, 1991-1993

Hisashi Shinto (b. 1922), chairman of Nippon Telephone and Telegraph Company

Yusuke Yoshinaga (b. 1932), chief prosecutor, Tokyo district

SUMMARY OF EVENT

In postwar Japan, the relationship between politicians and business has been cozy, but the extent to which the Recruit Company tried to develop this relationship shocked the Japanese public. To most, it looked like Recruit’s chairman, Hiromasa Ezoe, overstepped the boundaries of public decency.

In Japan, it is legal to make offers as gifts to select people, such as politicians, to buy shares before a company goes public. It is against the law, however, to give gifts in direct exchange for political favors. Thus, when the scandal broke, a big issue, apart from the moral outrage at a company making cleverly disguised gifts to public leaders, including



Hiromasa Ezoe. (Hulton Archive/Getty Images)

two university professors, was the question of whether the law had been broken—whether politicians and civil servants had been bribed.

Ezoe founded Recruit, a communications and publishing company, in 1960. His business idea was to help the government place college graduates in their first jobs. His annual *Recruit Book* listed employment opportunities and his *Recruit Shingaku Book* provided high school graduates with information about choosing the right college. As his company grew, Ezoe branched out into real estate and founded Recruit Cosmos Company in 1964. Later, he developed his own telecommunications business. During the mid-1980's, legal changes threatened Recruit's publishing business. At the same time, Recruit bought two American Cray supercomputers from Nippon Telephone and Telegraph Company (NTT) and profitably used them for high-speed computing.

The Recruit scandal broke in June, 1988. Later investigations revealed that, beginning in October, 1984, and culminating on September 30, 1986, Recruit had offered 159 influential Japanese politicians, civil servants, businessmen, newspaper publishers, and academics the opportunity to buy shares in its subsidiary, Recruit Cosmos. This offer was made before the company would go public on the stock exchange. The price per share was three thousand yen, about twenty dollars in 1986. In order for the beneficiaries to buy the shares, another subsidiary of Recruit, First Finance Company, gave them advantageous credit, financing with two billion yen (about thirteen million dollars) the purchase of about 666,666 shares. After Recruit Cosmos went public during the hot phase of Japan's bubble economy in late 1986, the value of the shares doubled. The scandal fully erupted in July, 1988, when seventy-six beneficiaries sold their shares.

In August and September, 1988, Recruit secretly offered five million yen (\$32,500) to Yanosuke Narazaki, a member of the Diet, Japan's parliament, to stop his investigation of the scandal. Instead of accepting the bribe of Recruit's front man, Hiroshi Matsubara, Narazaki videotaped the bribery attempts. On September 8, Yusuke Yoshinaga, chief prosecutor of the Tokyo district, launched his investigation.

With a police investigation and a special committee of the Diet looking for culprits, the Recruit scandal made headlines in Japan in the fall of 1988. Ezoe resigned as chairman of Recruit and checked into a hospital in October. He was soon questioned by a Diet delegation.

Bowing to public pressure, and with the scandal at full force in November, Recruit provided to the Diet a list of all who had bought company shares early. The results shocked the public, because it was confirmed that seventeen members of the Diet as well had bought and sold Recruit shares. Even though five of them were members of opposition parties, the majority belonged to the ruling Liberal Democratic Party (LDP). Public pressure mounted, and the LDP government was faced with a crisis of public confidence.

Finance Minister Kiichi Miyazawa, a rising star

of the LDP, resigned when it was confirmed that he had bought ten thousand shares of Recruit Cosmos stock. The justice minister and his immediate replacement resigned as well. Also in December, Hisashi Shinto, chairman of NTT, resigned over the buying and selling to Recruit of two Cray supercomputers. Because the government held a stake in NTT, Shinto was considered a public servant. The Japanese found it especially distasteful that esteemed civil servants such as Shinto were part of the Recruit scandal.

As prosecutor Yoshinaga's investigation into Recruit continued, Ezoe, along with three Recruit executives, was arrested while still in the hospital on February 13, 1989. The four were put in a bleak jail to break their silence. In another stunning move, the public witnessed the scandalous spectacle of Yoshinaga's officers arresting a top businessman and civil servant, former NTT chairman Shinto, and his secretary, Kozo Murata, on March 6. The public was outraged by the time the scandal included Prime Minister Takeshita. In March, Takeshita admitted to gifts of 151 million yen (\$1.4 million) from Recruit. Because he gave no special favors, Takeshita insisted, this acceptance of gifts was not criminal. However, on April 22, his office admitted that his secretary, Ihei Aoki, had received a loan of fifty million yen (\$460,000) from Recruit that he later repaid in small installments, and that Aoki had been entrusted with twenty million yen from an unreported (which was illegal) thirty million yen fund-raiser for Takeshita. One day after Takeshita announced that he would resign, Aoki committed suicide.

On June 12, a few days after the resignation of Takeshita, prosecutor Yoshinaga issued his final report on the scandal. Ezoe and four other Recruit executives were indicted for bribery. Three officials were indicted for accepting bribes, and three executives of NTT, including former chairman Shinto, were charged with violating the NTT Public Corporation Law by accepting bribes. Two other high-level public servants were indicted for taking bribes in relation to their official duties. NTT's Murata was charged with violating the Securities Exchange Law. Three high-ranking secretaries of LDP politi-

cians were indicted for transgressing the Political Funds Control Law. The person who tried to bribe Diet member Narazaki, Hiroshi Matsubara, already had been sentenced for attempted bribery. Significantly, while all those indicted would be found guilty and given suspended jail sentences, all leading politicians escaped legal punishment.

Ezoe's trial began in December, 1989, required 322 sessions, and lasted fifteen years. On March 4, 2003, the Tokyo district court found Ezoe guilty of bribing politicians and civil servants, based on the sale of 53,000 Recruit Cosmos shares that could be traced to illegal actions. Ezoe received a sentence of three years, suspended for five years. At his sentencing, he apologized to the Japanese people for having caused moral outrage.

IMPACT

Immediately after the Recruit scandal reached its height with Prime Minister Takeshita's resignation, the LDP was punished by scandalized voters. In Niigata Prefecture in June, 1989, a Socialist housewife decidedly beat the LDP candidate for by-elections to the Upper House, and the LDP lost seats in the July 2 Tokyo municipal elections. On July 23, for the first time after World War II, the LDP lost its majority in the Upper House.

Despite these initial setbacks, however, the LDP maintained its crucial control of the Lower House of parliament, and pushed through the election of its prime ministers throughout the early 1990's. When Miyazawa, whom the Recruit scandal had forced out as finance minister, became prime minister on November 5, 1991, it looked as if the LDP had weathered the storm. However, the combined forces of the Recruit scandal, an unpopular new sales tax, Japan's economic crisis of 1990, and two further scandals tainting the LDP, finally caused the party to lose power in the 1993 elections. For the first time since it was founded in 1955, the stunned LDP did not rule Japan, punished by voters alienated by its scandalous affairs.

Intimations of political change proved premature. By 1994, the LDP joined the government again, and on January 11, 1996, Ryutaro Hashimoto became LDP prime minister. To some observers it

looked like the Japanese electorate did not mind the connection of business and politics revealed by the Recruit scandal. After all, the system that made politicians and others accept Recruit shares also included a politician's customary requirement to make gifts for weddings and funerals of the constituents, and to push through public projects benefiting a home district. In the end, the LDP survived the scandal.

—R. C. Lutz

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discussion of the Recruit scandal. Places event in the context of the dark side of Japanese postwar politics. Critical of Takeshita's government's ties to Recruit.

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SEE ALSO: 1904: Theodore Roosevelt Is Accused of Accepting Corporate Funds; Jan. 23, 1904: Senator Joseph R. Burton Is Convicted of Bribery; Jan., 1913: British Prime Minister's Staff Is Investigated for Insider Trading; Feb. 4, 1976: Lockheed Is Implicated in Bribing Foreign Officials; Aug. 10, 1989: Japanese Prime Minister Sosuke Resigns After Affair with a Geisha; Aug. 27, 1990: Guinness Four Are Found Guilty of Share-Trading Fraud; Apr. 5, 1991: George W. Bush Is Investigated for Insider Trading; Mar. 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal; May 28, 2007: Japanese Politician Charged with Corruption Hangs Himself.

July 18, 1988

ACTOR ROB LOWE VIDEOTAPES HIS SEXUAL ENCOUNTER WITH A MINOR

At the height of his career, actor Rob Lowe made a videotape of himself having sex with a teenage girl and a young woman he met at the Democratic National Convention in Atlanta. Lowe's career suffered, but only temporarily, after the tape was made public.

LOCALE: Atlanta, Georgia

CATEGORIES: Sex crimes; communications and media; drugs; public morals; popular culture; Hollywood

KEY FIGURES

Rob Lowe (b. 1964), American actor
Jan Parsons (b. 1972), hair salon employee
Tara Siebert (b. 1963), hair salon employee
Lewis Slaton (1922-2002), district attorney, Fulton County, Georgia

SUMMARY OF EVENT

On Saturday, July 16, 1988, Rob Lowe, a successful and popular motion-picture actor, arrived in Atlanta, Georgia, to attend the Democratic National

Convention. He was part of a delegation of three dozen people from the entertainment industry invited by California assemblyman Tom Hayden to help the Michael Dukakis presidential campaign. While most of the delegates were producers and directors, the most visible were actors Lowe, Judd Nelson, Alec Baldwin, Charlie Sheen, and Ally Sheedy.

Then at the height of his acting career, Lowe was a member of the so-called brat pack—a group of young actors including Emilio Estevez, Judd Nelson, and Demi Moore—who appeared together in films. He was best known for his roles in *St. Elmo's Fire*, *The Outsiders*, and *About Last Night*, among others. Off camera, Lowe also was involved with drugs, alcohol, and heavy partying.

On Sunday, July 17, Lowe went to Club Rio, a hip rock club that catered to a diverse crowd. Part of Atlanta's underground scene, the club brought well-

known underground rock acts to its stage. Also in attendance that evening were sixteen-year-old Jan Parsons and twenty-five-year-old Tara Siebert, coworkers at SuperHair, a salon that catered to the cutting edge and the underground scene. In addition to being coworkers, the two were lovers. Even though Club Rio was a twenty-one-and-over club, Parsons nevertheless was admitted.

The club was packed that evening. Lowe was in attendance with friends, including actors Justine Bateman and Baldwin. Drinking and drugs were prevalent, not uncommon at Club Rio. The actors were congregated in the VIP room. Susan Sullivan, the club's publicity director, informed Parsons and Siebert that Lowe was among the celebrity guests partying in the VIP room. Parsons was excited to meet him, so Sullivan arranged for them to gain entry into the VIP room.

Parsons and Siebert were introduced to an intoxicated Lowe. They three left the club in a taxicab during the early morning hours of July 18 and went to Lowe's room at the Atlanta Hilton and Towers. It was in his hotel room that Lowe filmed himself having sex with the two young women. After Lowe passed out, Parsons and Siebert took two hundred dollars from his wallet, grabbed a bottle of pills, and then left with the videotape. In the days that followed they told their friends about the sexual encounter and played the videotape at private parties. Within a day, copies of the tape were circulated and its content was the subject of conversation at parties in the underground scene.

Consequently, Parsons's brother, Ashley Parsons, found a copy of the tape in his sister's bedroom, watched it, and promptly told their mother, Lena Parsons. News of the tape reached the media after Lena Parsons filed a personal-injury lawsuit against Lowe in August, 1989. In the lawsuit, Lena Parsons's alleged that she suffered emotional stress upon seeing Lowe seduce her daughter, a minor. A brief excerpt of the tape aired on WAGA-TV shortly after the lawsuit was made public. One day later, WAGA was offered ten thousand dollars for the tape by a nationally syndicated television show. The airing of the tape on WAGA brought print and broadcast media to Atlanta, and stories were carried



Rob Lowe in 1988. (AP/Wide World Photos)

in a wide range of publications. Lowe became the punch line for several late-night talk-show hosts. In Atlanta, reporters staked out Club Rio and Jan Parsons's home and school.

In no time the tryst became public. However, the taped scene with Parsons and Siebert was not included on some circulated copies. Instead, many of the copies had a scene recorded earlier in Paris, France, and was on Lowe's original tape. This scene showed Lowe and a male friend having sex with a woman. Many viewers had the impression that this scene was the one made in Atlanta with Parsons and Siebert. In truth, few people actually saw that portion of the tape.

In July, 1989, Judge G. Ernest Tidwell, dismissed portions of Lena Parsons's personal-injury civil lawsuit, claiming that under Georgia law, the plaintiff did not demonstrate that the defendant intentionally inflicted emotional distress on a minor. Lowe eventually arranged a plea deal with the Fulton County district attorney on the sexual misconduct charge and performed twenty hours of community service. He also made an out-of-court settlement with Lena Parsons. Shortly thereafter, he entered rehabilitation for alcohol, drug, and sex addiction in Phoenix, Arizona.

IMPACT

A twenty-minute segment of the first portion of the videotape that became commercially available (the scene filmed in Paris) transformed into the first so-called celebrity sex tape. Other actors and musicians have since been caught up in their own sex-tape controversies.

Lewis Slaton, Fulton County district attorney, investigated the circumstances of the making of the tape and indicated that if charges were filed against Lowe (for the sexual exploitation of a minor), the young actor could receive a maximum of twenty years in prison and a \$100,000 fine. Lewis faced severe criticism when it was revealed he was given a copy of the videotape as early as August, 1988, but had taken no action. He had made several conflicting statements about the day his office received the tape and finally admitted that he indeed received the tape in August, 1988, but decided to hold it; he de-

clined to say why. Media reports alleged that Lewis, a Democrat, had a political reason for holding the tape: to prevent a criminal investigation into behavior by a Democratic National Convention delegate—Lowe—prior to the national election, which would have hurt the Dukakis campaign.

Lowe refused to be interviewed after the incident. His publicists worked hard to mend the damage, but his public image was tarnished, for a time. The actor continued to have problems with alcohol and drugs. While he continued to work as well, he was no longer an A-list star. He was dropped as a subject in several teenage film magazines, on whose covers he had regularly appeared. In 1991, he married makeup artist Sheryl Berkoff. The 1992 film *Wayne's World* is considered his comeback as an actor. In 1994 he landed a significant role in the Stephen King film *The Stand*. He also appeared in the film *Austin Powers: The Spy Who Shagged Me* and in the television series *The West Wing* and *Brothers and Sisters*. As part of his addiction recovery, and in an attempt to confront the scandal, he addressed his behaviors during two appearances on *Saturday Night Live*, where he mocked himself.

—Jesus F. Gonzalez

FURTHER READING

Carter, Bill. *Details*, May, 2004. A thorough, detailed biographical magazine article on Rob Lowe's life from childhood, to his early years of acting, to later accomplishments as an actor.

DePaulo, Lisa. "Lowe Down and Dirty." *George*, September, 1999. Magazine article about Rob Lowe. The sex-tape scandal is mentioned prominently.

Parish, James Robert. *Hollywood Bad Boys: Loud, Fast, and Out of Control*. Chicago: Contemporary Books, 2002. A revealing collection of biographies of Hollywood male celebrities, including Rob Lowe, who are known for extremes of behavior.

_____. *The Hollywood Book of Scandals: The Shocking, Often Disgraceful Deeds and Affairs of More than One Hundred American Movie and TV Idols*. New York: McGraw-Hill, 2004. Includes the chapter "Rob Lowe: Surviving His

Candid Camera Escapade,” which explores the sex-tape scandal and the scandal’s aftermath.

Sager, Mike. “Rob Lowe’s Girl Trouble.” *Rolling Stone*, August 24, 1989. A popular-magazine article that covers the sex-tape case. Gives background on Parsons and Siebert and provides an overview of the case as it was happening at the time.

SEE ALSO: Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; July 23, 1984: Vanessa Williams Is the First Miss America to Resign; Dec. 18, 1989:

Prince Charles’s Intimate Phone Conversation with Camilla Parker Bowles Is Taped; July 26, 1991: Comedian Pee-wee Herman Is Arrested for Public Indecency; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Sept. 22, 1997: Sportscaster Marv Albert Is Tried for Sexual Assault; Apr. 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct; Early Nov., 2003: Paris Hilton Sex-Tape Appears on the Web; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks; June 13, 2008: Singer R. Kelly Is Acquitted on Child Pornography Charges.

September 19, 1988

STEPHEN BREUNING PLEADS GUILTY TO MEDICAL RESEARCH FRAUD

Stephen Breuning, a University of Pittsburgh medical researcher, studied the long-term effects of tranquilizers on the mentally disabled, especially adolescents. His findings caught the eye of his long-term mentor, who became suspicious of Breuning’s work and blew the whistle on him. After a federal investigation, Breuning was indicted and pleaded guilty to fraud. The case was particularly significant because it not only harmed vulnerable patients but also marked the first time an American scientist was prosecuted for falsifying research.

LOCALES: Pittsburgh, Pennsylvania; Coldwater, Michigan

CATEGORIES: Drugs; hoaxes, frauds, and charlatanism; medicine and health care; psychology and psychiatry; education; science and technology

KEY FIGURES

Stephen Breuning (b. 1952), University of Pittsburgh research psychologist
Robert Sprague (fl. 1980’s), director of the

Institute for Child Behavior and Development, University of Illinois
Breckenridge Wilcox (fl. 1980’s), U.S. attorney

SUMMARY OF EVENT

On November 10, 1988, Stephen Breuning, one the nation’s leading researchers on the use of psychoactive drugs for the treatment of the mentally disabled, became the first academic in American history to be sentenced to prison for scientific research fraud. In addition, it was later determined by both federal investigators and academic researchers in the field that most of Breuning’s research starting from the mid-1970’s through the late 1980’s may have been fraudulent.

The major portion of Breuning’s work concerned studies of drug-treatment therapies for mentally disabled persons who were institutionalized. In particular, most of his research participants suffered from extreme emotional, behavioral, and neurological disorders that were treated with various psychoactive drugs to control hyperactivity and violent behavior. In fact, it was quite common to see half of all residents at mental institutions through-

out the United States prescribed certain types of drugs, mainly powerful tranquilizers to reduce any aggressive outbursts. The most commonly prescribed drugs for these patients had traditionally been antipsychotic drugs known as tranquilizers.

Breuning, along with a small group of his fellow clinicians, argued against the use of major tranquilizers for the mentally disabled, especially for adolescent patients. The main argument against the drug's use centered on the numerous and unpleasant side effects from using large doses over a long period of time. One major side effect was a neurological disorder known as tardive dyskinesia. This disorder causes abnormal and sometimes extreme, involuntary muscle movements of the body. Breuning and his colleagues believed that tranquilizers could be substituted with certain types of stimulant drugs, thus lowering the risk of disorders such as tardive dyskinesia.

After receiving his doctorate from the Illinois Institute of Technology in 1977, Breuning worked for one year as a research psychologist at the Oakdale Regional Center for Developmental Disabilities in Lapeer, Michigan. In 1978, he transferred to the Coldwater Regional Center for Developmental Disabilities (now the Coldwater Regional Mental Health Center), also in Michigan, and established himself as a researcher deeply dedicated to working with the mentally disabled. One year later, in 1979, Robert Sprague, director of the Institute for Child Behavior and Development at the University of Illinois, noticed the work of a team of young scholars at the Coldwater facility, especially the work of Breuning. Sprague had recently received a \$200,000 grant from the National Institute of Mental Health (NIMH) and was looking to move his research laboratory to a place such as Coldwater, where he could enlist the services of hardworking researchers. He also wanted to continue his extremely valuable research on disorders such as tardive dyskinesia.

Sprague received approval from the Coldwater Center and invited Breuning to take the lead as one of the primary researchers. Over a two year period, Breuning wrote many manuscripts summarizing the work of his team at Coldwater. His findings not

only were astounding but also likely to revolutionize the way the medical world treated mentally disabled patients: if those findings were genuine. In January, 1981, Breuning was employed as an assistant professor of child psychiatry at the prestigious Western Psychiatric Institute at the University of Pittsburgh in Pennsylvania. During this time, he continued to collaborate with Sprague on various projects, including many funded by Sprague's original NIMH grant.

Sprague's suspicions of Breuning began in 1983. Breuning was a prolific author and coauthor, and his research produced near-perfect results. Indeed, his publications were making him a rising star in psychology. Between 1980 and 1984, he was part of nearly one-third of all the psycho-pharmaceutical, peer-reviewed studies regarding the effect of certain psychotropic drugs on the mentally disabled, especially adolescents. His findings had a considerable effect on the drug-treatment therapies used to manage these patients' behaviors in institutions throughout the United States, which makes his research fraud so significant.

In September, 1983, Sprague traveled to Pittsburgh to meet with Breuning to discuss research projects and the NIMH grant. It was during this trip that Sprague discovered that Breuning was obtaining far-fetched results in a study involving nurse ratings of patients with tardive dyskinesia. This realization led him to launch his own investigation of Breuning. In December, he confronted Breuning with his evidence, questioning him about his supposed follow-up study at Coldwater after taking the research position at Pittsburgh. Breuning claimed that he examined patients for two years after his departure. Sprague knew that Breuning had never returned to Coldwater, nor did he leave assistants to conduct the alleged examinations. After Breuning failed to produce evidence to counter the allegations, Sprague notified the NIMH in late December with a six-page letter. In January, 1984, the NIMH notified the University of Pittsburgh and then began its own independent investigation. In April, Breuning resigned from Pittsburgh to take a position at Polk Center, the largest state institution for the mentally disabled in Pennsylvania.

In 1985, the NIMH selected a council of five well-known scholars to investigate Breuning's work. After a lengthy investigation, the council concluded that on numerous occasions, while employed both at Coldwater and at Pittsburgh and while using federal grant monies, Breuning had committed "serious scientific misconduct." The council, which also questioned the veracity of Breuning's entire corpus of research, recommended that he be banned for ten years from receiving federal research grants. The council also recommended that the U.S. Department of Justice look into prosecuting Breuning because his research may have impacted the health and well-being of hundreds of people, many of whom were children at the time they were studied.

Breckenridge Wilcox, U.S. attorney for the state of Maryland, where Breuning's grant money originated, agreed with the NIMH council's recommendation and commenced a federal investigation. On April 16, 1988, a federal grand jury indicted Breuning on three criminal counts related to submitting fraudulent research results to a federal agency, marking the first time in American history that an independent research scientist was indicted for scientific fraud. On September 19, in a plea bargain with prosecutors, Breuning pleaded guilty and was convicted on two charges of filing false reports; the third, more serious, charge was dropped as part of the deal.

On November 10, Breuning was sentenced to five years probation and six days in a halfway house and was ordered to perform 250 hours of community service. He also was ordered to repay \$11,352 to the NIMH and prohibited from conducting psychological research while on probation. The University of Pittsburgh was ordered to pay back about \$163,000 in funds that Breuning had unlawfully used.

IMPACT

Breuning's empirical studies were outright deceptions. If not for the vigilance of his mentor, the deception likely would have continued and countless people with disabilities would have been further harmed. So wide-ranging was his fraudulent re-

search that he became the first American academic to go to prison because of the untruthfulness of his work. His studies, fraudulent as they were, nevertheless had a major impact on the scientific disciplines of psychology and psychiatry and influenced health care policies for treating the mentally disabled. Some states even modified their health care guidelines for drug-treatment therapies for the mentally disabled based specifically on Breuning's research.

It should also be noted that the results of Breuning's fraudulent research during the 1980's played a primary role in increasing the rate of prescriptions for stimulant drugs such as Ritalin for treating children with hyperactivity disorders. Thousands of medical doctors throughout the United States still prescribe these stimulants at alarming rates for the treatment of conditions such as attention deficit hyperactivity disorder (ADHD) in children. The stimulants are still used for treatment even in the face of many clinical trials that debunked Breuning's research claims.

—Paul M. Klenowski

FURTHER READING

- Shamoo, Adil, and David Resnik. *Responsible Conduct of Research*. New York: Oxford University Press, 2003. A comprehensive study of the various ethical issues in biomedical research. Includes a time line of Breuning's falsifications.
- Sprague, Robert L. "Whistleblowing: A Very Unpleasant Avocation." *Ethics and Behavior* 3, no. 1 (March, 1993): 103-133. First-person account of the scandal by Breuning's mentor and former boss. Sprague writes that the article has a particular "focus on the great reluctance of universities and federal agencies to investigate vigorously an alleged case of scientific misconduct when it involves members of their own faculties or grant recipients."
- Wible, James. *The Economics of Science: Methodology and Epistemology as if Economics Really Mattered*. New York: Routledge, 1998. This book offers a unique look at science from an economic perspective. In particular, it examines in detail various cases of scientific fraud.

SEE ALSO: Mar. 21, 1928: Alberta Government Sterilizes Thousands Deemed Genetically and Mentally Unfit; Sept.-Oct., 1937: Prescription Elixir Causes More than One Hundred Deaths; 1956-1962: Prescription Thalidomide Causes Widespread Birth Disorders; July 25, 1972: Newspaper Breaks Story of Abuses in Tuskegee Syphilis Study; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Jan. 30, 2001: Liverpool Children’s Hos-

pital Collects Body Parts Without Authorization; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; Sept. 25, 2002: Inquiry Reveals That Physicist Jan Hendrik Schön Faked His Research; May 12, 2006: Scientist Is Indicted for Faking His Research on Creating Stem Cells; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

March 23, 1989

SCIENTISTS’ “COLD FUSION” CLAIMS CANNOT BE VERIFIED

While working at the University of Utah in 1989, electrochemists Martin Fleischmann and Stanley Pons announced their experimental achievement of cold fusion, a phenomenon believed to be unachievable. Although their announcement was initially received with some acclaim, the inability of other scientists to duplicate their results, standard practice in the sciences, led to the term “cold fusion” being associated with scientific scandal.

ALSO KNOWN AS: Fleischmann-Pons experiment

LOCALE: Salt Lake City, Utah

CATEGORIES: Cultural and intellectual history; education; science and technology

KEY FIGURES

Martin Fleischmann (b. 1927), British electrochemist

Stanley Pons (b. 1943), British electrochemist

Steven E. Jones (b. 1943), American physicist

SUMMARY OF EVENT

During the 1960’s, electrochemical professor Martin Fleischmann and colleagues at the University of Southampton in England began investigating possible connections between chemical reactions and nuclear processes. In 1979, Stanley Pons earned his

doctorate in chemistry at Southampton under the tutelage of Fleischmann. After Pons was appointed chairman of the Department of Chemistry at the University of Utah during the early 1980’s, Fleischmann frequently visited Pons in Utah and collaborated with him about joint research ventures. The two were particularly interested in the possibility that nuclear fusion might occur at or near room temperature, a phenomenon known as cold fusion.

Between 1983 and 1988, Fleischmann and Pons invested more than \$100,000 of their own money in cold-fusion experimentation. Their resulting experiment was quite simple. It consisted of an insulated glass jar containing a solution of lithium deuterium oxide salts and 99.5 percent heavy water (deuterium oxide) into which two electrodes were immersed. One electrode was a coil of platinum wire and the other was a ten-centimeter-long rod of palladium. A small voltage between the electrodes decomposed the deuterium oxide into deuterium (an isotope of hydrogen) and oxygen. Some of the deuterium was absorbed into the palladium, a result that was previously discovered by Thomas Graham in the nineteenth century. Fleischmann and Pons reported that their experiment generated excessive amounts of heat energy.

In 1988, Fleischmann and Pons submitted a grant proposal to the U.S. Department of Energy for

funding that was needed to support their cold-fusion research. The proposal was reviewed by Steven E. Jones, a physicist at Brigham Young University (BYU), who also was working on cold fusion. Jones and colleagues at BYU were doing experiments very similar to those being conducted by Fleischmann and Pons. In January, 1989, Jones reported some positive results from his team's cold-fusion research. They were seeing neutrons and a small amount of heat being generated from their electrolytic cell. Jones concluded that their experiment showed no potential as a possible commercial energy source, but that it had considerable scientific interest.

During the same period of time, Fleischmann, Pons, and their graduate student, Marvin Hawkins, identified excess heat energy from their experiment that could not be explained by only chemical reactions. They concluded that the energy must be generated by nuclear processes involving the fusion of tightly packed deuterium nuclei in the palladium. If their results were correct, their experimental device would have considerable commercial value. Evidently, Fleischmann and Pons met with Jones on March 6, 1989, to discuss the publication of their in-

dividual results simultaneously in *Nature*. However, Fleischmann and Pons nixed that apparent agreement by submitting their paper for publication in the *Journal of Electroanalytical Chemistry* on March 11.

By mid-March, 1989, University of Utah president Chase N. Peterson believed it was best to release the results of Pons and Fleischmann's work due to the possible economic windfall from cold fusion as an inexhaustible source of energy. Peterson scheduled a press conference for March 23, breaking a promise of cooperation with Jones and BYU. At the press conference, Pons and Fleischmann reported that their room-temperature experiment was producing heat energy at a rate more than four times greater than the input power. The initial puzzle to their experiment was their report that neutrons and tritium (an isotope of hydrogen) were being released at rates that were a billion times slower than the fusion rate expected from the heat that was being generated. Pons and Fleischmann knew that their claims were theoretically problematic, but they were convinced that their experimental results were basically correct. As a result of the uncertainties, *The New York Times* initially refused to

print the story. On the other hand, *Wall Street Journal* reporter Jerry Bishop presented the scientists' claims as a major breakthrough. Cold fusion soon became a major media event.

Several research groups immediately tried to duplicate Pons and Fleischmann's results. On April 10, researchers at Texas A&M University published results of excess heat from their experiment. The next day, a group from the Georgia Institute of Technology reported the production of neutrons. For a lack of concrete evidence, both groups withdrew their claims within a few days. On May 1, the American Physical Society (APS) conducted a session on cold fusion in



Stanley Pons and Martin Fleischmann testify about their cold fusion experiments before a House committee on April 1, 1989. (Hulton Archive/Getty Images)

which a number of failed experiments were reported. At a second APS session on the following day, eight of nine prominent speakers concluded that the claims of Pons and Fleischmann were irrelevant and should be dropped.

Over the next several weeks, many competing claims, counterclaims, and possible explanations for the cold-fusion experiment ran rampant. By not properly verifying their results prior to divulging them, Pons and Fleischmann had created their own scandal. They would now suffer the consequences. They broke all the rules of the scientific community with their premature announcement of having successfully achieved cold fusion in their laboratory. Instead of first seeking peer review by submitting their findings to a reputable journal, they chose to announce their results at a press conference. They also exaggerated some of their results. In addition, because of pending patent rights, they did not disclose the details of their experiment to other scientists. Amid accusations of fraud, incompetence, and deception, the euphoria about cold fusion eventually began to die down. Many journalists referred to cold fusion as a hoax that only generated “confusion.”

As the fiasco played out, Pons and Fleischmann, humiliated by the scientific community, retreated to France to do further work on cold-fusion experiments in a lab in Provence. Although their reputations were ruined, their continued research was funded by multimillionaire Minoru Toyoda from 1992 until 1996. Because of conflict over the direction of the research and unproductive results, Fleischmann left in 1995 and returned to England. Pons left in 1996 to pursue other research opportunities in Europe.

IMPACT

The quick, widespread media dissemination of the claims of Pons and Fleischmann, the perceived simplicity of their cold-fusion experiment and the potential scientific, social, and economic significance of cold fusion, led to replication efforts being conducted in hundreds of laboratories worldwide. If the conclusions of Pons and Fleischmann proved to be correct, alterations would have to be made in the

basic theoretical understanding of the physics of nuclear fusion. Since most laboratories could not replicate the reported cold-fusion results of Fleischmann and Pons, most scientists concluded that cold fusion was not possible. The few positive results that were reported were dismissed as experimental error or even manipulation of the data to show positive results. For the most part, cold-fusion research was ridiculed and denounced.

Despite the scandal and low level of acceptance by the scientific establishment, laboratories in several countries continued to pursue cold-fusion research. Some positive evidence for cold fusion continued to be reported, but most prominent academic journals did not publish those findings. Even though cold fusion may represent a colossal conspiracy of denial, millions of dollars continue to be spent on the concept because of the potential economic windfalls. Consequently, some researchers continue their hope of explaining and developing cold-fusion technology. As a result, some publications are devoted to publishing papers about cold fusion. A Web-based cold-fusion library has been established, and an international conference on cold fusion is held twice a year.

The cold-fusion debacle also led the scientific community to scrutinize reported scientific breakthroughs much more thoroughly and to make sure that proper protocol is followed prior to the release of any results. Experimental and theoretical work must be reviewed and replicated by peers and deemed publishable before it is released to the media. The bar for ethical standards associated with scientific research and the reporting of the results has been raised to a new level.

—Alvin K. Benson

FURTHER READING

Beaudette, Charles G. *Excess Heat: Cold Fusion Research Prevailed*. 2d ed. Brampton, Ont.: Oak Grove Press, 2002. Excellent review of the Pons-Fleischmann experiment, the cold-fusion controversy, and what has been done in cold-fusion research from 1989 until 2002. A good overview for general readers.

Kozima, Hideo. *The Science of Cold Fusion Phenomena*. New York: Springer, 2002. A comprehensive review of the scientific and technical aspects of cold fusion research.

nomenon. Boston: Elsevier, 2006. Scientific examination of the possibility of cold fusion that investigates the work of Fleischmann, Pons, and Jones and proposes possible mechanisms for cold fusion and how it might be experimentally achieved.

Simon, Bart. *Undead Science: Science Studies and the Afterlife of Cold Fusion*. New Brunswick, N.J.: Rutgers University Press, 2002. Examines the Fleischmann-Pons debacle and traces some of the experimental and theoretical work involving cold fusion during the 1990's.

Taubes, Gary. *Bad Science: The Short Life and Weird Times of Cold Fusion*. New York: Random

House, 1993. Critical appraisal of the mishandling of science demonstrated by Fleischmann and Pons in prematurely announcing success with cold fusion.

SEE ALSO: Nov. 21, 1953: Piltdown Man Is Revealed to Be a Hoax; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; Sept. 25, 2002: Inquiry Reveals That Physicist Jan Hendrik Schön Faked His Research; May 12, 2006: Scientist Is Indicted for Faking His Research on Creating Stem Cells.

March 29, 1989

FINANCIER MICHAEL MILKEN IS INDICTED FOR RACKETEERING AND FRAUD

Michael Milken, known as the junk-bond king of Wall Street during the 1980's, was indicted for insider trading and other illegal activities under the RICO Act, making him the first person not tied to organized crime to be charged under this act. He was sentenced to ten years in prison but served less than two years. He also paid \$600 million in fines to the U.S. government and more than \$1 billion to the Federal Deposit Insurance Corporation.

LOCALE: New York, New York

CATEGORIES: Corruption; organized crime and racketeering; banking and finance; law and the courts; business

KEY FIGURES

Michael Milken (b. 1946), Wall Street investment banker

Ivan Boesky (b. 1937), Wall Street arbitrageur

Rudy Giuliani (b. 1944), U.S. attorney for the Southern District of New York, 1983-1989, and mayor of New York, 1994-2001

SUMMARY OF EVENT

Michael Milken was born into a Jewish, middle-class family and was raised by his parents in the San Fernando Valley of Los Angeles. An exceptionally bright child, Milken discovered at an early age that he had both a photographic memory and an interest in mathematics and finances. In 1968, he graduated from the University of California, Berkeley, with a degree in business administration. That same year, he also married his high school sweetheart, Lori Hackel. They relocated to Philadelphia so that Milken could attend the Wharton School of Business at the University of Pennsylvania. After earning his master's degree in business administration, he was hired by the Drexel Corporation.

In 1973, Drexel had merged with Burnham and Company to become the Wall Street investment firm Drexel Burnham Lambert. Following the merger, Milken became the head of a bond-trading department. It was in this position that he began using his junk-bond theory, which he originally developed as an undergraduate student at Berkeley to make money.



Michael Milken. (AP/Wide World Photos)

In the financial world, a conventional bond was a certificate of debt that was usually sold by a government to a company that wanted to raise capital by borrowing money. Most often, these bonds were then repaid by the borrowing company with interest. Conventional bonds also were rated according to the value of the business minus its current liabilities. In contrast to these practices, Milken believed that junk bonds, which would be unrated, could be sold to small companies that lacked a credit history and were heavily in debt. By targeting these kinds of companies, he could potentially make a lot of money because junk bonds would be issued at a higher interest rate than conventional bonds. These higher interest rates would, in turn, earn higher profits for Milken. The junk-bond strategy was so successful that by 1976, Milken was earning more than five million dollars a year.

In 1977, Milken relocated his family and the company's noninvestment-grade bond-trading department to Los Angeles. By 1978, Drexel Burnham Lambert had issued approximately \$439 million in junk bonds, and Milken was soon known as the junk-bond king of Wall Street. During the early 1980's, investors also began using junk bonds to finance leveraged buyouts (LBOs). By definition, a leveraged buyout was the purchase of a company using a significant amount of borrowed money, in the form of bonds and loans, to meet the cost of acquisition. By 1985, the junk-bond market on Wall Street was worth more than \$100 billion.

Throughout the 1980's, the U.S. Securities and Exchange Commission (SEC) closely watched Milken's business dealings on Wall Street. In 1986, Ivan Boesky, a successful Wall Street arbitrageur, plea bargained with the SEC and implicated Milken and Drexel Burnham Lambert in several illegal financial transactions. These included insider trading, illegal takeovers, fraud, and stock manipulation. Milken also was charged with stock parking, a financial activity in which an investor conceals the real owner of a stock to bypass a tax liability or financial regulation. Simultaneously, Rudy Giuliani, the U.S. attorney for the Southern District of New York, began a criminal investigation of the embattled investor. Milken claimed his innocence on all charges.

In 1987, James B. Stewart, a reporter for *The Wall Street Journal*, began investigating that year's stock market crash and the scandal that implicated Milken and others in insider trading and other crimes. Stewart was awarded a Pulitzer Prize in 1988 for his investigative reporting, and his book, *Den of Thieves*, which details the crimes of Wall Street, was published in 1991. The book remains highly controversial and has been targeted by supporters of Milken.

On March 29, 1989, under the Racketeer Influenced and Corrupt Organizations (RICO) Act, Milken was indicted by a federal grand jury on ninety-eight counts of racketeering and fraud as

well as insider trading, stock parking, and tax evasion. The indictment was especially significant because it was the first time in American legal history that the RICO Act was used against an individual with no connection to organized crime. In June, at the company's request, Milken resigned from Drexel Burnham Lambert and formed his own company, International Capital Access Group.

Milken had maintained his innocence throughout the affair, but on April 24, 1990, he pleaded guilty to six counts of violating federal securities and tax laws. The charges included insider trading, tax evasion, stock parking, filing false SEC reports, mail fraud, and the evasion of regulatory capital requirements. Interestingly, at his trial, Milken not only apologized for his crimes but also admitted to the court that he willingly conspired with Boesky to defraud financial clients. As part of his plea agreement, Milken was sentenced to a ten-year prison term by Judge Kimba Wood. He was fined \$200 million, agreed to pay \$400 million into a special fund set up by the SEC to reimburse his victims, and accepted a lifetime ban from the securities industry.

On January 2, 1993, Milken was released from a federal penitentiary in Pleasanton, California, after serving only twenty-two months of his ten-year sentence. He was relocated to a halfway house but was released from there on February 4. The court also required him to perform eighteen hundred hours of community service each year for three years. In addition, he settled a lawsuit with the Federal Deposit Insurance Corporation (FDIC) by agreeing to pay the agency more than \$1 billion. Following his release from prison, Milken's net worth was estimated to be more than \$125 million.

PROHIBITED ACTIVITIES UNDER THE RICO ACT

Michael Milken was indicted for various crimes under the Racketeer Influenced and Corrupt Organizations (RICO) Act of 1970. In part, "racketeering" is defined in the act as

Any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical . . . which is chargeable under state law and punishable by imprisonment for more than one year.

RICO also includes a section, excerpted here, outlining prohibited criminal activities covered by the act.

It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. A purchase of securities on the open market for purposes of investment, and without the intention of controlling or participating in the control of the issuer, or of assisting another to do so, shall not be unlawful under this subsection if the securities of the issuer held by the purchaser, the members of his immediate family, and his or their accomplices in any pattern or racketeering activity or the collection of an unlawful debt after such purchase do not amount in the aggregate to one percent of the outstanding securities of any one class, and do not confer, either in law or in fact, the power to elect one or more directors of the issuer.

IMPACT

Milken not only epitomized the Wall Street investor of the 1980's but also symbolized American capitalism and greed during the 1980's. The highly intelligent financier went to Wall Street as an outsider during the 1970's, and through diligence, hard work, and an obsession with making money, he redefined the stereotypical Ivy League image of the Wall Street careerist. Milken's reign on Wall Street, however, came to an abrupt end in 1989 when he was indicted, but in the end, his symbolic reign continues—as the junk-bond king who defined an era in American financial history.

—Bernadette Zbicki Heiney

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May 31, 1989

SPEAKER OF THE HOUSE JIM WRIGHT RESIGNS IN ETHICS SCANDAL

Jim Wright served thirty-four years in the U.S. Congress before being forced to resign for ethical violations. A ten-month investigation into his finances showed that he violated his position of power dozens of times by securing various financial deals for himself, his immediate family members, and his friends, in violation of House ethics. His corrupt activities brought an immediate end to his congressional career but did not result in further legal action. Wright was the first Speaker of the House to resign from office because of a political scandal.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; politics; ethics; government

KEY FIGURES

Jim Wright (b. 1922), U.S. representative from Texas, 1955-1989, and Speaker of the House, 1987-1989

Bill Mallick (fl. 1980's), Texas real-estate developer and friend of Jim Wright

Betty Wright (fl. 1980's), Jim Wright's wife

SUMMARY OF EVENT

Eleven years after becoming one of the most powerful Democrats in the U.S. Congress, Representative Jim Wright was at the center of an ethics scandal concerning his financial activities in 1988. Because of the severity of the allegations, the House of Representatives was forced to convene a bipartisan committee in early June of that year to conduct an official inquiry and, later, a full-fledged investigation of the numerous claims of financial misconduct.

Wright had been raised in the greater Dallas-Fort Worth area and attended Weatherford College from 1939 to 1940 and the University of Texas from 1940 to 1941. After the Japanese attack on Pearl

Harbor in 1941, Wright joined the U.S. Army Air Force and was stationed in the South Pacific. During his World War II military service, he flew countless combat missions and was awarded the Distinguished Flying Cross. After the war, he returned home and entered politics in his home state of Texas.

In 1946, Wright was elected to the Texas house of representatives but was defeated after serving a single term. He then moved to Weatherford, Texas, home of his alma mater, and was elected mayor for a four-year term (1950-1954). In 1954, he ran unopposed for a seat in Congress, representing the Twelfth District, which included Fort Worth and Weatherford. He would be reelected to the House more than one dozen times. In 1977, Wright was named the new majority leader after Tip O'Neill was elected Speaker of the House. He served as majority leader from 1977 through 1987. After O'Neill retired from the speakership in 1987, Wright was elected to replace him. He served until his resignation on May 31, 1989.

At the center of the Wright investigation were four major areas of concern. First, real-estate developer George Mallick gave him the use of a luxury condominium in Fort Worth and, for his wife, Betty Wright, the use of a Cadillac and an annual salary of eighteen thousand dollars for a ghost job with her husband. Mallick's gifts, however, violated a congressional ban on members receiving gifts valued at more than one hundred dollars from any one person.

The committee also discovered that Mallick had a direct interest in legislation pertaining to savings and loan companies, especially in Texas, that were failing. Wright intervened with federal regulators on behalf of Mallick and two other Texas executives from a Fort Worth savings and loan and successfully lobbied on their behalf in their dealings with the Federal Home Loan Banks board. His efforts ultimately protected their financial interests.

The third concern was Mallick and Wright's questionable business relationship. In one case, Wright had secured \$7.5 million for the restoration of Fort Worth's historic stockyards, and Mallick was given the contract to oversee the renovation. This relationship opened the door for Wright to receive financial kickbacks and gifts for securing the contract.

Finally, Wright's book *Reflections of a Public Man* (1984) was at the center of another ethics violation. The 117-page work was published by longtime friend Carlos Moore, whose printing firm had worked for Wright's campaigns for several years. Ethical concerns arose because of the money Wright made from sales of the book. He was earning 60 percent in royalties, far more than the common 10 to 15 percent in royalties for most authors. The book was purchased in bulk by various supporters of Wright, including business and labor groups. The money he earned from the sales allowed him to avoid the earnings limit placed on Congress members; with book sales, he was able to earn extra income while avoiding that limitation.

In May, 1988, the public citizens' action group Common Cause called upon Congress to inquire into the allegations against Wright. In a matter of days, leading House Republican Newt Gingrich sent a formal letter, cosigned by seventy-two of his Republican colleagues, to the House Committee on Standards of Official Conduct, the panel that oversees the ethical conduct of House members. The letter called for a complete investigation into Wright's conduct. On February 22, 1989, the chief investigator issued his preliminary 279-page report to the committee. The report alleged that on sixty-nine separate occasions, Wright had broken congressional rules of conduct.

At the conclusion of the full fifty-one-week investigation, the committee, comprising six Dem-

ocrats and six Republicans, was ready to render its decision. In an 8-4 vote, the committee found that there was "reason to believe" that Wright violated House ethics rules. After dropping more than half of the original charges, the committee was ready to act on four issues of misconduct. Based on the insurmountable evidence, Wright was now set to face an ethics hearing with the power to exact three penalties: a letter of reproach, a formal reprimand, or censure.

Although Democrats dominated the House in numbers, Wright failed to gain his party's support to retain his position as House Speaker. Facing almost certain criminal indictment and conviction, Wright, now sixty-six years old, opted to resign as speaker on May 31. Less than one month later, on June 30, he resigned from the House altogether, ending a thirty-four-year congressional career.

IMPACT

Only the fourth House Speaker in U.S. history to step down from office, Wright was the first to leave office because of allegations of unethical conduct. During his resignation speech before members of Congress, he said that his stepping down from his



Jim Wright, right, one month before his resignation as Speaker of the House. (Hulton Archive/Getty Images)

position was a sacrifice for his country because he spared the House and its members further political hardship and negative publicity. He added that he was a victim of an ethical battle between warring political parties. In his final words, he urged both Democrats and Republicans to resolve their differences and hostilities so that they could refocus on more pressing and urgent matters for the American people.

At the same time Wright was leaving office, his own top aide was resigning amid a scandal related to an interview in *The Washington Post*. In the interview, a woman claimed she had been brutally assaulted by Wright's aide in the early 1970's. Another scandal erupted during the time of Wright's resignation when House Democratic whip Tony Coelho was forced from office because of his own alleged financial misconduct.

—Paul M. Klenowski

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August 10, 1989

JAPANESE PRIME MINISTER SOSUKE RESIGNS AFTER AFFAIR WITH A GEISHA

Following his appointment as Japan's prime minister in June, 1989, Sosuke Uno resigned his office after only sixty-nine days when the press revealed he had paid a geisha a monthly salary for sexual favors prior to being prime minister. The scandal inspired a newly active women's movement and led the media in Japan to rethink the significance of sex, gossip, and other scandal as relevant and newsworthy.

LOCALE: Tokyo, Japan

CATEGORIES: Government; politics; publishing and journalism; sex

KEY FIGURES

Sosuke Uno (1922-1998), prime minister of Japan, June 3-August 10, 1989

Noboru Takeshita (1924-2000), prime minister of Japan, 1987-1989

SUMMARY OF EVENT

In the summer of 1989, a woman describing herself as a geisha approached the *Mainichi Shinbun*, one of the largest newspapers in Japan, claiming that the married prime minister Sosuke Uno had paid her to have a sexual relationship in the months before he assumed office. The prestigious newspaper balked because the story was considered beneath its dignity, and she was referred to an affiliated magazine. That magazine, the *Sunday Mainichi*, broke the story, but it caused little stir among a public that expected sexual dalliance among its politicians. When, however, a socialist politician accused Uno in parliament of bringing shame to the nation, the public's interest deepened and Uno found himself at the center of a major scandal.

The son of a merchant family in western Japan, Uno had attended Kobe University of Commerce and served in the Japanese imperial army during World War II. During the war he spent two years as a prisoner of war in Siberia and later wrote a book

about that experience, one of several books he wrote over his career. He was elected to the Japanese diet, the legislative arm of the Japanese government, in 1960 and served without great distinction in various areas of government, including defense, the ministry of international trade and industry (MITI), and foreign affairs.

Uno's predecessor as prime minister, Noboru Takeshita, had been ruined by a corruption and bribery scandal. During Takeshita's term, it was revealed that at least thirty members of his Liberal Democratic Party, the LDP, had been receiving favors from Recruit, an upstart publishing and telecommunications company. In the face of this scandal, Takeshita was forced to resign his office on June 3, 1989. After a month-long search by the LDP, Uno was named as his successor.

The LDP, wanting Takeshita's replacement to be untouched by the Recruit corruption scandal, took its time to make a decision. The party settled on Uno only after Masayoshi Ito, its first choice, had demanded as a condition of his acceptance of the office that all LDP leaders who had received favors from Recruit resign from politics. Finding that demand unacceptable, the LDP settled on the bland Uno as the prudent choice. They were certainly unaware that for several months before his appointment, Uno had been paying a woman a salary for sexual favors.

The woman, whose name was never revealed, had lost patience with Uno because she received only a small amount of the payment she was due and because she did not receive a parting gift from him when the affair was terminated. She described Uno in her statement to the press as vain, rude, and self-centered. The article that broke the story, published by *Sunday Mainichi* magazine, on August 10, was sensationally titled "Accusation of an Office Lady: 'I Was Bought for 300,000 Yen per Month.'"

The scandal turned international after *The Washington Post* followed with its own story of the affair.

Despite Uno initially denying the story and later trying to mitigate the damage caused by it, the woman's accusation soon turned from being a subject of gossip and humor to one with serious political consequences for Uno's already troubled party.

In spite of a statement by the editor of *Sunday Mainichi* that the central part of the scandal was that Uno paid for a woman's companionship and that the moral standard for a prime minister was higher than the norm, to consider the Uno scandal simply a sex scandal would be a mistake. The Japanese public at that time would not have batted an eye at the disclosure of sexual infidelity of a married politician. That sort of behavior among powerful politicians was taken for granted. What seemed to bother many Japanese more than the moral issue was the payment. For some, particularly the women, the amount was far less than it should have been. For others it was taken as a sign of political incompetence that a man in his position did not deal quietly with the geisha and pay her the amount required to keep her quiet.

Uno's disrespect aroused the anger of Japanese women. Traditionally reticent, they campaigned vigorously to remove him from office. Over fifty women's groups joined in an effective anti-Uno movement. In fact, the campaign against Uno is considered by many the coming of age of women's activist politics in Japan and the first real flexing of women's political muscle.

The international coverage the scandal was receiving also irked the Japanese. As a member of an opposition party put it to Uno, the prime minister was making Japan look foolish in the eyes of the world. This was an unforgivable sin, especially for a Japanese prime minister.

On still another level, the breaking of the cherished geisha code of silence was another scandal in itself. Whatever is said to a geisha is privileged information, and a geisha is bound by honor never to reveal anything that passes between her and her client. The revelation of her affair with Uno was convincing evidence for geishas all over Japan that this woman was no true geisha.

The ill feeling caused by Uno's miserly dealings with the geisha was not the sole cause of the serious

problems faced by Uno and his party in the polls. Also in the limelight at the time was the Recruit scandal. In addition, immediately upon assuming the job of prime minister, Uno had to implement an unpopular consumer tax.

For his part, Uno never admitted fault for his part in the affair and stubbornly refused to deal with it at all. He never apologized to the nation or to his wife or to the woman with whom he had the affair. In an odd twist, his wife apologized to the nation on his behalf during an interview in which she also stated that Uno had never talked with her about the matter. Uno resigned his office in disgrace on August 10, 1989, after sixty-nine days in as prime minister, one of the shortest terms of office on record in Japan. He died of cancer almost ten years later the age of seventy-five in the western Japanese city of Moriyama.

IMPACT

Uno's resignation was immediately preceded by the Japanese Socialist Party handing the LDP its worse defeat in over three decades. The sex scandal no doubt contributed to the party's defeat and Uno's resignation, but there were many other causes as well. Uno resigned not because of the scandal but because of his party's losses in the election, losses that ended the LDP's thirty-eight-year political rule within four years.

Also, the media coverage of the Uno scandal changed the way the Japanese press came to deal with such matters. After the Japanese public learned that the press knew about the Recruit and Uno scandals and did not report them until after the stories broke elsewhere, public confidence in the press fell drastically. No longer would even the "serious" newspapers consider sex and gossip irrelevant.

Furthermore, many consider that the Japanese women's movement came of age during the anti-Uno campaign of 1989. Before the scandal, women's political organizations were relegated to consumer and health matters. Their campaign to unseat Uno showed another, more public, side to their activism.

—Wayne Shirey

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Pete Rose Is Banned from Baseball for Betting

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August 24, 1989

PETE ROSE IS BANNED FROM BASEBALL FOR BETTING ON GAMES

After a Major League Baseball investigation into star player Pete Rose's gambling habits, Commissioner A. Bartlett Giamatti banned Rose from baseball for life. Rose was accused of, and later admitted to, betting on baseball.

LOCALE: New York, New York

CATEGORIES: Corruption; gambling; law and the courts; sports

KEY FIGURES

Pete Rose (b. 1941), professional baseball player and manager

A. Bartlett Giamatti (1938-1989), commissioner of Major League Baseball

John M. Dowd (b. 1941), lawyer and lead investigator

Fay Vincent (b. 1938), assistant commissioner of Major League Baseball

Paul Janszen (fl. 1980's), Rose's long-time friend and owner of Gold's Gym in Cincinnati

SUMMARY OF EVENT

On August 24, 1989, Major League Baseball (MLB) commissioner A. Bartlett Giamatti announced Pete Rose's lifetime suspension from baseball. Rose, the subject of a six-month investigation led by Washington, D.C., attorney John M. Dowd, had been accused of gambling on baseball games, including those played by the Cincinnati Reds, for whom Rose served as a player-manager. Rose was not banned from the sport under the rule prohibiting gambling, which carries an automatic lifetime suspension. Instead, he was declared ineligible under a rule that governs other forms of misconduct. That rule carried a penalty decided at the commissioner's discretion, and Giamatti determined that a lifetime ban was appropriate.

Rose was one of baseball's biggest stars over the course of his twenty-four-year playing career. From 1963 to 1986, his awards included National League (NL) Rookie of the Year and NL Most Valuable Player, and he was a seventeen-time All Star. As a member of the Cincinnati Reds' teams commonly known as the Big Red Machine, and later as a player with the Philadelphia Phillies, Rose was known for his hard playing and competitive drive. Although he rarely hit for power, Rose consistently hit for a high average, winning three NL batting titles. He finished his career with 4,256 hits, a major league record. For the last two years of his playing career, Rose returned to the Reds as a player-manager. He continued to manage the club for three seasons after his retirement as a player in 1986.

Throughout much of his career, Rose was an avid gambler as well. Betting on horse races, football,

basketball, and other sports, he had begun to gamble uncontrollably by 1985. Through his gambling, he became involved with bookies and others engaged in criminal activities. In 1988, the Federal Bureau of Investigation (FBI) began a probe into the activities of cocaine dealers based out of a Gold's Gym in Cincinnati. Paul Janszen, one of the owners of the gym, had been a long-time friend of Rose and often placed bets for him at the horse track and with bookies. When the FBI interrogated Janszen, he offered extensive information about Rose's gambling. The FBI, investigating drug cases, showed little interest in pursuing Rose on gambling charges, and Janszen offered to sell his story to *Sports Illustrated*. Although the magazine refused the offer, rumors began to circulate about Rose's problem with gambling.

Near the end of his term as MLB commissioner,



Pete Rose is escorted outside federal court in Cincinnati, Ohio, in July, 1990, after he was sentenced to prison for tax evasion. (AP/Wide World Photos)

Peter Ueberroth had heard about Janszen's testimony and informed Giamatti. Ueberroth and Giamatti took the allegations against Rose very seriously. Major League Baseball had long considered gambling on the sport to be the most egregious offense a player or manager could commit. In 1919, members of the Chicago White Sox were paid by gamblers to throw the World Series in favor of the underdog Cincinnati Reds. When the plot was discovered the next year, major league owners, seeking to clean up the game, selected a federal judge, Kenesaw Mountain Landis, to become the first commissioner of MLB. Landis permanently banned all eight members of the Black Sox, as they came to be known, from baseball.

Since the time of the Black Sox scandal, MLB has had zero tolerance for gambling on baseball, and any player or manager who bets on the sport could receive a permanent expulsion. MLB's fear of gambling-related corruption runs so deep that even retired star players such as Mickey Mantle and Willie Mays were suspended for serving as greeters in casinos (Mantle and Mays later had their bans overturned). With such a history of opposition to gambling, MLB could not let the accusations against Rose go without inquiry.

Although Giamatti was not yet the commissioner, Ueberroth, as a lame duck, turned the Rose matter over to him. In office for only six months, Giamatti devoted his entire time as commissioner to investigating Rose's gambling. Following a private meeting with Rose and his attorneys, a meeting in which Rose proclaimed his innocence, Giamatti opened an investigation into allegations against the player. The commissioner appointed Dowd to head the investigation as special counsel to the commissioner. During the inquiry, Dowd interviewed Janszen and others through whom Rose had placed bets. Janszen, in particular, provided damaging testimony and damning evidence: Rose's betting slips from April, 1987, which listed bets on baseball games. A handwriting analyst confirmed that Rose had written the slips. At the end of the investigation, in August, 1989, Dowd reported that the evidence indicated that Rose had bet on baseball, including the Reds, from 1985 to 1987.

Pete Rose Is Banned from Baseball for Betting

Giamatti, however, created difficulties for himself during the investigation. In June, 1989, after Giamatti revealed in an April letter that he had begun to think that Rose was guilty, Rose and his lawyers filed suit against the commissioner. Rose decried Giamatti as prejudiced against him and stated that the Dowd investigation was unfairly damaging his reputation. Rose asked that Giamatti be replaced by an unbiased party and requested that the Cincinnati Reds be forbidden from taking action against him for any information revealed in the investigation. For two months, the case bounced between state and federal courts, and no action had been taken when the investigation ended in August.

With his credibility tainted, Giamatti had Fay Vincent, deputy MLB commissioner, handle much of the negotiation between the MLB and Rose. On August 23 the two parties decided that Rose would accept a ban from baseball but would not admit to any wrongdoing, nor would he deny wrongdoing. It was understood that after one year, Rose could apply for reinstatement. The following morning, Giamatti revealed the findings of the Dowd Report and announced that Rose would be placed on baseball's ineligible list. Under the ban, Rose could not play or manage in the major or minor leagues and could not attend any official MLB function.

IMPACT

In September, 1989, Vincent became the new commissioner of baseball following Giamatti's death, leaving Rose to doubt that his appeal would be approved. Animosity separated him from Vincent because the two were in conflict during settlement negotiations before Rose's ban was official. However, another serious legal issue stood in the way: In 1990, an Internal Revenue Service investigation led to Rose's conviction for tax evasion, and he was sentenced to a brief prison term and a period of community service. Although Rose could have applied for reinstatement after one year on the ineligible list, he waited until 1997 to do so, after Vincent's term ended and upon Bud Selig's becoming the new MLB commissioner.

For more than a decade after being banned, Rose maintained his innocence. In 2002, however, Rose

admitted to Selig in a private meeting that he had bet on baseball during the 1980's. Two years later, Rose confessed publicly in his autobiography, *My Prison Without Bars* (2004). Although Rose hoped to be reinstated by baseball after his confession, MLB did not act on his application. Selig stated that Rose did little to indicate that he has changed since Giamatti banned him.

Unlike the 1919 Black Sox scandal, Rose's banishment from baseball had little effect on the game of baseball itself. However, Rose became a lightning rod among baseball fans. In 1991, the board of the National Baseball Hall of Fame adopted a rule stating that any person on MLB's permanent ineligibility list could not be considered for election into the Hall of Fame. Despite having career statistics that warrant his induction, Rose remains ineligible. Like the case of Shoeless Joe Jackson, who was banned from baseball for his suspected role in fixing the 1919 World Series, Rose's banishment and his ineligibility for the Hall of Fame are topics of extensive debate among baseball fans and professionals.

—Jacob F. Lee

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Sokolove, Michael Y. *Hustle: The Myth, Life, and Lies of Pete Rose*. New ed. New York: Simon & Schuster, 2005. Critical biography of Rose, first published in 1990 and updated here, detailing his gambling problems. Attempts to answer the question, who is Rose—the All-American over-achiever or a symbol of corruption?

Vincent, Fay. *The Last Commissioner: A Baseball Valentine*. New York: Simon & Schuster, 2002. Autobiography by Vincent, the commissioner of MLB and Rose's postprofessional nemesis.

SEE ALSO: Sept. 21, 1919: White Sox Players Conspire to Lose World Series in "Black Sox" Scandal; Dec. 26, 1926: Ty Cobb and Tris Speaker Are Accused of Fixing Baseball Games; Spring, 1947: Baseball Manager Leo Durocher Is Suspended for Gambling Ties; Jan. 17, 1951: College Basketball Players Begin Shaving Points for Money; Fall, 1969-Winter, 1971: Japanese Baseball Players Are Implicated in Game Fixing; Nov. 29, 1979, and Jan. 31, 1983: Baseball Commissioner Suspends Mickey Mantle and Willie Mays for Casino Ties; Feb. 28, 1986: Baseball Commissioner Peter Ueberroth Suspends Players for Cocaine Use; Mar. 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use; Aug. 20, 2007: Football Star Michael Vick Pleads Guilty to Financing a Dogfighting Ring.

December 3, 1989

MARTIN LUTHER KING, JR.'S, DOCTORAL-THESIS PLAGIARISM IS REVEALED

In 1988, the editors of the Martin Luther King, Jr., papers made the unsettling discovery that King's doctoral dissertation as well as many of his academic papers had been substantially plagiarized. The editors were slow in reporting their discovery, but British journalist Frank Robert Johnson learned of it and broke the story in 1989.

LOCALE: London, England

CATEGORIES: Cultural and intellectual history; education; hoaxes, frauds, and charlatanism; plagiarism; publishing and journalism

KEY FIGURES

Martin Luther King, Jr. (1929-1968), Baptist minister and civil rights leader
Clayborne Carson (b. 1944), Stanford University historian and senior editor of the King papers
Frank Johnson (1943-2006), British political journalist
L. Harold DeWolf (1905-1986), King's dissertation adviser at Boston University
Coretta Scott King (1927-2006), civil rights activist, who was married to Reverend King

SUMMARY OF EVENT

Civil rights activist Coretta Scott King, the wife of slain civil rights leader Martin Luther King, Jr., initiated a project in 1984 to gather King's papers and publish them in a multivolume collection. She chose a prominent African American historian, Clayborne Carson, to direct the King Papers Project at Stanford University. In 1988, Carson and his assistants were shocked to discover instances of serious plagiarism in King's 1955 doctoral dissertation in theology for Boston University. The dissertation, "A Comparison of the Conception of God in the Thinking of Paul Tillich and Henry Nelson Wieman," included lengthy passages that were taken nearly word-for-word from various texts, es-

pecially from Boston University doctoral student Jack Boozer's thesis of 1952, without quotations, footnotes, or other attribution.

The King papers' editors soon discovered a pattern: King had placed extensive portions of other persons' writings in his graduate-school papers without documentation (citing one's sources is standard scholarly practice). Failing to check for accuracy, he replicated mistakes from those copied texts, errors that included footnotes with erroneous page numbers. Editors believed that disclosing the plagiarism would lead to public misunderstanding and do harm to the editorial project. Following discussions with the project's board of directors, the editors decided to first do exhaustive research to determine the extent of the plagiarism, after which Carson would announce the plagiarism in a scholarly article to appear just before publication of the first volume of King's papers.

Apparently the editors did not anticipate that putting off the announcement of their discovery would be interpreted as an attempt to conceal a scandal about a national hero. A few editors and board members, even after agreeing to not discuss the matter with outsiders, could not resist the temptation to inform friends and associates. American journalists began to hear rumors about problems with the project, but they apparently considered the matter too controversial to pursue, perhaps fearing their actions would be denounced as racist. However, when British journalist Frank Johnson heard the rumors, he telephoned Carson and assistant editor Ralph Luker to inquire about the matter. Although the two editors were noncommittal and vague, they did not entirely deny that King had probably engaged in plagiarism, at least to some extent. In a column appearing in the *Sunday Telegraph* (London) on December 3, 1989, Johnson reported his conversations. He wrote, in "Martin Luther King—Was He a Plagiarist?" that even if King were a plagiarist, "In my view this does not

detract from his greatness, no more than did the revelations about his extramarital sex life.”

Although other historians and journalists were aware of Johnson’s scoop, they chose not to publicize the scandal further. Carson hoped to be the first to release the story more widely, and to do so in a scholarly article in the *Journal of American History*. Unexpectedly, his paper was rejected, reportedly because he had not taken a firm stand on the plagiarism issue. Meanwhile, while Carson was in the process of revising his paper (which was published in June, 1991), reporter Peter Waldman wrote a detailed story that appeared as “To Their Dismay, King Scholars Find a Troubling Pattern—Civil Rights Leader Was Lax in Attributing Some Parts of His Academic Papers” on the front page of *The Wall Street Journal* on November 9, 1990. *Time* magazine presented a similar account ten days later. A large percentage of the reading public in the United States now knew about the scandal, and it was widely assumed, especially by conservatives, that the editors of the King papers were covering up the plagiarism.

The scandal occurred at a time when a revisionist portrait of King’s human flaws was emerging from several books and academic articles. Several accounts, particularly Ralph Abernathy’s autobiography, told of his philandering, claiming that King had spent time with three different women during the last night of his life. Scholars also discovered that Keith Miller, a professor of rhetoric at Arizona State University, had already published articles demonstrating that King had borrowed extensively from others. Some scholars tried to defend King’s methods. Miller, for instance, argued that African American preachers looked upon concepts and words as resources to be shared for the benefit of the community, not private property to be selfishly guarded for individual advantage.

Other scholars, however, noted that King’s academic writings showed that he understood the standard rules of documentation, and that at least one of his graduate courses covered the issue of academic honesty explicitly. In addition, King had been careful to copyright his speeches and published works, even bringing suit for the unauthorized use of his fa-

mous “I Have a Dream” speech in the case of *King v. Mister Maestro, Inc.* (1963).

Many scholars remain puzzled about King’s plagiarism. He was an able writer, and the large original portions of his writings were competent, coherent, and clearly expressed. Carson suggested that King probably did not think he had done anything improper. As evidence, he showed that King did not destroy his papers but donated them to the Boston University archives. Perhaps King simply got in the habit of copying texts, and none of his teachers ever took the time and trouble to investigate. While writing his dissertation, he was working as pastor at the Dexter Avenue Baptist Church in Montgomery, Alabama. Perhaps his many duties caused him to be careless. It is also possible that he had instructed typists to paraphrase material and then neglected, or simply forgot, to check the final drafts.

It is particularly difficult to understand why King’s thesis adviser, L. Harold DeWolf, was not more critical and vigilant in checking King’s work. He was one of King’s closest personal friends—a coworker who marched with him during the Civil Rights movement. In his funeral tribute to King in 1968, DeWolf declared that he had spent many hours reading King’s papers. Because he also served as adviser for Boozer’s thesis, much of which was appropriated by King, it appears strange that he failed to recognize the obvious similarities.

IMPACT

In 1991, authorities at Boston University appointed a panel of professors to investigate the allegations that King had plagiarized his doctoral thesis. The panel concluded that about one third of the thesis was clearly plagiarized. After considerable debate, nevertheless, university officials decided not to revoke the doctorate. While conceding that King had acted improperly, they announced that the thesis contained original ideas and made “an intelligent contribution to scholarship.” Because he was no longer alive, moreover, the revoking of the degree would serve no valid purpose. Critics of the panel’s decision argued that the officials were likely motivated by political correctness and the desire to

maintain a connection between Boston University and King's great mystique.

Within a decade of the announcement, most had forgotten about the scandal. Those who did remember believed it to be a relatively minor flaw that did not significantly detract from the courage and high morality that King manifested in his long struggle on behalf of human rights and racial equality. Scholars commonly describe plagiarism as a form of academic dishonesty, even fraud. Students who are found guilty of such behavior are usually punished with a failing grade, sometimes even expulsion from a course or program. For academics who are familiar with the scandal, the use of the title of doctor as part of King's name will always sound inappropriate.

—Thomas Tandy Lewis

FURTHER READING

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_____, eds. *The Papers of Martin Luther King, Jr.* Vol. 2. Berkeley: University of California Press, 1994. This volume of King's collected papers includes an annotated edition of his doctoral thesis as well as other papers of the period.

Mawdsley, Ralph. *Academic Misconduct: Cheating and Plagiarism*. Topeka, Kans.: NOLPE,

Martin Luther King, Jr.'s, Plagiarism Is Revealed

1994. A useful guide for research into academic standards regarding plagiarism and the excessive borrowing of others' works.

Miller, Keith D. *Voice of Deliverance: The Language of Martin Luther King, Jr., and Its Sources*. Toronto, Ont.: Free Press, 1992. Denying that King was a plagiarist, Miller argues that he practiced "voice merging" and other longstanding rhetorical devices of African American ministers.

Pappas, Theodore. *Plagiarism and the Culture War: The Writings of Martin Luther King, Jr., and Other Prominent Americans*. Rev. ed. Tampa, Fla.: Hallberg, 1998. Thirteen early sources and essays about the scandal, including Johnson's *Sunday Telegraph* column of 1989 and Pappas's strong denunciation of King's plagiarism. Accuses King's apologists of ethical relativism and political correctness.

SEE ALSO: Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Apr., 1998: Scottish Historian Is Charged with Plagiarism; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

December 15-25, 1989

HARASSMENT OF A CHRISTIAN MINISTER SPARKS THE ROMANIAN REVOLUTION

By late 1989, Romanian dictator Nicolae Ceaușescu was pressured by neighboring countries to change Romania's deplorable economic and social conditions. He responded by shifting the blame to the Communist Party and calling for improvements in living standards but not changes to the political system. A Protestant minister condemned the discrimination against Hungarians living in Romania, and authorities began harassing him and ordered his eviction from his church apartment. The minister was physically attacked, sparking protests that led to the downfall of Ceaușescu and his regime.

LOCALE: Timisoara, Romania

CATEGORIES: Atrocities and war crimes; social issues and reform; violence; politics; government; military

KEY FIGURES

Nicolae Ceaușescu (1918-1989), dictator of Romania, 1965-1989

Laszlo Tokes (b. 1952), pastor of the Hungarian Reformed Church in Timisoara, Romania

Vasile Milea (1927-1989), Romanian defense minister

Ion Iliescu (b. 1930), interim president, 1989-1990, and president of Romania, 1990-1992, 1992-1996, 2000-2004

SUMMARY OF EVENT

In December, 1989, Romanian leader Nicolae Ceaușescu's actions against Protestant minister Laszlo Tokes led to the dictator's own downfall and to the end of his repressive communist regime. Speaking out from his pulpit in Timisoara, Tokes had long criticized the Romanian government for its discriminatory practices, especially against his fellow Hungarians living in Romania. Ceaușescu's government, to silence the pastor, harassed him and ordered his eviction from his church apartment. On

November 2, armed attackers (some claim from the Romanian Securitate, or security police), had beat him in his home. Tokes's congregation and others from Timisoara assembled around his home and church for a vigil to protest his treatment and prevent his arrest, set for December 15. What followed was mass resistance, heretofore unheard of in Romania, which caught the imagination of Romanians in other towns, and protests began all over the country.



Romanian Protestant minister Laszlo Tokes speaks to his congregation in January, 1990, after being freed from house arrest. (Hulton Archive/Getty Images)

Romania, a small Central European country surrounded by Hungary, Serbia, Bulgaria, and the Black Sea, was ruled beginning in 1965 by Ceaușescu, the leader of the country's Communist Party. In his zeal to improve Romania's economy, Ceaușescu borrowed billions of dollars from Western countries to finance economic development programs. However, his programs backfired, and he started austerity programs to correct the situation. By the 1980's, Romania was exporting so much of its agricultural and industrial production that its own people were left without enough food and other basic resources. Ceaușescu instituted rationing and other programs, determined not to let the country's indebtedness reduce Romania to the condition of needing to rely on the largess of the West and the Soviet Union.

The shortages of food, fuel, and other basic necessities, along with the forced relocation of many rural residents, took their toll on the people. Many began to speak out against the government's insensitivity to their increasingly low standard of living and to inequitable treatment. The ruling class lived well, even luxuriously and decadently, while the general population lived in conditions similar to those during wartime, facing extreme rationing and shortages. Some reports claim the government's policies led to the death of fifteen thousand Romanians each year from starvation, cold, and various shortages of medical care and other necessities.

Minister Tokes, a young, handsome, ethnic Hungarian in Timisoara, a town in the Romanian region of Transylvania, preached a message about fairness and equality that appealed to many. His congregation started small but soon grew to more than four thousand members from all walks of life—the elderly, middle-age adults, and university students—all eager to hear his message of fairness for those not part of the ruling elite. His popularity soon caught the attention of the communist government's authorities.

Ceaușescu lived by the Marxist dictum that religion “is the opiate of the masses,” and that Christians in general, and Tokes in particular, were not to be tolerated in a communist society. The dictator's initial reaction to Tokes's popularity was to have his



Romanian dictator Nicolae Ceaușescu around 1965, the year he took power in Romania. (Library of Congress)

1980's

security police harass and threaten the members of his congregation. When none of those actions deterred either Tokes or his congregants, Ceaușescu arranged to have Tokes suspended from his ministry and then denied him ration books that were needed to obtain food for himself and his family. Still resisting the efforts to be scared away from his mission, Tokes was attacked by masked men, who were rumored to be security police, and beaten and stabbed.

The townspeople of Timisoara began their protests after hearing of the brutal attack on Tokes. Crowds of unarmed men and women gathered about Tokes's church apartment on December 15, 1989, to prevent the authorities from taking the minister from his home. At this time Ceaușescu was out of the country on a state visit to Iran, but his security police, under the direction of his wife, Elena, tried to disperse the protesters, who quickly formed massive demonstrations. The police moved against the protesters with tanks and helicopter gun ships. A

state of emergency was declared after the Timisoara protests spread to several other Romanian cities: The population was fed up with life under Ceaușescu.

By December 22, with Romania in the middle of widespread revolt, Ceaușescu, who was back in the country, ordered his army to break up the protests and to fire on the protesters, most of whom were unarmed, if necessary. Defense Minister Vasile Milea, however, refused to order his soldiers to shoot civilians. Milea soon was found dead. His official cause of death was listed as a suicide. Another version of how he died claims that Milea had tried to incapacitate himself to relieve himself of having to follow orders with which he disagreed, and that he had botched the attempt and died accidentally. Most Romanians, though, believe that a security police officer had murdered him in retaliation for his refusal to lead the army against the protesters.

Fighting continued throughout the country, as demonstrators organized themselves into the *Frontul Salvării Naționale*, or the National Salvation Front (NSF). Tokes was a part of the organization, as was the army chief of staff, Stefan Gusa. The army threw its support behind the protesters.

The Securitate remained loyal to Ceaușescu, and it used force and terrorism to try to quell the increasingly widespread insurrection. However, on December 25, the protesters and the army subdued the Securitate and took control of the government. The Ceaușescus tried to flee but were captured. They were tried in a secret trial on Christmas Day and summarily executed by a firing squad for crimes against the state and for genocide, the illegal gathering of wealth, and “undermining” the Romanian economy.

IMPACT

The NSF took power immediately and abolished the one-party system of the previous decades. However, the NSF also proclaimed that though Ceaușescu and the Communist Party brought disaster to the country, communism in and of itself was not to be abandoned. Some of the Communist Party members who held power during the Ceaușescu regime kept their leadership positions after his fall. The in-

terim president, Ion Iliescu, who had been mentored by Ceaușescu, became disaffected with the way his mentor was ruling the country, so Ceaușescu stripped him of all his party positions. During the elections of 1990, the NSF won a large majority in the legislature. Iliescu was reelected to the presidency in 1992.

Tokes eventually became a bishop of the Hungarian-speaking Reformed Church district of Oradea in Transylvania. In 2007, he was speaking out on issues relating to religion and ecumenical cooperation.

Though the economy lagged and civil unrest continued because of food shortages and price increases, Romania slowly pulled itself out of the depths of repression. By 2007, the constitution had been changed to protect the rights of ethnic minorities, and the country had joined the North Atlantic Treaty Organization and the European Union. Also, after having been deprived of the right by Ceaușescu beginning during the 1960's, Romanians could once again celebrate Christmas.

—Jane L. Ball

FURTHER READING

Campeanu, Pavel. *Ceaușescu: From the End to the Beginning*. New York: Columbia University Press, 2003. A prison cellmate and fellow communist, Campeanu bases his account of Ceaușescu's rise to power on previously unavailable documents and personal recollections.

Deletant, Dennis. *Ceaușescu and the Securitate: Coercion and Dissent in Romania, 1965-1989*. Armonk, N.Y.: M. E. Sharpe, 1996. An authoritative account of the Ceaușescu years, providing a history of the oppressors and the oppressed. It is the first major work to use the archives of the Romanian secret police.

Pacepa, Ion Mihai. *Red Horizons: The True Story of Nicolae and Elena Ceaușescu's Crimes, Lifestyle, and Corruption*. Washington, D.C.: Regnery Gateway, 1990. Pacepa was a high-ranking officer who defected from Romania. A first-person exposé of the Ceaușescu regime.

Siani-Davis, Peter. *The Romanian Revolution of December, 1989*. Ithaca, N.Y.: Cornell Univer-

sity Press, 2005. The causes of the revolution and way Ceaușescu was overthrown are discussed in a straightforward, journalistic style. A detailed account of how various leaders and ordinary people became involved in the chaos.

SEE ALSO: Oct. 25, 1924: Forged Communist Letter Brings Down British Government; Feb. 23, 1963: Play Accuses Pope Pius XII of Complicity in the Holocaust; Jan., 1997: Pyramid Investment Schemes Cause Albanian Government to Fall.

December 18, 1989

PRINCE CHARLES'S INTIMATE PHONE CONVERSATION WITH CAMILLA PARKER BOWLES IS TAPED

In 1993, an Australian magazine published a transcript of a private phone conversation in December, 1989, between lovers Prince Charles and Camilla Parker Bowles, leading to an international scandal. The scandal also led to the divorces of both parties and, for a time, threatened the stability of the House of Windsor. Also, the revelation of the tapes heightened fears that the British security service was monitoring the royal family—primarily Princess Diana—through bugging and wiretapping.

ALSO KNOWN AS: Camillagate

LOCALES: Chester and Wiltshire, England

CATEGORIES: Communications and media; politics; public morals; royalty; sex

KEY FIGURES

Charles, Prince of Wales (b. 1948), eldest son of Queen Elizabeth II and heir to the British throne

Camilla Parker Bowles (b. 1947), mistress and later wife of Prince Charles

Diana, Princess of Wales (1961-1997), first wife of Prince Charles

Andrew Parker Bowles (b. 1939), first husband of Camilla Parker Bowles

SUMMARY OF EVENT

Late in the evening of December 18, 1989, Prince Charles had a mobile-phone conversation with Camilla Parker Bowles, his friend of many years. The two had a long history together. Bowles often

boasted that her great-grandmother had been the favorite mistress of King Edward VII, Charles's own ancestor. Charles had met Bowles when he was a young man. He was immediately attracted to her. While he was at sea with the Royal Navy, Bowles had married Andrew Parker Bowles. Eventually, they had two children.

Several years later, at the age of thirty-one and at the urging of his family, Charles was married as well. His bride, Diana Spencer, who had been approved by Bowles, had just turned twenty years old. Princess Diana would give birth to two sons, assuring the continuation of the House of Windsor. Later, according to Charles's report, after both their marriages had cooled, he and Bowles became lovers. Older friends of the prince observed that a mature Bowles resembled the most beloved nanny of his childhood. Whatever their deeper needs, the two were now committed lovers, meeting at the homes of friends and indulging themselves in long, ardent telephone conversations. To their misfortune, one was overheard and would eventually be reported to the entire world.

To the parties involved, the conversation was intimate and loving; to a prurient international audience, which later read transcripts of the call, the conversation was ludicrous and salacious. Charles and Bowles expressed their desire to be together and their feelings that Sunday nights were unbearable without each other. Yearning for another meeting before the family holiday festivities intervened, they arranged an assignation. An ambulance strike was keeping Bowles's husband away on official du-

ties, and the lovers expressed their hope that the strike would continue indefinitely. Surprisingly, to a world that regards princes as privileged, Charles revealed feelings of inferiority, speaking of his bad luck and his low estimate of himself. Bowles reassured him, confessing that she would willingly endure the world's "indignities, tortures, and calumnies" for him and asking for a copy of a speech he was preparing. He replied to her own expressions of inadequacy that her greatest achievement was her ability to love him. He told Bowles of his desire to be "all over you, and up and down you, and in and out." Near the end of their conversation they played with the word "tit," referring both to her anatomy and a button on the telephone.

Destined to be ruler of a land that has produced great bards, Charles attempted his own poetic conceits. Lovelorn English poets of the past have expressed the desire to be a glove upon their lady's hand, the falcon that lights upon her shoulder, or even a flea within her garments. However, Charles outdid them all, telling Bowles that he would like to live inside her trousers, but that it would be his luck to be reincarnated as a tampon to be flushed down her lavatory. They then agreed that to come back as an entire box of tampons would be a better fate for him.

The prince's slightly hesitant but well-enunciated speech was known throughout England, and the more voluptuous low register of Bowles's voice also was easily identified by a listening eavesdropper. Considerable mystery still surrounds the origin of the tape, which would later become a major embarrassment to the British monarchy. Amateur scanners during the decade of the 1980's found it relatively easy to listen in on personal conversations, and when the identity of these special parties became clear, one unseen listener realized his or her rare fortune. The tapes were later carefully analyzed by the journals that would publish the transcripts, and their authenticity was never denied even by the principals themselves.

The scandal, however, did not break until January 13, 1993, when *New Idea*, an Australian women's magazine, revealed the existence of the tapes. The scoop was soon picked up by avid media around the world, to the extreme embarrassment of

the lovers, their families, and the entire British government. Meanwhile, the general public savored the melodrama. Jokers started referring to the heir to the British throne as "the royal tampon," and London shop girls began asking their pharmacists for a "box of Prince Charlies."

Bowles already was an object of disdain to the millions of admirers of Princess Diana, who had earlier revealed her husband's adulterous relationship to journalists. Diana's designation of Bowles as "the Rottweiler" was repeated in the press, along with bewilderment that the prince would reject his beautiful wife, a beloved woman the world over, in favor of one they described as "plain and middle aged." Even Charles's father, Prince Phillip, is said to have told Diana that nobody in his right mind would prefer Bowles to her.

Bowles knew that loyalty to the prince had its price. She already had been deluged with hate mail, forced to change her telephone numbers, and been pelted with bread rolls when she attempted to do her grocery shopping. With the publication of the telephone conversation, matters came to a head. Andrew Parker Bowles, a tolerant husband who had his own long-time mistress, soon concluded it was time for a divorce. Princess Diana, whose personal life by this time was not above reproach and who had to endure the embarrassing revelation of some of her own telephone conversations with a lover, realized that her marriage was effectively over as well.

IMPACT

Celebrity journalism flourished in the last decades of the twentieth century. Accounts of the deeds and misdeeds of popular entertainers, royalty, and even U.S. presidents sold magazines and newspapers. Respect for privacy, previously enjoyed by royalty, disappeared. While Queen Elizabeth II had always behaved with decorum and dignity, the escapades of her children provided a national melodrama for the entire world. Servants were paid for inside stories, and royal vacations were plagued by paparazzi. Though divorce had been verboten in the established Church of England since the traumatic times of King Henry VIII, it was now deemed preferable to the continuing scandal.

After their divorces, Bowles and Charles started living openly at Highgrove House, one of Charles's favorite residences. Gradually the two started appearing together at social and charitable events, preparing the British people for eventual acceptance of their relationship. After the death of Queen Elizabeth, the Queen Mother, Clarence House became the prince's choice residence in London, and Bowles made herself at home there. Though she had never shown much interest in fashion, being more comfortable in a riding habit, she acquired a new polish and an expensive wardrobe of designer dresses.

The untimely death of Princess Diana in 1997 in a Paris car crash, one year after her divorce was final, sparked nationwide, indeed international, mourning. During this time, Bowles stayed out of public view. Charles was now free to remarry in the Church of England, though not to Bowles, who earlier had been divorced. This placed the prince, destined to be the head of the church upon assuming the throne, in an awkward position. With the help of his family and church dignitaries, a compromise was finally reached. On April 9, 2005, the couple were legally married in the town hall at Windsor, followed by a lavish blessing in Windsor Chapel conducted by the archbishop of Canterbury before families and friends. For romantics not still enthralled by the glamorous Princess Diana, this was a satisfying resolution for a man and woman who had been devoted to each other for thirty years, though separated in youth by status and circumstance.

Now designated the duchess of Cornwall, Bowles continued to support her husband in state visits and other royal engagements. She received his future subjects graciously, though never upstaging him as Diana had frequently done. It seemed only a matter of time before Bowles would be fully accepted as Charles's "proper" spouse and eventually, perhaps when they were both advanced in years, as queen of England on a throne by his side.

—Allene Phy-Olsen

FURTHER READING

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- Graham, Caroline. *Camilla and Charles: The Love Story*. London: John Blake, 2006. A favorable portrait of Bowles, by her leading biographer. A gossipy read that seems to be well supported by facts.
- Paxman, Jeremy. *On Royalty: A Very Polite Inquiry into Some Strangely Related Families*. New York: PublicAffairs, 2006. A serious exploration of the institution of royalty, with some insightful attention to the late twentieth century problems plaguing the House of Windsor.
- Wilson, Christopher. *Charles, Camilla, and the Legacy of Diana*. New York: Citadel Press, 2002. Explores the coupling of Charles and Bowles through almost thirty years and the relationship's impact on the tragedy of Princess Diana's life and untimely death.

SEE ALSO: Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; Mar. 2–Sept. 25, 1963: John Profumo Affair Rocks British Government; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; July 25, 1987: Novelist-Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*; Aug. 23, 1992: Princess Diana's Phone Conversation with Her Lover Is Made Public; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair; Jan. 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock; Aug. 31, 1997: Princess Diana Dies in a Car Crash; Sept. 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major; Jan. 21, 2006: British Politician Resigns After Gay-Sex Orgy; Apr. 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary.

January 18, 1990**WASHINGTON, D.C., MAYOR MARION BARRY IS ARRESTED FOR DRUG USE**

Marion Barry was a controversial Washington, D.C., mayor. During his first term, he was arrested in an FBI sting operation after he was captured on a surveillance camera smoking crack cocaine with a former girlfriend. After serving a six-month jail term, Barry was reelected to political office. The videotape of Barry smoking crack and yelling obscenities caused a sensation when it was repeatedly broadcast on television.

LOCALE: Washington, D.C.**CATEGORIES:** Law and the courts; corruption; drugs; government; politics; public morals**KEY FIGURES**

Marion Barry (b. 1936), mayor of Washington, D.C., 1979-1991, 1995-1999

Rasheeda Moore (fl. 1990's), Barry's former girlfriend

Wanda King (fl. 1990's), FBI special agent

SUMMARY OF EVENT

Marion Barry, the mayor of Washington, D.C., had been suspected of possessing and using drugs since the early 1980's. Previous efforts by law enforcement to indict him had failed, but his luck eventually ran out. On January 18, 1990, the mayor was caught smoking crack cocaine with former girlfriend Rasheeda Moore in a sting operation conducted by the Federal Bureau of Investigation (FBI). He was arrested, convicted of possession and use of narcotics, and sentenced to six months in federal prison. Upon his release from prison, he was elected to a second term as mayor in 1994.

On the day of the arrest, Moore had telephoned Barry's office several times between 6:00 and 6:25 P.M. His secretary picked up the phone on Moore's last attempt to reach him and informed her that the mayor had already left the office but had taken Moore's phone number with him. Soon after Moore's final call, Barry telephoned Moore, who

invited him to her room at the Vista International Hotel. She told Barry that she was in town visiting from Los Angeles with a friend and that they wanted to see him. That "friend" was FBI special agent Wanda King, undercover for this assignment as Wanda Moore.

Barry agreed to stop by the hotel after taking care of some city business (a drawing for a housing lottery program). He insisted on meeting Moore in the hotel lobby instead of in her room. This change of plans required quick thinking on the part of the agents running the sting operation. Three video cameras and microphones had been placed in room 727, where Moore was waiting for Barry. For the sting to work, Barry had to be coaxed to the room. Moore was instructed to ask Barry once again to meet her in her room and to tell him that she had ordered room service. Barry called Moore after he was finished with his mayoral duties. Although Barry first protested her request to meet in her room, he finally agreed to do so.

At 7:35, Barry entered room 727, greeted Moore's friend Wanda (Agent King) with a handshake, and then hugged Moore. Wanda left the room so that the former lovers could reconnect. Barry and Moore drank cognac, watched television, and talked. Barry then tried to talk Moore into having sex, and he groped her several times. She refused his advances and steered the conversation to drug use. They both agreed that they wanted some cocaine, but neither had the drug on hand. The banter about sex and drugs continued for some time, until Wanda telephoned to let them know she was returning to the room. Upon her return she pulled Moore into the bathroom, telling her she had drugs for them to buy. Barry offered to buy the drugs for \$100 and Moore returned to the bathroom with the money, "bought" the cocaine, and returned to the bedroom with two \$30 packets of crack cocaine. Barry told Moore that he no longer smoked crack and asked if Wanda had some powder cocaine.

Moore went back into the bathroom to discuss the situation with Wanda.

Believing the operation was now a failure, Wanda left the room, leaving Moore and Barry. Moore suggested to Barry that they leave the hotel. She, too, thought the setup had failed. Barry then asked what drugs Moore had purchased. When she indicated that she did not buy anything, Barry told her to “go get some.” Moore found Wanda in the hallway and asked her if she could get some powder cocaine. Wanda said that she could, but that it would take about an hour to find some.

After Wanda left, Barry asked Moore for a crack pipe. Even though he had used crack before, he appeared to fumble with the pipe. He asked Moore to get it ready and then insisted she take the first hit, possibly to try to determine if she was setting him up. Moore refused, saying that crack made her nervous and hyperactive and that she was going to wait for the powder cocaine. In the meantime, Barry prepared the pipe and took two successive hits. He then drank the rest of his cognac and suggested they go downstairs to the lobby. In an attempt to stall their departure, Moore began cleaning up the evidence. Barry called his bodyguards, who had been notified (and quieted) by the FBI of the sting operation, to alert them that he was departing for the lobby. At that point, agents and officers from the FBI and Metropolitan Police Department of Washington, D.C., entered room 727 from an adjacent room and arrested Barry for possession and use of illegal drugs. Barry insisted that he did not have any drugs on his person and that he had not been using drugs. He began to verbalize his dismay about his decision to visit Moore in her hotel room, saying that he had been set up. “I’ll be goddamn. Bitch set me up” is an oft-quoted line, attributed to Barry, from the sting operation transcript.

Barry was escorted from the hotel room discretely by service elevator, taken to FBI headquarters, fingerprinted, and photographed. As a courtesy, Mayor Barry was booked there instead of the central booking office in Washington, D.C. He also provided a urine sample (which later tested positive for marijuana, cocaine, and alcohol). Barry resigned as mayor and served six months in federal prison.

IMPACT

Barry’s arrest and conviction were not as scandalous as his reelection to city office after serving time in prison. The sting operation leading to Barry’s arrest interrupted but did not end his political career. He was elected to the Washington, D.C., city council in 1992 and elected to a second term as mayor in 1994. His success, after such public display of his shortcomings, may be due in part to where he served as mayor and councilman. Most residents of Washington, D.C. are African Americans. Barry, who is also African American, was well liked by those he represented.

As a councilman, Barry represented ward 8, an area that comprises mostly lower-income residents and is riddled with crime and violence. The residents of ward 8 perhaps felt connected to him because they believed he shared their struggles as racial minorities. Barry was well-educated (he had a



Washington, D.C., mayor Marion Barry in 1996. (AP/Wide World Photos)

master's degree in organic chemistry from Fisk University), but he lived in the jurisdiction he represented, a working-class area whose residents were not well-educated. These factors gave him immense credibility and ultimately led to his ability to turn a scandalous situation, a career-ending situation in most cases, into a positive to further his political career.

—Eileen M. Ahlin

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March, 1990

MENENDEZ BROTHERS ARE ARRESTED FOR MURDERING THEIR PARENTS

Erik and Lyle Menendez murdered their parents with the blasts of two shotguns. The media went into a frenzy, first believing the murders were part of a mob hit, but after the brothers used battered child syndrome as their defense, the media could not be stopped in its incessant coverage. The transformation of a murder trial into media spectacle and entertainment raised questions about the impact of increasing media coverage on the justice system in the United States. The brothers were finally convicted in a second trial, but this time without cameras inside the courtroom.

LOCALE: Van Nuys, California

CATEGORIES: Communications and media; publishing and journalism; law and the courts; murder and suicide; public morals

KEY FIGURES

Lyle Menendez (b. 1968), son of Jose and Kitty Menendez

Erik Menendez (b. 1971), son of Jose and Kitty Menendez

Jose Menendez (1944-1989), father of Erik and Lyle Menendez

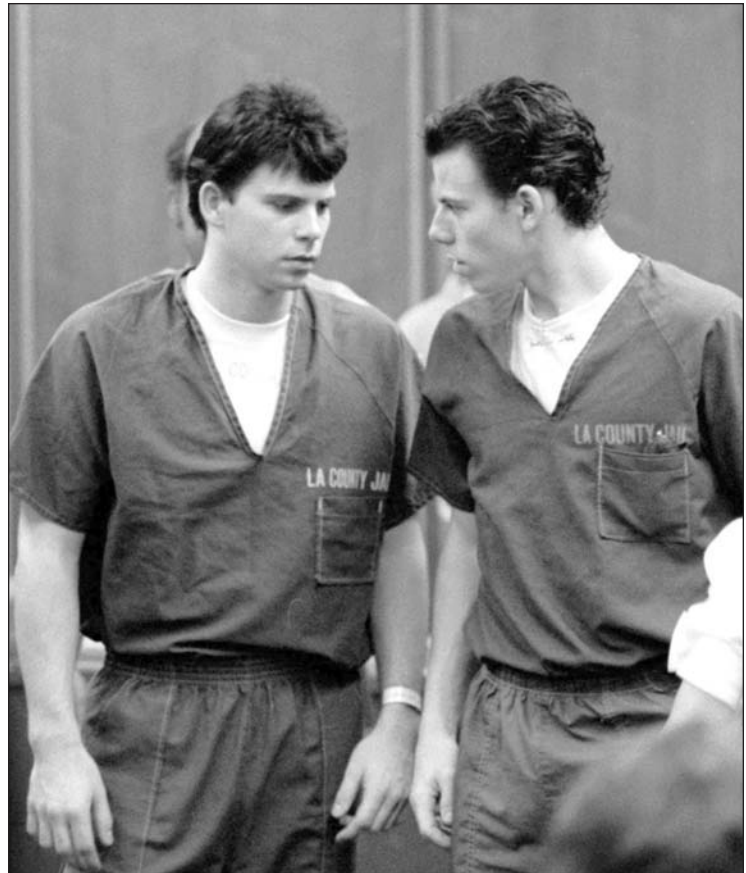
Kitty Menendez (Mary Louise Anderson; 1941-1989), mother of Erik and Lyle Menendez

SUMMARY OF EVENT

On the evening of August 20, 1989, Kitty and Jose Menendez were relaxing in their Beverly Hills home. Kitty was reviewing her son Erik's application to the University of California, Los Angeles, and Jose was having a snack while watching television. Later in the evening, Erik, age eighteen, and his brother Lyle, age twenty-one, each carrying a shotgun, entered the room where both parents were sitting and shot them to death. Before they called police to report the murders, the brothers concocted an elaborate cover-up. They told police that they had been out for the evening and found their parents' bodies when they got home.

Officials might never have discovered the truth if Lyle Menendez had not confessed the killings to his therapist, Jerome Oziel, in October, 1989. Oziel said that the brothers threatened to kill him and his family if he ever told of the confession. Out of fear, he taped their sessions. California law permits therapists to report to officials confidential material obtained from patients if that patient threatens violence against him- or herself or another person. Oziel felt justified in reporting the confession and providing the tapes to law enforcement. In March of 1990, the brothers were arrested and charged with the murders of their parents. Lyle was arrested close to his home on March 8 and Erik, arriving from a trip to Israel, was arrested at Los Angeles International Airport on March 11. They were indicted on December 8, 1992.

A Cuban refugee, Jose Menendez arrived in the United States at the age of sixteen and stayed with friends of his family until he married Kitty at the age of nineteen. After earning a degree in accounting from Queens College in Flushing, New York, he worked as an accountant in Manhattan and as a controller for a shipping company in Chicago before taking a position with Live Entertainment in Cali-



Lyle Menendez, left, and brother Erik Menendez in a Santa Monica, California, court on August 6, 1990. (AP/Wide World Photos)

fornia. He was a driven person, a hard worker who expected excellence from himself and his family. The police, believing his murder could have been a mob hit, did not immediately consider the brothers as suspects, even though the two had gone on a spending spree after the death of their parents and did not exhibit normal signs of mourning.

Several circumstances, however, soon pointed to the brothers as suspects: Lyle and Erik were the sole beneficiaries of the family's fourteen-million-dollar estate and had been using the money after the deaths of their mother and father to buy expensive items. Also, Erik had written a screenplay with a plot that was similar to the murders, and a shotgun shell was found in a pocket of a jacket owned by Lyle. The brothers remained in jail for almost three years before their trial began, while the courts de-

bated, among other things, the admissibility of the testimony of the brothers' therapist and the therapist's taped sessions. The media covered every possible angle of the case to keep the trial in the public view, interviewing anyone even remotely involved with the Menendez family.

The trial itself was unusual. To save money for the state, the brothers were tried together but each had his own jury. Each time testimony or evidence was presented regarding one brother only, the jury of the brother not under discussion had to leave the courtroom. At trial, the Menendez brothers did not deny murdering their parents, but they alleged they shot them because they feared for their lives. The basis for their defense was battered child syndrome. Erik and Lyle told horror stories of emotional and sexual abuse that included forced oral sex, sodomy with a toothbrush, and even rape by both parents. Their parents were overly demanding, impossible to please, and forceful, even to the point that Lyle was ordered to wear a wig to hide his appearing baldness. The brothers said that they thought their parents had planned to kill them on the day before the murders, when the family had gone shark fishing.

IMPACT

The Menendez brothers' murder trials were two in a long line of high-profile cases that saw an increase in sensational media coverage, especially coverage using video cameras. What became scandalous in this case were not the murders but the behavior of the media and those working to transform the trials into entertainment.

The press obsessively followed the case from beginning to end, making it one of the most media-saturated trials in American history. Court TV, a new cable network series, covered the trial live. Attorneys and witnesses made dramatic statements outside the courtroom, knowing they would appear on national television. News reports and tabloid stories ranged from slightly factual to outright fantastical. Because of the widespread coverage, the court had to screen more than eleven hundred prospective jurors before the case opened. Most of the prospective jurors had heard at least something

about the murders, and some even admitted they had formed an opinion about the guilt or innocence of the brothers.

The scandalous behavior of the media included physical disagreements over the twelve seats in the courtroom allotted for the press. Fights broke out over who would be sitting in those seats. Outside the courtroom the media gathered in a circus-like atmosphere, focusing on everyone even remotely associated with the proceedings. Even vendors pitched their products outside the court building. Agents made book deals and spoke about possible films. As the trial progressed, media pundits discussed the case in the hope of making their own book deals.

The chaos continued through the trial, which ended with hung juries and a declared mistrial. The brothers were tried again beginning in October, 1995, but this time, with one jury and in a courtroom without cameras; they were found guilty of first-degree murder on March 20, 1996. Each was sentenced to two consecutive life terms without parole. Partly because of the Menendez case, the courts began to increasingly enforce a ban on cameras and limit the number of reporters authorized to cover cases from the courtroom.

—Elizabeth Gaydou-Miller

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August 27, 1990

GUINNESS FOUR ARE FOUND GUILTY OF SHARE-TRADING FRAUD

In 1990, the chief executive officer of Guinness and three other officials in the British brewery company were found guilty of accounting fraud and theft for inflating the price of company shares as part of a strategy to defeat a hostile takeover bid of Distillers Co., which Guinness wanted to obtain itself. The so-called Guinness Four supplied millions of pounds to buy Guinness stock, thus driving up the price of company shares and making Guinness appear as a more attractive bidder for Distillers.

LOCALE: London, England

CATEGORIES: Law and the courts; corruption; banking and finance; business, trade and commerce

KEY FIGURES

Ernest Saunders (b. 1935), British businessman and chief executive officer of Guinness
Jack Lyons (1916-2008), British financier, department-store owner, and philanthropist
Gerald Ronson (b. 1939), British businessman and real-estate developer

Anthony Parnes (fl. 1980's), British millionaire stock broker

Ivan Boesky (b. 1937), American stock trader

SUMMARY OF EVENT

The Guinness Four trading-fraud scheme was scandalous on two counts. One, three wealthy businessmen conspired with the chief executive officer of Guinness brewery to buy a large number of shares of Guinness stock and thus boost the value of all company stock. Two, government authorities gathered and presented evidence at the trial of the four men in a manner that was later condemned by a higher court. The authorities had made several legal and procedural mistakes even before bringing the four to trial.

The Guinness-Distillers takeover story broke in 1986 during the insider-trading trial of American stock trader Ivan Boesky in an unrelated case. Many in London financial circles considered the behavior to be noncriminal; even more believed it was not even scandalous. Share-price manipulation was a common practice in the mid-1980's in both London and Wall Street financial circles.

The scheme involved the hostile takeover bid of Distillers Co., of Edinburgh, Scotland, a company that Guinness had plans to acquire itself. To ensure that Guinness would be the company that acquired Distillers, Chief Executive Officer Ernest Saunders contacted Jack Lyons, Gerald Ronson, and Anthony Parnes, all self-made wealthy businessmen, and asked for their help. The four conspirators supplied millions of pounds to buy Guinness stock, thus driving up the share price. This made Guinness appear as a more attractive bidder for Distillers. No evidence exists, however, to show that Saunders or the other three sought to benefit immediately by manipulating the share price of Guinness stock, but all four stood to make considerable profits at a later date if the multibillion-pound takeover came through. Guinness did manage to acquire Distillers, renamed United Distillers in 1987.

The Guinness Four, as they came to be called, included millionaire stock broker Parnes, who began his career in finance as an office boy. Lyons, a financier, department-store owner, and philanthropist, left school at the age of sixteen to work in his father's garment factory. Saunders's parents fled from the Nazis in Austria when Saunders was a baby and had to start life over again in England. Ronson, a real-estate developer, quit school at the age of fifteen to begin earning his own money. By dint of hard work, street smarts, and well-considered risk taking, the four independently acquired considerable personal wealth and social standing, both of which would increase if they could pull off the Guinness takeover of Distillers on their own terms.

Little, if any, evidence exists to suggest that Saunders and colleagues did anything out of the ordinary in the takeover. In the mid-1980's, stock ownership was still largely confined to institutions and wealthier individuals. The lifestyles of these individuals as well as their investment decisions were unfamiliar to ordinary people, many of whom envied the rich their successes and delighted more in their mistakes and downfalls.

Stock trading began to be computerized as well in the 1980's, but it was still quite possible to move around large amounts of money without leaving a

trail of evidence or arousing suspicion. In the 1980's era of Reaganomics, under U.S. president Ronald Reagan and British prime minister Margaret Thatcher, making lots of money was celebrated, and no one closely examined the moneymaking process. Saunders, however, used company funds without the knowledge or permission of the Guinness board of directors, which caught the attention of company officials. It should be noted, though, that Guinness directors did not initiate the investigation into the actions of Saunders and his colleagues. Nor did the board call for charges to be brought against the four men.

Bringing the stock-trading scandal to the international stage, Saunders also had provided Boesky with millions of dollars to manipulate Guinness stock prices on the New York Stock Exchange. Boesky was the undisputed "king of greed" on Wall Street during the 1980's. He was the leader in insider trading, that is, using private information to make very lucrative, illegal investments. Like the Guinness Four, Boesky was not the only person on Wall Street using insider information for personal or client profit. He was, however, much more flamboyant and his trades much larger and more public than other traders. His obvious delight in flaunting stock-trading procedures attracted the attention of U.S. Securities and Exchange Commission (SEC) investigators.

The SEC began investigating Boesky on charges of stock fraud. Boesky told the investigators that Saunders had been a business associate. This information was turned over to inspectors with the British Department of Trade and Industry (DTI), who opened an informal investigation into Saunders's activities. The Guinness Four cooperated with the DTI investigation.

On August 27, 1990, the Guinness Four were found guilty of false accounting and theft (and, for Saunders, conspiracy), fined millions of pounds, and sentenced to prison for up to four years. The defendants did not dispute their actions, but they argued that what they did was business as usual in the world of hostile takeovers. Many in financial circles agreed. The Guinness Four argued that takeovers often involved share-price manipulation, but

to DTI investigators, this “business-as-usual” argument was irrelevant.

Shortly after the Guinness Four were convicted, suggestions began to surface in the media that the authorities investigated and prosecuted the four because Boesky, Saunders, and Lyons were Jewish and were first-generation wealthy businessmen. The Guinness Four immediately appealed their respective convictions and prison sentences. Parnes’s sentence was reduced to twenty-one months. Lyons was fined four million pounds in lieu of serving any prison time due to ill health. Ronson was fined five million pounds, but his sentence was reduced to six months. Saunders, the person in charge of the share-price manipulation, was originally sentenced to five years in prison, but his term was later reduced to thirty months and then to ten months. His attorney argued that Saunders suffered from dementia associated with Alzheimer’s disease. Saunders later claimed to have recovered from the disease, which, if true, would have been a modern medical miracle.

British prime minister John Major also seemed to side with the Guinness Four. Only reluctantly did he strip Lyons of his knighthood, while assuring him that his services to the United Kingdom, including his many charitable activities, were still deeply appreciated. Many of those charitable organizations continued to proudly display Lyons’s name as a major benefactor.

IMPACT

In 2001, the European Court of Human Rights (ECHR) ruled that the initial Guinness Four trial was unfair. The court found that information gathered in the course of the informal DTI investigation, in which defendants cooperated, should not have been used to bring criminal charges against the four. The four had essentially been forced to testify against themselves, a violation of the legal right to silence. The ECHR did not rule that the Guinness Four were innocent, only that their trial had been marked by legal and procedural mistakes.

The European parliament has since amended the law to make evidence obtained under any type of compulsion or in a civil investigation inadmissible in criminal proceedings. The Guinness Four were

Guinness Four Guilty of Share-Trading Fraud

not acquitted, but the procedures for gathering evidence in possible stock-fraud cases changed. Despite repeated attempts, the convictions of the four were not formally overturned. Furthermore, the court refused their appeal for financial compensation on the grounds of procedural miscarriage of justice.

—Victoria Erhart

FURTHER READING

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Mar. 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; Sept. 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices; Mar.

5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal; Sept. 12, 2005: Westar Energy Executives Are Found Guilty of Looting Their Company.

November 19, 1990

LIP-SYNCHING DUO MILLI VANILLI LOSE GRAMMY AWARD

One of the most promising pop-music acts of the late 1980's, Milli Vanilli blended pop, soul, and rap into a unique and successful hybrid. However, the duo, Fab Morvan and Rob Pilatus, did not actually sing, causing a widespread scandal in the recording industry. The revelation not only caused sales of their album to plummet but also led to the revocation of the group's coveted 1990 Grammy Award for Best New Artist. A series of consumer lawsuits emerged from the scandal as well. The name "Milli Vanilli" remains associated with lip-synching and fraud in the music industry.

LOCALE: Los Angeles, California

CATEGORIES: Hoaxes, frauds, and charlatanism; music and performing arts; popular culture; radio and television

KEY FIGURES

Fab Morvan (b. 1966), French African model, dancer, singer, and songwriter

Rob Pilatus (1965-1998), German African model, dancer, and singer

Frank Farian (b. 1941), German music producer, singer, and songwriter

SUMMARY OF EVENT

The origins of pop group Milli Vanilli date back to an early 1988 studio project in Germany under the helm of producer Frank Farian. The initial recordings were cut by a team of professional vocalists and studio musicians, including Charles Shaw, John Davis, Brad Howell, Jodie Rocco, and Linda

Rocco. In addition to lacking fame as singers, Farian's group lacked a marketable appeal, leading him to look for a pair of models capable of dancing and lip-synching to the songs on stage. After meeting Fab Morvan and Rob Pilatus at a Berlin dance club, he quickly handed them the keys to the musical project and christened the two Milli Vanilli.

During the middle of 1988, the group's debut disc *All or Nothing* (with Morvan and Pilatus on the cover) was released in Europe, inciting a craze on the dance circuit for the project's blending of pop, soul, and rap. The attention soon carried over into the United States, resulting in a deal with Arista Records and that album's new release in 1989 as *Girl You Know It's True*. The title track raced up the *Billboard* Hot 100 (to number 2) and was followed by singles "Baby Don't Forget My Number," "Girl I'm Gonna Miss You," and "Blame It on the Rain."

Despite the astounding sales figures (which eventually hit the seven-million sales mark in the United States), the group began to face growing skepticism. During a taping of an MTV special in the summer of 1989 in Connecticut, Morvan and Pilatus were "singing" the smash single "Girl You Know It's True" in concert when their backing track skipped repeatedly, much to the dismay of the performers. Critics picked apart the botched attempt at lip-synching. Another controversy came at the end of 1989, when Shaw claimed the pair did not actually sing on the album. He quickly retracted the claim after allegedly being bribed by Farian.

In either instance, fans did not seem to mind. They continued to purchase *Girl You Know It's True* (and all its corresponding singles releases) at a

feverish pace, while voting in droves in polls for the American Music Awards (AMA). Milli Vanilli, in 1990, took home awards for Favorite Pop-Rock New Artist, Favorite Soul-R&B New Artist, and Favorite Pop-Rock Single (for “Girl You Know It’s True”). The music industry also took notice of the escalating adoration of the group, giving the duo a Grammy Award in 1990 in the Best New Artist category (beating out the Indigo Girls, Tone-Loc, Soul II Soul, and Neneh Cherry).

Given all the additional attention and lightning-fast ride to international fame, Morvan and Pilatus began developing excessive behaviors, including inflated egos and a party-hard mentality, often associated with musicians and other celebrities. Pilatus in particular received scorn for suggesting in an interview with *Time* magazine that Milli Vanilli was in the same elite category of musical innovators as Elvis Presley and Bob Dylan. Also, the duo tried to convince Farian that they should sing lead vocals in the studio on the next Milli Vanilli album.

The entertainers’ growing egos, coupled with media speculation, fueled Farian’s increasing frustrations and led to his November 12, 1990, admission that Milli Vanilli consisted of an act of two models who did not sing on the hit album. As expected, reporters jumped on the fraud story and turned the disgraced pop group into international tabloid material. Milli Vanilli faced an even bigger disappointment one week later, on November 19, when the National Academy of Recording Arts and Sciences, which presents the annual Grammy Awards, revoked the duo’s coveted Best New Artist Award, exposing all involved to even more public humiliation. Michael Greene, the academy’s president, said that academy trustees, who voted to revoke the award, “were just livid about the situation.”

Critics came out in full force to condemn the band with insults,

also suggesting the prefabrication and subsequent cover-up served as the ultimate mockery of the music industry. Fans also responded negatively to the revelation, immediately ceasing their radio station requests and sending the *Girl You Know It’s True* album into a sales stall. Arista Records also acted adversely, voiding its recording contract with Milli Vanilli, deleting the CD from its catalog, and forcing the title to go out of production. The album then ranked as the top former-best-selling album to be taken from store shelves.

A flurry of lawsuits, more than two dozen, followed. One of the more famous lawsuits was a class-action suit representing more than one thousand people seeking refunds after purchasing Milli Vanilli albums and singles. The following year, a similar suit was filed in Chicago, followed by several others seeking compensation. On August 28, 1991 (after intense legal wrangling), a settlement allowed those who purchased a record or a concert ticket to be eligible for refunds, as long as claims were filed before March 8, 1992.

Even with the negative publicity, Farian attempted to redeem himself, releasing 1991’s follow-up album *The Moment of Truth* (recorded before



Rob Pilatus, left, and Fab Morvan, best-known as the pop duo Milli Vanilli, show off their Grammy Awards in February, 1990. The awards were taken from them after it was revealed Pilatus and Morvan had lip-synched their work. (AP/Wide World Photos)

the scandal) by the newly minted The Real Milli Vanilli. Fans in the United States were still indignant at the previous deceit, so the album was released in Europe only. Morvan and Pilatus attempted to clean up their part of the scandal recording as Rob & Fab. They released an album in 1993, but it was a commercial and critical failure.

In early 1998, Morvan and Pilatus tried using the Milli Vanilli name one more time, recording *Back and in Attack*, but the pair never had the chance to prove itself. On April 2, Pilatus was found dead in a Frankfurt, Germany, hotel room after consuming pills and alcohol. Morvan pursued a solo career, released a solo album, *Love Revolution*, in 2003, and even had production talks with Universal Pictures for a film about the group's rocky history. *Milli Vanilli: Greatest Hits* was released in 2007.

IMPACT

The ultimate music industry disgrace is being stripped of a Grammy Award. Widely cited as one of the most shocking and embarrassing moments in music history is Milli Vanilli's loss of its Grammy for fraud. Also, the scandal has been analyzed as an instance of greed at the expense of originality and artistry, and is cited as an example of the significance of marketing to commercial success for a singer or band; some claim that marketability and appeal are more critical than actual musical talent.

Though lip-synching is not new to the music industry, the Milli Vanilli scandal marked the first time the deception was employed on such a massive

scale. Lip-synching is generally accepted during televised performances, but the duo crossed an ethical line because "singers" Morvan and Pilatus were not simply lip-synching their own recorded vocals; rather, they claimed to be original singing artists—which they were not—who were lip-synching their own work.

—Andy Argyrakis

FURTHER READING

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March 30, 1991**WILLIAM KENNEDY SMITH IS ACCUSED OF RAPE**

A nephew of U.S. president John F. Kennedy and Senators Robert F. and Ted Kennedy, William Kennedy Smith was accused of raping a woman he had met at a bar in Palm Beach, Florida. After a sensational criminal trial, Smith was acquitted of the charge. The case led to debate over the anonymity given to Patricia Bowman by news stations televising the trial and whether that anonymity, in general, perpetuates the idea that being raped is shameful.

LOCALE: Palm Beach, Florida**CATEGORIES:** Law and the courts; publishing and journalism; sex crimes; women's issues**KEY FIGURES**

William Kennedy Smith (b. 1960), physician
Patricia Bowman (b. 1961), Smith's accuser
Michelle Cassone (b. 1964), Bowman's friend,
and a waitress and bartender

SUMMARY OF EVENT

William Kennedy Smith, part of a prominent family in American politics, joined a long line of other Kennedy men involved in scandals including promiscuity, extramarital affairs, and even death by drowning. In March, 1991, Smith was accused of raping Patricia Bowman in Palm Beach, Florida, at the nearby Kennedy family compound. After a heavily publicized and sensational trial, he was acquitted of the charge.

Over Easter weekend, the thirty-year-old Smith was in Palm Beach with his uncle, U.S. senator Ted Kennedy, and his cousin, Patrick Kennedy (Ted's son). On the evening of March 30, the three went to the local bar, Au Bar, where Smith met twenty-nine year old Patricia Bowman, a single mother. Patrick began talking with another woman, Michelle Cassone. After consuming drinks, the two cousins and Bowman and Cassone left the bar for the nearby oceanfront beach house owned by the Kennedy family.

At the Kennedy property, Patrick and Cassone drank wine and talked while Smith and Bowman walked along the beach. Bowman later told authorities that Smith took off his clothes and ran into the water, upsetting Bowman, who headed back to the house. As she began walking, Smith got out of the water and returned to the beach. Bowman said that Smith tackled her to the sand, called her a "bitch," and raped her. Bowman insisted that she tried to fight off Smith's attack and that she screamed "no." She told police that despite her pleas, Smith raped her.

After the incident on the beach, Bowman placed a call from the Kennedy compound to a friend, Anne Mercer, whom she asked to pick her up. Bowman and Mercer then drove to the Palm Beach police station, where Bowman reported the rape. Bowman was then taken to Humana Hospital for treatment. Police later indicated that they were "99 percent" certain that the evidence obtained at the hospital that night supported Bowman's claim of rape. She had bruises on her midsection that were consistent with a forceful attack. Furthermore, Bowman passed two separate polygraph tests. Based on Bowman's claim, the hospital report, and polygraph results, Smith was charged with second-degree sexual battery and misdemeanor battery.

The criminal trial began later that year, and both Bowman and Smith testified before a jury of four women and two men. Testimony began on December 2, and the trial was nationally televised. Judge Mary E. Lupo heard the case. Bowman testified that she and Smith had been walking on the beach, that Smith had been forceful, and that he had called her "bitch" when she protested his sexual advances. She said that Smith then raped her, even though she clearly told him no and told him to stop. Bowman also testified that after she told him he had raped her, his response was that no one would believe she was raped while at the Kennedy home, let alone that she was at the home in the first place. Thinking ahead about the consequences of her accusations,

Bowman took a family urn and notepad from the mansion as evidence that she was at the Kennedy estate. The defense attorneys later tried to use this against Bowman, portraying her as a common criminal who could not be trusted.

Prosecutors tried to present testimony from three women who said they were assaulted by Smith—one was assaulted in 1983, a second in 1988, and a third in 1991, the same year Smith allegedly raped Bowman. These attacks, however, had not been reported to the police. Furthermore, Florida law prohibits revealing a defendant's criminal history in a sex-related case as evidence in another case if the modus operandi in that prior case differed from the

alleged crime in question. The defense, therefore, filed a motion to prevent the women's testimony. The court ruled that the prosecution in the Smith-Bowman trial failed to show how the previous three alleged attacks were relevant to the current case.

Smith recounted his version of the incident to the judge and jury, but it was a version very different from that of Bowman. The defense presented its case as consensual sex: Smith acknowledged that the couple engaged in sexual intercourse but he insisted that it was consensual. He testified that after they had sex, Bowman began to shake and cry. He did not dispute Bowman's testimony that she told Smith on the beach that he had just raped her. Smith

said that during their rendezvous on the beach, he called Bowman by the wrong first name—Cathy, his former girlfriend's name. (Interestingly, during the trial, Bowman had mistakenly referred to Smith as Michael.) Smith said that his mistake infuriated Bowman. At this point, he said, she told him to get off of her and then slapped him. Smith contended that this slip of the tongue, calling Bowman by the name Cathy, led to Bowman's accusation of rape against Smith.

The jury agreed with the defense and believed Smith's version of what happened March 30. On December 23, after eighty minutes of deliberation, the jury returned a verdict of not guilty.

IMPACT

Had Smith's family not been famous, it is unlikely the media would have paid close attention to the case. However, it was the manner in which the trial was covered by the media that defines the scandal's impact and legacy. What led to heightened intrigue with this case was the anonymity given to Bowman by news stations. Bowman was never fully seen on television during the trial. The image of her face was concealed with a blurred, blue or grayish dot on the screen. The dot—and its effect on not only the case but also the issue of keeping alleged victims anonymous in rape cases—remains part of the trial's legacy.



William Kennedy Smith leaves court after his arraignment on May 31, 1991. He pleaded not guilty to charges of sexual battery. (AP/Wide World Photos)



Camera operators, photographers, and reporters gather outside the Palm Beach County courthouse during William Kennedy Smith's trial for sexual battery in December, 1991. (Hulton Archive/Getty Images)

Commentators questioned whether keeping Bowman anonymous to viewers really helped her in the public eye or made her into an object for sensational reportage. Some critics of media coverage of rape cases and trials argue that keeping rape victims—or alleged victims—anonymous adds a veil of shame to their victimization, that to keep that person's identity secret reinforces the idea that a raped woman (or man) is a shameful woman (or man). After the trial, however, Bowman appeared on ABC's *Prime Time Live* with Diane Sawyer so that she could speak about her experience without concealing her identity. She said she wanted to help other rape victims feel less afraid when confronting their attackers.

Rape cases are often difficult for prosecutors. An accuser's credibility and sexual history are often weighed more heavily than any material evidence presented at trial. Rape cases are difficult to prose-

cute also because the case most often depends on differing versions of the same event. Even when solid rape-kit evidence points to an alleged perpetrator, the testimony of the alleged victim and the alleged rapist often overrides this evidence. This he said-she said aspect to rape cases clearly played a part in the outcome of Smith's trial: the jury believed Smith but not Bowman. Smith's resources and his family's notoriety may have influenced the jury's verdict as well.

—Eileen M. Ahlin

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April 5, 1991

GEORGE W. BUSH IS INVESTIGATED FOR INSIDER TRADING

George W. Bush, elected U.S. president in 2000, sold more than 200,000 shares of Harken Energy two months before the company announced a huge loss. This led to claims of insider trading against Bush, but a U.S. Securities and Exchange Commission investigation, which began in April, 1991, cleared him of wrongdoing.

LOCALE: Dallas, Texas

CATEGORIES: Law and the courts; business; corruption; banking and finance; government

KEY FIGURE

George W. Bush (b. 1946), oil-industry businessman and later governor of Texas, 1995-2000, and president of the United States, 2001-2009

SUMMARY OF EVENT

The large sums of money George W. Bush collected from his involvement with Harken Energy Corporation was one of the more controversial aspects of his life before his election as Texas governor in 1994. In 1986, Bush was the forty-year-old son of U.S. vice president George H. W. Bush (later president) and had little success of his own. His ventures in the oil industry were struggling. He had lost the election for a Texas congressional seat in 1978. His luck seemed to change, however, when he became involved with Harken Energy Corporation.

Harken, based at the time in Dallas, Texas, engaged in exploratory drilling at sites throughout the world. Like many speculative resource companies, it seemed better at self-promotion than at finding oil. Its oil wells were dry, it was loaded with debt,

and it lost money most years. Its accounting practices were byzantine, which made it difficult to correlate its assets with its stock price. However, in 1986, it added a famous name to its roster—the younger Bush. Harken purchased Bush’s partly owned and failing Spectrum 7 oil company for \$2.25 million. The buyout provided Bush with 212,000 Harken shares and additional stock options worth about \$600,000, a position as a consultant to Harken paying between \$80,000 to \$120,000 a year from 1986 to 1993, and a membership on the Harken board of directors (with additional directors’ fees).

In 1986 and 1988, Bush borrowed \$180,000 from Harken to purchase an additional 105,000 shares at favorable terms available to directors. However, Harken’s losses would continue. In 1989 the company lost over \$12 million, and in 1990 it lost \$40 million. Nevertheless, Harken was granted prime business opportunities, such as exclusive drilling rights in Bahrain along the Persian Gulf in 1990. Although deals such as this helped keep Harken in the financial news, the company was losing so much money its future was in jeopardy.

In the spring of 1990, Bush was considering selling some of his Harken stock to raise cash to participate in the purchase of the Texas Rangers baseball team. However, as he knew, he was required to obey federal laws that prohibit company insiders from profiting from private knowledge of a company. On May 17, Bush attended a special meeting of the Harken board of directors, in which the board was warned of Harken’s looming crisis. On June 6, Bush, as a member of Harken’s audit committee, received the company’s so-called flash report, which predicted a \$4 million loss. It is important to note, however, that Bush was not a member of the executive committee that had access to most of Harken’s financial information.

WHAT IS “INSIDER TRADING”?

The U.S. Securities and Exchange Commission defines “insider trading” as follows:

“Insider trading” is a term that most investors have heard and usually associate with illegal conduct. But the term actually includes both legal and illegal conduct. The legal version is when corporate insiders—officers, directors, and employees—buy and sell stock in their own companies. When corporate insiders trade in their own securities, they must report their trades to the SEC. . . .

Illegal insider trading refers generally to buying or selling a security, in breach of a fiduciary duty or other relationship of trust and confidence, while in possession of material, nonpublic information about the security. Insider trading violations may also include “tipping” such information, securities trading by the person “tipped,” and securities trading by those who misappropriate such information. . . .

Because insider trading undermines investor confidence in the fairness and integrity of the securities markets, the SEC has treated the detection and prosecution of insider trading violations as one of its enforcement priorities. The SEC adopted new Rules 10b5-1 and 10b5-2 to resolve two insider trading issues where the courts have disagreed.

- Rule 10b5-1 provides that a person trades on the basis of material nonpublic information if a trader is “aware” of the material nonpublic information when making the purchase or sale. The rule also sets forth several affirmative defenses or exceptions to liability. The rule permits persons to trade in certain specified circumstances where it is clear that the information they are aware of is not a factor in the decision to trade, such as pursuant to a pre-existing plan, contract, or instruction that was made in good faith.
- Rule 10b5-2 clarifies how the misappropriation theory applies to certain non-business relationships. This rule provides that a person receiving confidential information under circumstances specified in the rule would owe a duty of trust or confidence and thus could be liable under the misappropriation theory.

On June 8, Sutro & Company stockbroker Ralph Smith offered to purchase Bush’s Harken shares on behalf of one of his clients. Bush promptly inquired of Harken’s general counsel about the suitability of his selling Harken stock and was given a memorandum, “Liability for Insider Trading and Short-Term Swing Profits,” which warned against any selling by insiders that could be in violation of insider-trading laws. On June 22, Bush sold 212,140 of his

317,152 shares of stock for \$848,560—about \$4.25 a share. Two months later on August 20, Harken announced an astronomical loss of \$23 million for its second quarter. The price of its stock would soon fall to \$1.25, a 75 percent decrease, although the stock would eventually rebound to the price at which it was sold at by Bush.

On April 5, 1991, the U.S. Securities and Exchange Commission (SEC) started an insider-trading investigation into the transaction, requesting several documents from Bush. Documents that were made public indicate that the SEC found that Bush was not well informed about the poor financial condition of Harken and, thus, did not sell his shares in anticipation of its pending losses. In addition, Bush had been approached first by Smith to sell his shares and he made no effort to conceal the transaction. Although Harken's price did fall 20 percent the day of the sale, it rebounded over the following days. Finally, Bush's failure to file certain SEC forms was found to be a minor violation. Thus, the SEC decided that it would not charge Bush with insider trading; and it would seem difficult in the light of the SEC investigation to claim that Bush violated the law. (The stock price of Harken would continue to fall over the following decade, and it lost hundreds of millions of dollars, eventually reaching penny stock status.)

IMPACT

Bush's sale of his Harken shares was perhaps the most important transaction of his business career to potentially threaten his political future. If the sale constituted insider trading, it could have resulted in criminal charges and would certainly have obstructed his presidential aspirations. The issue was raised again in the 2000 presidential campaign and during the early years of his presidency. The Enron scandal of 2001 raised issues of corporate greed and wrongdoing, and the Center for Public Integrity obtained numerous Harken and SEC documents relating to Bush's sale through the Freedom of Information Act of 1966. Bush's call for a new era of corporate integrity in the United States subjected his dealings to even closer scrutiny. With no official finding of wrongdoing, however, White House

press secretary Ari Fleischer was able to defend the sale in a July 5, 2002, press briefing, and the issue faded from public view.

Although it seems clear that Bush did not violate the law, his involvement with Harken Oil does raise questions in this age of corporate scandals in which public corporations are often accused of being run for the benefit of their executives, directors, and insiders at the expense of workers and shareholders. The SEC conclusion that Bush did not fully understand the financial condition of Harken does excuse him from criminal liability but also raises questions about the lavish consulting and directing fees that he received for his services. Even if Harken were paying Bush for his name and business contacts and not for his expertise, such an arrangement is legal if no improper influence is exerted.

Although Harken's loan of \$180,000 to Bush is reminiscent of the loans Bernard Ebbers received from WorldCom and the Rigas family from Adelphia Communications Corporation in later corporate scandals, it is clear that Bush broke no law in borrowing from Harken. Although the SEC in January, 1991, compelled Harken to restate its losses for 1989 from \$3.3 million as reported to the \$12.6 million it actually suffered, this accounting irregularity reflects poorly on Harken management, not on Bush. Certainly, with Harken's stock price in long-term decline, Bush seems to have been one of the few shareholders to have profited from association with that relentlessly unsuccessful company. Whether the profits Bush accrued constitutes unscrupulous corporate conduct or shrewd business trading depends in the end on one's view of America's corporate culture of the last two decades.

—Howard Bromberg

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July 26, 1991

COMEDIAN PEE-WEE HERMAN IS ARRESTED FOR PUBLIC INDECENCY

Actor Paul Reubens achieved fame as the comedian Pee-wee Herman and had been ending his run as the popular host of his own children's television show, Pee-wee's Playhouse, when he was arrested for masturbating in an adult-movie theater in Sarasota, Florida. The incident attracted a great deal of media attention and condemnation of Reubens, which continued for more than a decade, but he later continued acting.

LOCALE: Sarasota, Florida

CATEGORIES: Sex crimes; public morals; radio and television

KEY FIGURES

Paul Reubens (Paul Rubenfeld; b. 1952), television and film entertainer best known as "Pee-wee Herman"

Judy Goldman (fl. 1990's), Sarasota County judge
Ronald Dresnick (fl. 1990's), defense attorney
Don Hartery (fl. 1990's), Sarasota County prosecutor

Larry Goldman (fl. 1990), publicity agent

SUMMARY OF EVENT

Paul Reubens, born Paul Rubenfeld, grew up in Sarasota, Florida, where at the age of eleven he began acting in local plays. While attending college, he continued to act and eventually joined the Groundlings, an improvisation troupe. Reubens created the Pee-wee Herman character in 1978 as part of his Groundlings night club act. In 1986, he became the host of the CBS Saturday morning children's show *Pee-wee's Playhouse*, which subsequently won numerous Emmy Awards. By the summer of 1991, the same time Reubens was arrested,

however, the show had run its course, and CBS was airing the last of its reruns.

On the evening of July 26, 1991, Reubens, who was on a summer vacation visiting his parents in Sarasota, Florida, was suffering from boredom and decided to attend the screening of an X-rated movie at Sarasota's XXX-rated South Trail Cinema. During 1991, the Sarasota police had initiated a crack-down on "adult obscenity" intending to rid Sarasota of morality offenses. Detectives had been periodically visiting local adult movie theaters hoping to catch patrons indulging in indecent acts. While Reubens watched a porno film the Sarasota detectives were working undercover at the theater. As Reubens was exiting the Cinema at the conclusion of the movie the detectives arrested him for exposing his sexual organs in public.



Pee-wee Herman (Paul Reubens) in 1984. (Hulton Archive/Getty Images)

The indecent-exposure law allegedly violated by Reubens prohibited the exposure of sexual organs, except in places set aside for that purpose. Adult-movie theaters had not been designated as locations where sexual organs could be exposed. Local police claimed that Reubens had been caught masturbating during the porno film screening at the South Trail Cinema.

Reubens's mug shot depicts a scowling, long-haired, goateed figure wearing a tee shirt and shorts, the antithesis of the childlike and "nerdy" Pee-wee Herman character who was always nattily dressed in a too-small gray suit with a red bow tie, white socks, and slicked back hair. Reubens was released on \$219 bail. Although local police may not at first have connected Reubens to Pee-wee Herman, Reubens told them who he was. The local media also figured out Reubens's identity through the police blotter. Soon, the national news media was in a frenzy over the star's arrest.

Media attention to the Reubens case created a chain reaction. Parents were concerned that their children had been exposed to immoral behavior watching *Pee-wee's Playhouse*. Moreover, adults did not know how to answer children's questions concerning the arrest of their beloved Pee-wee character. Many in the media and several celebrities supported Reubens and argued that the government had targeted Reubens because of his children's show. Several citizens in Sarasota publicly questioned whether prosecuting Reubens was the best use of taxpayers' money.

Despite claims by Reubens's publicity agent, Larry Goldman, that a videotape from a security camera in the theater would prove Reubens's innocence, no videotape evidence was ever produced. Reubens's defense attorney, Ronald Dresnick, also argued that the indecent exposure statute should not apply in adult-movie theaters, as exposure of sexual organs should be expected in such venues. Judy Goldman, the judge in the case, rejected the defense and ordered Reubens to face the charges.

Three and half months after Reubens's arrest, the actor entered a no contest plea on the charge of indecent exposure. (A no contest plea means that the person charged is neither admitting nor denying

guilt.) Reubens also entered into a plea agreement with Sarasota County, which Judge Goldman reluctantly approved. Goldman decided that given the national media attention, which would increase with a trial, the wisest choice was to accept the plea and avoid further cost to the county. Had Reubens been found guilty of the misdemeanor charges, he could have been sentenced to one year in jail and received a one thousand dollar fine.

Reubens agreed to pay a \$50 fine, \$85.75 in court costs, and participate in community service by writing, producing, and paying for public service messages for the Partnership for a Drug-Free America. Judge Goldman believed that Reubens was receiving minor punishment and vowed to impose much harsher penalties if he failed to comply with the plea agreement. Reubens fulfilled the terms of the plea agreement, retired from the public stage, and maintained a low profile, but only for a time.

Sarasota County prosecutor Don Hartery also agreed to seal the legal documents in the case, which left Reubens with a clean criminal record, despite at least two previous arrests. During his younger years, Reubens had been arrested and charged with loitering near an adult theater and possessing marijuana. The loitering charge was later dropped, and a judge entered no finding of guilt in the marijuana possession case in exchange for two years' probation.

Reubens's legal troubles were not over, however. In 2002, he was charged in Los Angeles with a misdemeanor count for possession of material depicting children engaged in sex. Reubens was once again arrested—this time for a crime the prosecution claimed involved sexual exploitation of children. The material at issue included old magazines and photographs, some of nude persons, seized from Reubens's home in 2001. Reubens, who was out as gay, claimed the items seized were part of his vintage art collection and that he had legally purchased the nude pictures and magazine depictions that were now being labeled as child pornography.

Reubens's bail was set at twenty thousand dollars. He once again bargained to avoid a public trial and agreed to plead guilty to a misdemeanor obscenity charge. In 2004, the child pornography charges were dropped. He paid a fine of one hun-

dred dollars and registered as a sex offender for three years.

IMPACT

The arrest of a children's show star for indecent exposure was big news in 1991. However, the media helped speed the demise of cult figure Pee-wee Herman, whose popularity had already begun to wane by the time of Reubens's 1991 arrest. After the arrest, CBS canceled the remaining reruns of *Pee-wee's Playhouse*, Disney canceled a short video of Pee-wee as part of its studio tours, and merchandisers discontinued the sale of Pee-wee Herman products. Reubens played the Pee-wee Herman character one more time at an MTV Music Video Awards show, and in 1988 he received a star on Hollywood's Walk of Fame.

Pee-wee Herman may have become the alter ego of Reubens, and Reubens may have been held to a higher standard because Pee-wee became the host of a children's show. Pee-wee, however, started out as an unusual, childlike character in a night club act, and Reubens never attempted to disguise Pee-wee's bad behavior, such as looking up women's dresses with mirrors glued to his shoes. In addition, as host of a children's show, Reubens, as Pee-wee, was never shy about poking fun at society's sexist and racial stereotypes.

Perhaps Reubens was singled out because of what he did—turn a childlike, adult entertainer into a beloved children's icon and use a children's show as a political platform. Supporters of Reubens believe that law enforcement targeted him to support its crackdown on adult obscenity through prosecutions and censorship. Reubens, however, may have the last word with the planned *Pee-wee's Playhouse: The Movie*.

—Carol A. Rolf

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October 11-13, 1991

JUSTICE CLARENCE THOMAS'S CONFIRMATION HEARINGS CREATE A SCANDAL

The confirmation hearings of U.S. Supreme Court nominee Clarence Thomas took a dramatic turn when a law professor Anita Hill accused Thomas of sexual harassment. The nation was riveted by the sensational allegations, which became the focus of a Senate Judiciary Committee hearing broadcast to the nation on network television.

ALSO KNOWN AS: Hill-Thomas scandal

LOCALE: Washington, D.C.

CATEGORIES: Law and the courts; women's issues; racism; government; politics; sex; radio and television; social issues and reform; communications and media

KEY FIGURES

Clarence Thomas (b. 1948), associate justice of the United States, 1991-

Anita Hill (b. 1956), American attorney and law professor

George H. W. Bush (b. 1924), president of the United States, 1989-1993

SUMMARY OF EVENT

In 1967, Thurgood Marshall, the famed former civil rights lawyer for the National Association for the Advancement of Colored People (NAACP), became the first African American appointed to the position of justice of the United States. Marshall retired in 1991, leading Republican president George H. W. Bush to face a difficult political situation. While some within the Republican Party pressured him to continue Ronald Reagan's judicial legacy by nominating a conservative, the president did not want to be perceived as racist in denying the so-called black seat on the Court to an African American. As an opponent of racial quotas, however, Bush could not select someone solely on the basis of his or her race. However, Clarence Thomas, a jurist with solid conservative credentials, proved an ideal candidate; and he was black.

Bush believed Thomas's race would keep powerful civil rights groups from opposing the nomination. Furthermore, Thomas's ideology would satisfy the president's core constituency. On July 1,



Anita Hill testifies before the Senate Judiciary Committee on October 11, 1991. (AP/Wide World Photos)

1991, Bush nominated Thomas, indicating that race had “nothing to do” with his selection of Thomas.

Thomas was born into poverty, raised by his grandparents, and educated by Roman Catholic nuns in rural Pin Point, Georgia. He graduated with honors from Holy Cross College in 1971 and earned a law degree from Yale University in 1974. After a series of jobs with the federal government—including the Department of Education (DOE) and the Equal Employment Opportunity Commission (EEOC), where Thomas, as chairman, often found himself at odds with civil rights groups—he was appointed to the U.S. Court of Appeals for the District of Columbia Circuit in 1990.

The confirmation hearings began rather uneventfully before the Senate Judiciary Committee on September 10, 1991. The hearings, however, would not conclude that way. Thomas’s supporters em-

phasized his rags-to-riches story, his career as a governmental employee, and most important, his belief that a judge’s role was not to make decisions based upon personal opinions or interests, but rather to interpret and apply the choices made by the legislative and executive branches. Thomas’s opponents decried his perceived lack of qualifications: a limited career in law practice—only five years—and even less judicial experience—a mere eighteen months. Twelve members of the American Bar Association (ABA) Standing Committee on the Federal Judiciary declared Thomas to be “qualified,” two deemed him “not qualified,” and one member abstained. No one on the committee believed him to be “well qualified.” This was the lowest rating the committee had ever given a U.S. Supreme Court nominee.

Prominent interest groups criticized Thomas for failing to comprehend and appreciate the history and vestiges of racism. The NAACP, by a vote of 49-1, along with most civil rights organizations, formally opposed his nomination. Numerous senators disparaged him for his conservative judicial philosophy and affinity for natural law, to which, they believed, Thomas might subordinate constitutional principles. That philosophy, opponents feared, could result in a narrowing of abortion rights, affirmative action programs, and the constitutional role of the judiciary in relation to the elected branches of government.

During the hearings, Thomas ran from his record, playing down or disavowing previous statements on privacy rights, affirmative action, and other controversial topics. Though pressed repeatedly on abortion, Thomas claimed that he had “never” debated the 1973 case *Roe v. Wade*, one of the most controversial legal decisions of the twentieth century. For the most part, the administration’s confirmation strategy—to keep the focus on his race and his rags-to-riches story—shielded the nominee from a more searching criticism of his judicial philosophy.

The Senate Judiciary Committee vote was divided 7-7 on the nomination, which was then forwarded to the full Senate without a recommendation. Nevertheless, Thomas appeared on his way to

confirmation until October 6, when a lurid and explosive allegation surfaced—that the nominee had sexually harassed Anita Hill, an attorney, law professor, and former subordinate of Thomas at the DOE and the EEOC. (A Senate Judiciary Committee staff member had leaked to the press Hill's affidavit to the Department of Justice accusing Thomas of sexual harassment.) After Thomas requested a

delay so that the committee could investigate the allegations fully, the hearings reopened on October 11. This time, the Senate and the public paid serious attention to the hearings, which were broadcast nationally on network television.

Thomas testified first, categorically denying the allegations. Additionally, Thomas said that Hill had, after the alleged harassment, followed him from the DOE to the EEOC, asked him repeatedly for letters of recommendation, and contacted him by telephone on numerous occasions. Hill's testimony followed. She accused Thomas of pressuring her to accept his invitations to go out with him, and testified that while at work, Thomas would describe to her in detail acts he had seen in pornographic films, including women having sex with animals, group sex, rape scenes, and individuals with large penises and large breasts having sex. She testified that Thomas, in graphic detail, often would inform her of his "sexual prowess," which included a larger than average penis and a willingness to engage in oral sex.

Thomas responded the following day, once again denying the allegations. He characterized the accusations as resting on racial stereotypes, and described the committee hearings as a "circus," a "national disgrace," and a "high-tech lynching for uppity blacks."

A limited number of witnesses testified for both sides. Some supported Hill's testimony and others spoke in defense of Thomas, emphasizing his professionalism and integrity. In the end, the committee concluded the hearings without a determination as to the allegations. Regardless, the Senate confirmed Thomas by a vote of 52-48 on October 15, the closest vote ever for a successful Supreme Court nominee. Eleven Democrats joined forty-one Republicans in support of the nomination; two Republicans joined forty-six Democrats voting in opposition. On October 23,

THOMAS RESPONDS

At the evening session of the Senate Judiciary Committee hearing on the nomination of Clarence Thomas to the U.S. Supreme Court on October 11, 1991, Thomas responded to testimony that was presented against him by Anita Hill.

Senator, I would like to start by saying unequivocally, uncategorically, that I deny each and every single allegation against me today that suggested in any way that I had conversations of a sexual nature or about pornographic material with Anita Hill, that I ever attempted to date her, that I ever had any personal sexual interest in her, or that I in any way ever harassed her.

A second, and I think more important point, I think that this today is a travesty. I think that it is disgusting. I think that this hearing should never occur in America. This is a case in which this sleaze, this dirt, was searched for by staffers of members of this committee, was then leaked to the media, and this committee and this body validated it and displayed it at prime time over our entire nation. How would any member on this committee, any person in this room, or any person in this country, would like sleaze said about him or her in this fashion? Or this dirt dredged up and this gossip and these lies displayed in this manner? How would any person like it?

The Supreme Court is not worth it. No job is worth it. I'm not here for that. I'm here for my name, my family, my life, and my integrity. I think something is dreadfully wrong with this country when any person, any person in this free country would be subjected to this.

This is not a closed room. There was an FBI investigation. This is not an opportunity to talk about difficult matters privately or in a closed environment. This is a circus. It's a national disgrace. And from my standpoint as a black American, as far as I'm concerned, it is a high-tech lynching for uppity blacks who in any way deign to think for themselves, to do for themselves, to have different ideas, and it is a message that unless you kowtow to an old order, this is what will happen to you. You will be lynched, destroyed, caricatured by a committee of the U.S. Senate rather than hung from a tree.



Clarence Thomas, center, is sworn in as associate justice of the United States by Justice Byron White on October 23, 1991. (AP/Wide World Photos)

Thomas was sworn in as the 106th associate justice of the United States.

IMPACT

Public opinion on Thomas was closely divided even before Hill made her claims of sexual harassment. Nevertheless, it was widely believed that Thomas would be confirmed. Commentators speculated that some undecided senators, especially Democrats, would be reluctant to cast a vote against an African American who had lived a Horatio Alger-type life, achieving the American dream through hard work, determination, and education.

The allegations exacerbated an already existing division within the country and in the Senate. Supporters of Thomas were outraged at the media's stereotypical portrayal of him as a black man incapable of controlling his sexual appetite. Some depicted Hill as a vindictive, perhaps spurned, woman bent on destroying Thomas's career for personal, and perhaps even political, reasons. To Thomas's

opponents, the allegations supported their claim that the nominee was unqualified, both professionally and personally, for the position. Many applauded Hill for her strong stand against sexual harassment, a stand that increased the nation's consciousness of harassment in the workplace. Linguist Robin T. Lakoff, in an article analyzing the discourse of the hearings, wrote that Hill's testimony forced the nation to define sexual harassment, to face sexual harassment as a serious legal issue, and to acknowledge that women have every right to define and discuss male behavior before a public audience.

The hearings were among the most extraordinary in the history of nominations to the Court. No previous hearings had included so much lurid and personally explosive accusations; nor had any past hearing garnered such media attention. As a result of the scandal, senatorial access to Federal Bureau of Investigation reports of judicial nominees is now limited.

Additionally, the hearings turned out to be the opening salvo for a number of sexual exposés during the 1990's, including that of President Bill Clinton in the Monica Lewinsky scandal, with both parties utilizing personal accusations to harm political opponents.

Thomas became one of the most widely recognized justices on the Supreme Court. This is true not because of his conservative judicial philosophy or decisions on the bench but rather for the accusations of sexual harassment that surfaced during his confirmation hearings.

—Richard A. Glenn

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Forrell, Caroline A., and Donna M. Matthews. *A Law of Her Own: The Reasonable Woman as a Measure of Man*. New York: New York University Press, 2000. Study suggesting reforms that would take better account of women's experiences in defining sexual harassment and other such legal terms.

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Thomas, Clarence. *My Grandfather's Son: A Memoir*. New York: Harper, 2007. Autobiography covering Thomas's life from his early days in poverty in rural Georgia to his investiture on the Supreme Court. Roughly one-third of the book is devoted to his nomination and confirmation.

SEE ALSO: Jan. 13, 1913: Federal Judge Is Impeached for Profiting from His Office; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; Jan. 25, 1984: Jesse Jackson Calls New York City "Hymietown"; June 26, 1992: U.S. Navy Secretary Resigns in the Wake of Tailhook Sexual Assault Scandal; Aug. 21, 1994: Sex Scandal Forces Dismissal of NAACP Chief Benjamin Chavis; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Oct. 2, 2003: Newspaper Claims That Arnold Schwarzenegger Groped Women; June 2, 2004: U.N. Report Reveals That Secretary-General Kofi Annan Dismissed Sexual Harassment Charges; Oct. 13, 2004: Television Producer Files Sex Harassment Suit Against Bill O'Reilly.

January 13, 1992

WOODY ALLEN HAS AFFAIR WITH LOVER MIA FARROW'S ADOPTED DAUGHTER

For more than a decade, filmmaker Woody Allen was a romantic partner and artistic collaborator with actor Mia Farrow. In early 1992, Farrow learned that Allen had been having a romantic relationship with Soon-Yi Previn, her adopted daughter from a previous marriage. In the ensuing controversy, which led to a very public custody case, Farrow charged Allen, also, with molesting Dylan, Allen and Farrow's adopted daughter.

ALSO KNOWN AS: Allen-Farrow scandal

LOCALE: New York, New York

CATEGORIES: Sex; families and children; public morals; law and the courts; publishing and journalism

KEY FIGURES

Woody Allen (b. 1935), American filmmaker and actor

Mia Farrow (b. 1945), American film star

Soon-Yi Previn (b. 1970), Farrow's Korean-born adopted daughter

SUMMARY OF EVENT

Woody Allen and Mia Farrow were celebrated as a leading power couple throughout the 1980's. Though they never legally wed, they were so tightly linked together in the mind of the public, both on screen and off, that when their alliance ended in 1992, scandal was inevitable. Public shock was intensified by the degree of acrimony that the split-up engendered, and by its surprising cause.

By the time the scandal erupted, Woody Allen had been a household name for thirty years. He began his career as a gag writer for other humorists before embarking on a successful career of his own as a stand-up comedian. He began writing and appearing in various cinematic spoofs during the early 1960's and, by the end of the decade, had written and directed his first feature film: *Take the Money*

and Run (1969). A number of critical and popular successes followed, culminating in the bittersweet romantic comedy *Annie Hall* (1977), which garnered a number of Oscar nominations and is considered by many critics to be one of the best American comedic films. Early in his directorial career, Allen showed a tendency to emulate the renowned European directors whom he idolized, including Federico Fellini and Ingmar Bergman, by employing a repertory stable of actors film after film. He especially wanted a recurring female lead, and that lead often was his romantic partner. From 1980 through 1992, Farrow filled that dual role.

Farrow was a product of Hollywood—the daughter of actor Maureen O'Sullivan and agent John Farrow. She became a star as a teenager playing Allison McKenzie on the night-time soap opera *Peyton Place*, which led to an Oscar-nominated role as the protagonist in Roman Polanski's horror masterpiece *Rosemary's Baby* in 1968. Her love life drew attention throughout the 1960's and 1970's, when she wed singer Frank Sinatra and then, later, musician and conductor André Previn, both of whom were old enough to be her father. The marriage to Sinatra lasted only two years, but the marriage to Previn lasted a decade, during which the couple had three sons and adopted three daughters. Daughter Soon-Yi Previn had been abandoned in Korea as a child to a birth mother who might have been abusive to her.

Soon after Farrow and Previn divorced, Farrow met Allen, and they became inseparable. The two lovers had apartments near each other in New York, and Allen was frequently in the company of Farrow's children, whose number had by the end of the 1980's increased to include a child—Satchel—born to Allen and Farrow, and two children the couple had adopted: a boy named Moses and a girl named Dylan. (Farrow later changed the names of all three children.)

At some point around 1990, Allen and Previn,



Woody Allen kisses Soon-Yi Previn two days after the couple wed in Venice. (AP/Wide World Photos)

who by this time was twenty years old, became romantically involved. Farrow found out about the affair on the morning of January 13, 1992, when she let herself into Allen's apartment and discovered on his mantelpiece some nude photographs of her daughter. Farrow soon confronted Allen, who apparently tried to placate her by playing down what had happened as a brief lapse in propriety, but soon after the release of their last film together, *Husbands and Wives* (1992), the couple parted company. The cause of their separation made headlines around the world, as they began to feud publicly. Most of the initial sniping between the two amounted to little more than acidic remarks made to reporters until the question of the custody of their three children arose.

As the custody issue was going to court, Farrow made the stunning allegation that Allen, while visiting the children at her country home in Connecticut,

had sexually abused Dylan, causing the little girl to be terrified of her adoptive father. Allen responded that this claim was an untruth concocted by Farrow to punish him for his relationship with Previn. After listening to much debate between Allen's and Farrow's attorneys, a judge in Connecticut announced that the evidence was too inconclusive to charge Allen with molestation, but she sharply criticized him for his conduct with both Previn and Dylan. The judge awarded Farrow primary custody, with Allen getting rights to supervised visitation with the children.

During and after the court case in Connecticut, friends and family of Farrow and Allen took sides publicly, as did critics and commentators in the news and entertainment media. Those in Allen's camp argued that child molestation tends to be compulsive, repetitive, and patterned behavior, yet Allen had never before been suspected of such conduct, including during the decade in which he was frequently in the company of Farrow's numerous children. Farrow's supporters pointed to a common motif in a number of Allen's films, in which older men are attracted to young girls. These films include *Manhattan* (1979) and *Husbands and Wives*.

For years after the custody battle, Allen and Farrow continued to make caustic remarks about each other, but both resumed their respective careers. Allen and Previn began to appear in public frequently as a couple, and within five years they married, on Christmas Eve, 1997, in Venice, Italy. They later adopted two daughters of their own. Farrow and Previn have been estranged from each other since Previn's marriage to Allen.

IMPACT

The Farrow-Allen-Previn triangle is a textbook example of a public scandal from which no one emerged unscathed. Although much sympathy accrued to Farrow as the wronged lover and mother, questions arose about choices she had made in adopting numerous children, some with special needs, and then trying to bring them up in seem-

ingly unorthodox, unstructured circumstances and with a partner who maintained a separate residence and adopted some but not all of the children. Also, some agreed with Allen's supporters that Farrow's sudden denunciation of Allen as a molester seemed ideally and theatrically timed, coming as it did after the discovery of his involvement with Previn and just before the custody hearings. Although Previn remained relatively quiet during and after the scandal, many saw her as a cruel, faithless, and ungrateful daughter.

It was Allen, though, whose reputation suffered the most. Apart from the wry humor, the most appealing aspect of his films had long been their compassionate portrayal of characters experiencing the disappointments, insecurities, and contradictions of everyday life. As soon as the news of his relationship with Previn hit the media, though, the public saw another facet of Allen, a cold and haughty one. He seemed insensitive and uncaring, wholly unconcerned with the pain he had caused a woman with whom he had shared twelve years of intimacy and fruitful artistic collaboration. Also, for a person who had spent most of his adult life in psychoanalysis, his take on his relationship with Farrow's children seemed simultaneously unsophisticated and naïve. He continued to stress that he had never really been a father figure to the children, meaning that there was nothing improper about his falling in love with Previn. While he might not have been a father figure to the Previn siblings, he was one to the younger children; Allen would have been the only stable male authority figure and role model in their young lives. If he truly refused to play such a role in their lives, he appears irresponsible at best; if he was simply denying his role as a father to excuse his affair with Previn, he appears selfish.

—Thomas Du Bose

FURTHER READING

Bailey, Peter J. *The Reluctant Film Art of Woody Allen*. Lexington: University Press of Kentucky,

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April 15, 1992

HOTEL TYCOON LEONA HELMSLEY ENTERS PRISON FOR TAX EVASION

Hotel tycoon Leona Helmsley once declared, “only the little people pay taxes,” words that set off a scandal during her trial for federal tax evasion and other charges in 1989. She was convicted of underpaying taxes and, after losing her appeal, began her eighteen-month prison term in 1992. She died in 2007 and left the bulk of her multibillion-dollar estate to the care and welfare of dogs.

LOCALE: New York, New York

CATEGORIES: Law and the courts; corruption; business

KEY FIGURES

Leona Helmsley (1920-2007), hotel operator and real-estate investor

Harry Helmsley (1909-1997), real-estate and hotel investor

SUMMARY OF EVENT

Leona Helmsley came from immigrant roots. She was born to a Polish-Jewish hatmaker in Marbletown, New York. After she had experienced several unsuccessful marriages, she was courted in 1968 by millionaire real estate investor Harry Helmsley, who was married at the time. In 1970, she joined one of his brokerage firms, Brown, Harris & Stevens, and her troubles soon began. In late 1971, she was sued by several clients for forcing apartment tenants to buy condominiums, threatening eviction if they did not buy quickly. She lost the lawsuit and was ordered to pay the tenants and grant them three-year leases. Her real estate license was suspended as well.

In April, 1972, Helmsley married Harry and focused on running his empire of hotels. Together, the two expanded their real estate holdings, building the opulent Helmsley Palace Hotel with more than eleven hundred rooms and standing fifty-one sto-

ries on Madison Avenue in Manhattan, New York. The Helmsleys also acquired 230 Park Avenue, the Empire State Building, and the building that became the New York Helmsley Hotel, as well as holdings in other states. Helmsley was featured in advertisements that portrayed her as a demanding manager who worked to achieve only the best for her guests, although rumor maintained that in reality she was even meaner, firing employees over the slightest of infractions.

The Helmsleys also had a habit of disputing payments to contractors and vendors. In 1983, they had bought an eleven-million-dollar Greenwich, Connecticut, mansion to use as a weekend retreat. The mansion, Dunnellen Hall, was located on a twenty-six-acre estate. They disputed a portion of an eight-million-dollar remodeling bill, claiming that the work was inadequate and that they were overbilled by contractors. With the dispute over the overbilling came the question of having to pay taxes on the services as well. The Helmsleys balked. In the course of the resulting legal action in 1985, it was discovered that the remodeling work had been billed to Helmsley Hotels as a business expense. While this was not an uncommon business practice, it was an illegal one. Angry contractors sent overdue invoices to the *New York Post*, and the resulting story set off a federal investigation. U.S. agents discovered that more than four million dollars in personal expenses had been illegally billed to Helmsley subsidiaries.

In late 1988, the Helmsleys and two associates, Frank Turco and Joseph Licarci, were indicted on 188 counts of tax fraud as well as extortion and mail fraud. The trial was delayed by Helmsley's attorneys, who made the most of Harry's health issues, until midway through 1989. Harry had suffered a stroke and mental deterioration a few months before the trial and was ruled mentally and physically unfit to stand trial, leaving Leona Helmsley in the

courtroom to face the charges. The trial finally began on June 26 in the court of Federal District judge John M. Walker, Jr.

Helmsley's reputation as a demanding ruler would end up working against her. The case was followed closely by the media, which dubbed Helmsley the Queen of Mean. Reporters interviewed her employees, uncovering hundreds of accounts of incidents where they had been threatened and verbally abused before being fired, often for slight infractions. Helmsley's staffers said that she extorted money and services from suppliers and employees and threatened to withdraw the income she provided them.

Her employees appeared in court as well. Elizabeth Baum, a former housekeeper, testified that Helmsley told her in 1983, "We [the rich] don't pay taxes. Only the little people pay taxes." Another staff member recalled being fired while Helmsley was being fitted for a dress. One executive was chased down a hallway after telling Helmsley he was quitting. Maids were screamed at and fired over leaving lint on a floor or leaving a lampshade out of alignment.

Helmsley's team of lawyers was led by Gerald A. Feffer, who was an expert in tax-fraud litigation. Assistant U.S. attorney James DeVita headed the prosecuting team. DeVita pointed to years of false invoices, tax fraud, extortion, and kickbacks on the part of the Helmsleys. Feffer claimed that Leona Helmsley had no knowledge of the falsified invoices, which had been created by Turco and Licarci because they wanted to pay the house-remodeling contractors without her knowledge. Turco's and Licarci's lawyers insisted at trial that Helmsley was indeed aware of the falsified invoices.

On August 30, 1989, Helmsley was acquitted of extortion. She was, however, convicted on one count to defraud the United States, three counts of tax evasion, three counts of filing false personal tax returns, sixteen counts of as-

Leona Helmsley Enters Prison for Tax Evasion

sisting in filing false corporate and partnership tax returns, and ten counts of mail fraud for sending fraudulent invoices via the U.S. postal service. Overall, the convictions could have added up to more than one century in prison. Helmsley initially received a sentence of sixteen years but, eventually, all but eight charges were dropped. She was fined more than seven million dollars. Licarci received a sentence of thirty months in prison, three years probation, and a seventy-five million dollar fine, while Turco was sentenced to twenty-four months in prison and three years of probation and was fined fifty thousand dollars.

Helmsley collapsed outside the courthouse on the day the verdicts were read and was subsequently diagnosed with hypertension and a heart problem. She appealed to the New York State Supreme Court and succeeded in having her sentence minimized. She served eighteen months in a federal prison beginning on April 15 (tax day), 1992.

Helmsley died of congestive heart failure on August 20, 2007, at the age of eighty-seven and nearly



Leona Helmsley leaving court in New York City on February 8, 1990. (AP/Wide World Photos)

forgotten by the media and public. Former New York City mayor Edward I. Koch reportedly referred to her as the “wicked witch of the West,” while entrepreneur Donald Trump said she was “the meanest woman in history.” She was buried in Sleepy Hollow Cemetery in Westchester County, New York, near other public figures, such as Washington Irving and Andrew Carnegie, in a Greek-style mausoleum of thirteen-hundred square feet that features custom stained-glass windows of the New York skyline.

IMPACT

After her time in federal prison, Helmsley spent most of the rest of her life in isolation. Harry died in 1997, leaving to her his fortune of more than five billion dollars. In 2002, she was sued by a former employee, Charles Bell, who alleged that she had fired him because he is gay. A jury found in his favor and ordered Helmsley to pay him more than ten million dollars in damages, an amount later reduced by a judge to just over one-half million dollars.

In her later years, Helmsley was generous to charities, including the Red Cross in the aftermath of Hurricane Katrina in 2005, to African American churches that had been the victims of arsonists, and to numerous hospitals and medical centers. She donated twenty-five million dollars to New York’s Presbyterian Hospital for medical research and contributed five million dollars to a fund for the families of firefighters killed following the terrorist attacks of September 11, 2001. Upon her death, the majority of her estate was left to a charitable trust, although twelve million dollars was reserved as a trust fund for her Maltese dog, Trouble. (This amount was later reduced to two million by the court.) In July, 2008, the Helmsley estate executors announced that Helmsley willed the bulk of her fortune, between five and eight billion dollars, to the care and welfare of dogs. She was far less generous with the majority of her family, with whom she had a long tumultuous relationship. She left fifteen mil-

lion for her brother and left nothing for two of her four grandchildren. The two left out subsequently received a few million by order of the courts.

—Catherine Rambo

FURTHER READING

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SEE ALSO: Sept. 10, 1981: *Chicago Sun-Times* Reports That Cardinal Cody Diverted Church Funds; Oct. 19, 1982: Car Manufacturer John De Lorean Is Arrested in a Drug Sting; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud; Mar. 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal.

May 6, 1992

IRISH BISHOP EAMONN CASEY'S ROMANTIC AFFAIR LEADS TO HIS RESIGNATION

Bishop Eamonn Casey was an outspoken social and political reformist. In 1992, he admitted to having engaged in a romantic affair with a distant cousin in 1973 and that they had a child together. This revelation forced Casey's resignation from his see and led to his exile. Years later, an Irish woman alleged that Casey had sexually abused her. However, police determined the charges were groundless.

LOCALE: Ireland

CATEGORIES: Public morals; religion; sex; families and children

KEY FIGURES

Eamonn Casey (b. 1927), bishop of Kerry, 1969–1976, and of Galway and Kilmacduagh, 1976–1992

Annie Murphy (b. 1949), Casey's former lover
Peter Murphy (b. 1974), Casey and Murphy's son

SUMMARY OF EVENT

Bishop Eamonn Casey, by all appearances a fairly typical Irish Roman Catholic Church administrator—though one who had more liberal views than most—was born in 1927 in the village of Firies in County Kerry, Ireland. He was the sixth child in a family of ten children. Choosing a religious vocation, he was ordained as a Catholic priest in 1951. After some eighteen years in the priesthood, Casey was consecrated bishop of Kerry, serving from 1969 through 1976. He was then translated to the diocese of Galway and Kilmacduagh and held the position of bishop until May 5, 1992.

Annie Murphy was an American who was related to Bishop Casey. Her mother was the bishop's distant cousin and her father, John Murphy, was a physician who practiced in New York. She had nearly been raped at the age of sixteen, had been sexually abused during a relationship, and was

abused by her husband. She had suffered a miscarriage and was divorced at the age of twenty-three. Troubled and depressed, she traveled, at the behest of her immediate family, to Ireland in April, 1973, to stay at her cousin Casey's residence in Inch, County Kerry. Shortly thereafter, Murphy and Casey embarked upon an intense love affair.

In November, Murphy discovered that she was pregnant. She and Casey disagreed about whether she should keep the child or put it up for adoption. Casey wanted her to have the baby at Coombe Maternity Hospital in Dublin, where unwed mothers routinely arranged for their children to be adopted. Instead, Murphy opted to stay at the Rotunda Hospital, also in Dublin, and to maintain custody. Their child, a boy who was christened Peter, was born on July 31, 1974. Continued disagreements over Peter's welfare culminated in Murphy's return to the United States with her son. It was agreed that the affair and their child would be kept secret and that the bishop would send monthly payments of \$175 to Murphy and Peter—an amount that would eventually increase to \$300 per month. Ultimately, Casey agreed to send a lump sum payment for Peter's education through their attorneys. The total was about \$115,000 and was paid in 1990, from diocesan funds.

Casey had gained notoriety for his pronouncedly anticonservative stance on many issues. From an international point of view, he took a prominent role in the 1979 visit of Pope John Paul II to Ireland and in opposing the role of the United States in Central America. He had been a friend and ardent admirer of the reform-minded archbishop Oscar Romero of El Salvador and, after Romero's assassination in 1980, represented the Irish episcopate and clergy at Romero's funeral. He witnessed and reported on an ensuing riot, during which military forces loyal to the El Salvadoran government killed some fifty individuals.

In 1984, Casey pointedly refused to participate in the visit to Ireland of U.S. president Ronald Reagan because of his support of rightist regimes and of the counterrevolutionary guerrilla forces (the Contras) in Nicaragua. During the 1980's, Casey's opposition to apartheid in South Africa led him to openly support the strike and boycott campaign waged against the giant retailing chain Dunne's Stores by some of its own employees. He is credited as a cofounder of two major charitable organizations—Trocaire, an Irish-based charity dedicated to developing world relief projects, which he chaired from 1973 to 1992, and Shelter, established in England to assist the homeless, particularly among the Irish immigrant community.

In the years that followed Murphy's return to the United States, she continued to lead an unsettled life, becoming involved in two serious relationships. At one time she attempted suicide. The secret of her connection with Bishop Casey was suppressed for eighteen years. The situation began unraveling as Peter approached adulthood and expressed his desire for his father to publicly acknowledge him. Legal wrangling over a paternity declaration and a monetary settlement led to a breakdown in negotiations between Casey on one hand and Murphy, Peter, and Murphy's boyfriend, Arthur Pennell on the other. Murphy, urged on by her son and Pennell, leaked the story of her liaison with Casey to the *Irish Times*, which, after conducting investigations, discovered evidence for the large monetary payment made from diocesan funds in 1990 and confronted Casey with its findings. Casey, who was in Malta at the time, arranged to meet with reporters upon his return. Instead, however, the bishop flew to Rome, where he tendered his resignation as bishop, directly to the pope. Casey never met with the reporters.

On May 6, 1992, Casey announced his resignation. The *Irish Times* reported the resignation on May 7, adding financial details to the story. Shortly thereafter, Casey issued a statement admitting to the affair, acknowledged his son, and mentioned the misappropriation of funds that had, he added, been repaid by anonymous donors.

Immediately after his resignation, Casey, soon to be given the title bishop emeritus, flew to the United States and then Latin America. He spent the next six years as a missionary in Ecuador under the auspices of the Society of St. James the Apostle. In 1998, he left for southern England and served as pastor for St. Paul's Church in the village of Hayward's Heath, which was part of the diocese of Arundel and Brighton.

In November of 2005, a former female parishioner accused him of sexually molesting her during the mid-1970's while she was living in the Irish city of Limerick. The Irish woman's identity was never revealed. In December, Casey suspended his ministry at St. Paul's (he was never to return), while the Irish Gardai (police) investigated. By August of 2006, he was cleared of all charges. It was later revealed that the woman who made the accusations was a habitual accuser.

IMPACT

Rather than return to his parochial duties in England, Casey decided to retire. On February 5, 2006, before he was exonerated, he had returned to Ireland and taken up residence at the village of Shanaglish, County Galway. The bishop emeritus was granted permission to conduct his own private mass at his residence but, even though exonerated by civil authorities, he was denied authorization to celebrate mass at church pending completion of the Vatican's own investigation. Also in 2006, Casey, Murphy, and Peter reconciled.

The shock waves that emanated from the disgrace and sudden removal of the person who had been regarded as the most visible face of the Catholic hierarchy in Ireland signaled the first of a series of scandals involving the sexual abuse of minors by Catholic clerics around the Western world. Though these sex-abuse scandals have since made the Casey-Murphy affair (which was between consenting adults) seem mild in comparison, the revelations that led to Casey's resignation initiated a decline in the Catholic Church's prestige and political influence in the Republic of Ireland.

—Raymond Pierre Hylton

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account of the turbulent relationship. Murphy cites the controversy about whether or not to have Peter adopted as the major factor in her estrangement from Casey.

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May 19, 1992

AMY FISHER SHOOTS MARY JO BUTTAFUOCO

Later known as the Long Island Lolita, teenager Amy Fisher became infatuated with Joey Buttafuoco, a married auto-body shop owner. Fisher, wanting to marry Buttafuoco, with whom she was having an affair, shot and attempted to kill his wife, Mary Jo. The story became a sensation in the American media.

LOCALE: Massapequa, Long Island, New York

CATEGORIES: Communications and media; law and the courts; violence; families and children; psychology and psychiatry

KEY FIGURES

Amy Fisher (b. 1974), teenager who was having an affair with Joey Buttafuoco

Mary Jo Buttafuoco (Mary Jo Connery; b. 1955), wife of Joey Buttafuoco

Joey Buttafuoco (b. 1956), automobile shop owner

Peter Guaganti (b. c. 1972), Fisher's accomplice

SUMMARY OF EVENT

Amy Fisher apparently was a shy and insecure child who craved attention while growing up. She claimed that her father beat her as well as her mother. She also alleged that she was sexually abused by a family member while growing up as a young child in Long Island, New York, and that she was raped at the age of thirteen by a man working at her home.

In May, 1991, sixteen-year-old Fisher met thirty-five-year-old Joey Buttafuoco upon taking her car to Buttafuoco's auto-body shop for repair. At the time, Buttafuoco was married to Mary Jo Buttafuoco and had two children. Fisher quickly became infatuated with the auto mechanic and began hanging around his repair shop. By July, Fisher and Buttafuoco were sexually involved and carrying out their secret affair in Long Island hotels. By August, Fisher was still involved with Buttafuoco, and her attraction was becoming obsessive. Fisher finally told Buttafuoco he had to choose between her and

his wife. He chose to stay with Mary Jo, leading Fisher to break up with him.

Fisher became quite despondent. First, she made superficial cuts on her wrists, which may have been an attempt at suicide. She began dating other men, but she always wanted to get back together with Buttafuoco. By January, 1992, the two were once again together. Fisher came to believe that to keep Buttafuoco she would have to get rid of Mary Jo. Fisher later alleged that she and Buttafuoco discussed where to obtain a gun and how to shoot Mary Jo. Buttafuoco denied these claims.

On May 17, Fisher met the person who would supply her with a semiautomatic Titan .25 handgun: Peter Guagenti. Two days later, May 19, Fisher and Guagenti drove to the Buttafuoco home in Massapequa, New York. Before leaving, however, Fisher had replaced the license plates on Guagenti's car with stolen plates to ensure their car would not link

them to the murder. Around 11:30 A.M., Fisher confronted Mary Jo on the front porch of the Buttafuoco home, gun in hand, and told her that Buttafuoco was having an affair with her (Fisher's) sister. Mary Jo told Fisher to get off her property, then turned away from her to reenter the house. Fisher then hit her on the head with the gun, and she fell to the ground. Fisher then shot her in the head.

Neighbors who heard the shots called 9-1-1 and tried to help Mary Jo, who was rushed to the local hospital and spent hours in surgery. By May 20 she was sufficiently conscious to speak with police. She told the officers that her attacker had held up a T-shirt she recognized from her husband's auto shop. Police immediately began to question Buttafuoco, who suggested that the shooter might have been Fisher. He said that she was obsessed with him. The police showed a photograph of Fisher to Mary Jo, and she identified Fisher as the person who shot her. The following day, with help from Buttafuoco, the police located and arrested Fisher for attempted murder in the second degree. Fisher also was charged with armed felony assault and criminal use of a firearm.

As the story began to unfold, it became clear that Buttafuoco also had some responsibility for the attempted murder of his wife, despite his repeated public denials of any relationship with Fisher. The media, which dubbed Fisher the Long Island Lolita, quickly picked up on the sex-charged and scandalous story. She became a cultural phenomenon, and her life story was broadcast on television and in the print media. Three television films documented her life.

Fisher's criminal case was docketed in the Nassau County, Long Island, court, where she initially pleaded not guilty. Her bail was set at \$2 million, the highest bail ever set by the Nassau County court. Fisher was unable to pay the bail. She remained in jail until she sold the rights to her story to KLM Productions, using the money to post bail. Although New York state's Son of Sam law prevents criminals from making money based on the stories of their crimes, the law was not invoked in the Fisher case.

Fisher eventually agreed to a plea bargain in which she would plead guilty to aggravated assault



Amy Fisher. (AP/Wide World Photos)

and testify against Buttafuoco for statutory rape. In September, 1992, she was sentenced to five to fifteen years. In 1999, after serving seven years at New York's Albion Correctional Facility, she was paroled and released from prison after entering into a new plea bargain that carried a sentence of three to ten years. Mary Jo was behind the new plea-bargain agreement.

Buttafuoco was indicted on charges of statutory rape, endangering the welfare of a minor, and sodomy, based largely on the testimony of Fisher and evidence from one hotel receipt dated before Fisher's seventeenth birthday. In October, 1993, Buttafuoco pleaded guilty to statutory rape and entered a plea bargain that netted him four months in jail. Guaganti served a six-month sentence for supplying Fisher with the gun.

In 2003, Fisher married Louis Bellara, whom she had met online while she was in prison; he was twenty-four years older than Fisher. The couple had two children. Fisher also became a columnist for the *Long Island Press* and won a media award for her column in 2004. She left the newspaper in 2005. She also became an activist for prisoners' rights and prison reform, inspired in part by her experiences in prison, including an alleged rape by a correctional officer.

The Buttafuocos moved to California after the shooting and were divorced in 2003. He remarried in 2006. Buttafuoco's legal troubles continued, as he faced charges for soliciting a prostitute in 1995 and was fined and given probation; was convicted of auto insurance fraud in 2004, for which he pleaded guilty and served one year in jail; and pleaded no contest for illegal possession of ammunition in 2005, for which he served a few months in jail. Mary Jo changed her last name to Connery, her birth name, and founded a company that designs posters. Her injuries from the shooting, including permanent nerve damage and paralysis, blurred vision in her right eye, and hearing loss, have affected her life since.

IMPACT

The Amy Fisher story became an instant money-maker. Sex and scandal sells, and as long as the pub-



Mary Jo and Joey Buttafuoco. (AP/Wide World Photos)

lic is willing to pay, entrepreneurs will continue to make money from this and similar stories.

In addition to earning money from the television films about her life, Fisher wrote and published two tell-all books. A sex tape of Fisher appeared on the World Wide Web in the fall of 2007, leading her to sue Red Light District, a hard-core-sex film distribution company, for releasing the tape, which allegedly was sold to the company by her husband at the time. In 2008, Red Light District also began selling a video of Buttafuoco having sex with his wife, Evanka, at a party in 2004. Mary Jo Buttafuoco made money from the scandal as well, but she used the funds she earned to help defray her tremendous medical bills. Moreover, rumors persisted that Fisher and Buttafuoco were planning to launch a reality show.

Fisher and Buttafuoco were reunited at a coin toss for the so-called "Lingerie Bowl"—a heavily criticized pay-per-view alternative halftime show broadcast from Los Angeles on another station dur-

ing Super Bowl Sunday. In May, 2007, the two reportedly were seen together in Long Island. Also in 2007, their spouses filed for divorce, but Evanka Buttafuoco soon withdrew her petition.

—Carol A. Rolf

FURTHER READING

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Fisher, Amy, with Robbie Woliver. *If I Knew Then*. Lincoln, Nebr.: iUniverse, 2004. Fisher, now married with children, tells her own life story, including taking responsibility for her criminal actions.

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SEE ALSO: June 25, 1906: Millionaire Heir Murders Architect Stanford White; Dec. 8, 1906: Former U.S. Senator Arthur Brown Is Murdered by Lover; July 27, 1917: Millionaire Socialite Dies Under Suspicious Circumstances; Apr. 4, 1958: Actor Lana Turner's Daughter Kills Turner's Gangster Lover; Sept. 5, 1967: Socialite Nancy Wakeman Shoots Her Politician-Husband; Mar. 21, 1976: Actor Claudine Longet Kills Ski Champion Vladimir Sabich; Mar. 10, 1980: Scarsdale Diet Doctor Is Killed by His Lover; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; June 23, 1993: Lorena Bobbitt Severs Her Husband's Penis; June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial.

June 26, 1992

U.S. NAVY SECRETARY RESIGNS IN THE WAKE OF TAILHOOK SEXUAL ASSAULT SCANDAL

H. Lawrence Garrett III, secretary of the U.S. Navy, was forced to resign after investigators looking into sexual assault charges at the 1991 Tailhook convention of naval aviators revealed that he was in attendance but did nothing to stop the assaults, harassment, and abuse of mostly female aviators and other women. As a result of the scandal, the Navy severed all ties to the Tailhook Association until 1999.

LOCALES: Las Vegas, Nevada; Washington, D.C.

CATEGORIES: Politics; military; government; women's issues; space and aviation; sex crimes

KEY FIGURES

H. Lawrence Garrett III (b. 1939), secretary of the U.S. Navy, 1989-1992

Frank B. Kelso, Jr. (b. 1933), Navy admiral, chief of naval operations, 1990-1994

Richard M. Dunleavy (b. 1933), Navy vice admiral and assistant chief of naval operations, 1989-1992

Paula Coughlin (b. 1963), Navy lieutenant and aviator

Derek Vander Schaaf (b. 1939), deputy inspector general, U.S. Department of Defense 1982-1996

John W. Snyder, Jr. (fl. 1990's), Navy rear admiral, commander of the Naval Air Test Center

Barbara S. Pope (b. 1951), assistant secretary of the Navy for Manpower and Reserve Affairs, 1989-1993

J. Daniel Howard (b. 1944), undersecretary of the Navy, 1989-1992

SUMMARY OF EVENT

Sponsors of the 1991 Tailhook Association Conference of naval aviators at the Las Vegas Hilton Hotel in Nevada promised that year's gathering would be special. The Tailhook Association, named for the hook that aids an aviator in landing a jet or other aircraft on the deck of an aircraft carrier, had been organizing an annual event for more than thirty years; for two decades Las Vegas had been the conference's home. Many U.S. Navy and U.S. Marine Corps aviators from around the world converged on the city for three days in September, ostensibly to attend professional seminars and examine the latest aviation and war-fighting equipment displayed by vendors who helped underwrite the conference.

Most aviators in attendance at Tailhook over the years were men. Women had been excluded from careers in naval aviation until the mid-1970's and excluded as fighter pilots until 1993, thereby reducing the number of female aviators who would have attended Tailhook. In practice, the convention had become a place for attendees to let inhibitions run wild—in other words, to party. While few wives or female aviators attended Tailhook, women from the Las Vegas area and other communities were lured to the convention on the promise of being able to



Former Navy lieutenant Paula Coughlin, right, in Las Vegas, Nevada, in September, 1991. (AP/Wide World Photos)

spend time with the aviators. The junior officers routinely engaged in inappropriate behavior that included sexual misconduct and vandalism. Senior officers seemed to tacitly approve the behavior, as many did the same as junior officers, participating in the annual series of pranks. Among attendees in 1991 were nearly three dozen senior officers, including the chief of Naval Operations, Admiral Frank B. Kelso, Jr.; his assistant for air operations, Vice Admiral Richard M. Dunleavy; and the secretary of the Navy, H. Lawrence Garrett III.

Among the more flamboyant rites at Tailhook was the gauntlet, a cordon of aviators who made it a practice of fondling, groping, or otherwise hassling any woman who wandered down the hotel corridor where they gathered. On September 7, Navy lieutenant Paula Coughlin, an aviator then working as an aide to Rear Admiral John Snyder, commander of the Naval Test Center in Patuxent, Maryland,

SEVERING TIES WITH TAILHOOK

On October 29, 1991, Secretary of the Navy H. Lawrence Garrett III wrote the following letter to Captain F. G. Ludwig, Jr., the president of the Tailhook Association, to sever the Navy's ties to the organization. Although Garrett claimed to be angered by the events that took place at the 1991 Tailhook convention, it was later revealed that he had attended the conference, and he was forced to resign as Navy secretary. The Navy reestablished ties with Tailhook in 1999.

Dear Captain Ludwig,

I am writing to you, and through you to your organization, to express my absolute outrage over the conduct reported to have taken place at the Tailhook Association symposium in September. . . .

Besides my anger, I am more than personally disappointed. The Tailhook Association has been, in the past, a source of great professionalism and esprit, an organization where productive dialogues and seminars have had a home. In particular, Tailhook '91 provided me with a superb forum to air some of the most serious issues that Naval Aviation has ever faced. But none of those attributes can make up for the personal abuses, behavioral excesses, and quite possibly criminal conduct that took place at Tailhook '91 and have now been reported to me.

There are certain categories of behavior and attitudes that I unequivocally will not tolerate. You know the phrase: "Not in my Navy, not on my watch." Tailhook '91 is a gross example of exactly what cannot be permitted by the civilian or uniformed leadership of the Navy, at any level. No man who holds a commission in this Navy will ever subject a woman to the kind of abuse in evidence at Tailhook '91 with impunity. And no organization which makes possible this behavior is in any way worthy of a naval leadership or advisory role.

Admiral Frank Kelso, our Chief of Naval Operations, and I have discussed this matter and, based upon his recommendation and with his full support, I am terminating, effective immediately, all Navy support in any manner whatsoever, direct or indirect, for the Tailhook Association.

Last April I sent a message to every command in the Navy about the progress of our women officers and sailors. I said then that I would reinforce a position of zero tolerance of sexual harassment, and I meant it. That policy was not new in April, nor when I became Secretary—but obviously it was as necessary then as it is now to reiterate just how strongly I feel about this matter. Also in April, with my strong concurrence, Admiral Kelso made specifically clear in a parallel message that a Navy free from sexual harassment or intimidation is a leadership issue. Together we made certain that the whole Navy knew: "Each of you, from the most junior sailor to the most senior officer, has a responsibility to build working and living spaces free from unprofessional conduct, fear, and prejudice." The Tailhook Association most certainly did not live up to that responsibility.

was forced to pass through the gauntlet and was assaulted by dozens of her male colleagues, despite her efforts to fight them off. Rather than ignore the incident, as many other women had done, Coughlin determined to see the perpetrators punished for what was nothing less than sexual assault.

The response to Coughlin's complaint by naval leadership was far from satisfactory. Although she reported the incident to Snyder the day after it occurred, he did nothing initially, telling her she should have expected such behavior under the circumstances. Coughlin pressed her case, going directly to the chief of Naval Operations for some resolution. Not until late October, however, did Secretary Garrett become aware of Coughlin's allegations. He decided some action was necessary. Within weeks, Snyder was relieved of his command, and separate investigations were launched by the Naval Investigative Service (NIS) and the Navy's Inspector General (IG).

During the months these investigations were underway, stories of Tailhook misdeeds began surfacing within the Navy and in the press, further escalating the gravity of the situation for Navy officials. There were calls from Congress members for the Navy to take this matter seriously, and legislators threatened to hold up all naval officer promotions until there were assurances that those nominated for promotion had not participated in illegal activities at Tailhook. These pressures notwithstanding, when the NIS and IG submitted their reports to Garrett, about two dozen possible victims were identified and only two officers were named as possible perpetrators. Furthermore, the reports recommended only mild reforms.

Assistant Secretary of the Navy Barbara S. Pope, the first woman to serve as assistant secretary in the Navy's history, urged Garrett to delve deeper into the matter, and he in turn asked the U.S. Department of Defense to launch a new investigation. Derek Vander Schaaf, a deputy inspector general at the Pentagon, headed up the new investigative team. The team would also look into the environment that allowed such behavior to occur with seeming impunity. Initially, Vander Schaaf's investigators met with a wall of silence, as most aviators refused to reveal any details of what they might have seen or done. Senior leaders were no more helpful. Nevertheless, as reports of junior officers' behavior continued to surface, people outside the Navy began arguing that high-ranking officers and others within the service—and not simply junior officers—should be held accountable for their behavior.

Meanwhile, an appendix to one of the Navy's investigations revealed that despite Garrett's assurances that he had not been near any inappropriate or illegal activities at Tailhook 1991, evidence shows that he was seen at a party adjacent to the location of the infamous gauntlet. This information was made public in June, 1992, the same month Coughlin told her story on national television. It was becoming apparent to members of the George H. W. Bush administration that Garrett was a liability. At the encouragement of officials in the White House, he submitted his resignation on June 26. Undersecretary of the Navy J. Daniel Howard was named acting secretary. He immediately issued a series of orders directing the Navy and Marine Corps to take more serious measures to address issues of sexual harassment and more fully integrate women into all positions within the services.

The release of Vander Schaaf's report later in the year made apparent the extent of the scandal. More than seventy women had been assaulted at Tailhook 1991, and more than one hundred male officers—and not only two, as the NIS and IG reports claimed—were suspected of participating in the assaults or other inappropriate activities. Moreover, the report was highly critical of senior Navy and Marine Corps leadership for condoning these activities—and in some cases encouraging them.



Secretary of the Navy H. Lawrence Garrett III. (U.S. Department of Defense)

Vander Schaaf also faulted the Navy for conducting what was essentially a whitewash of Coughlin's claims and for inhibiting his investigation out of a misguided sense of loyalty within the aviation community and the Navy and Marine Corps as a whole. Furthermore, his report made it clear that a hostile climate existed in both services for women wishing to pursue careers that could lead them to positions of responsibility equal to their male counterparts.

IMPACT

The Bush administration moved quickly to restore stability at the top of the Department of the Navy, naming Garrett's permanent replacement within a month of his departure. In the next eighteen months, Dunleavy, charged with having personal knowledge of the gauntlet and failing to do anything to halt it, was forced to retire at a reduced rank. Other officers were similarly pressured into retirement or

reassigned from key positions into less prestigious ones. Although these changes at the top of the military chain of command had some immediate impact on the management of the service, the more significant impact of the Tailhook scandal on the Navy occurred through the next decade.

New regulations required full integration of women into the service, the establishment of an office to focus on women in the Navy, and the development of a series of programs to educate officers, sailors, and Marines in matters regarding appropriate treatment of women in uniform. All of these changes had some positive effect on working conditions for women in the Navy. Nevertheless, subsequent incidents of inappropriate behavior, including sexual assault, within the fleet and at the U.S. Naval Academy proved that the disrespect for and resistance to women in the Navy were far from being eliminated.

—Laurence W. Mazzeno

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August 23, 1992

PRINCESS DIANA'S PHONE CONVERSATION WITH HER LOVER IS MADE PUBLIC

Princess Diana's taped conversation with her lover marked the first of two significant and embarrassing instances of the press getting a hold of tape-recorded talks between senior members of the British royal family and their lovers. The adultery scandal soon was overshadowed by allegations that members of British intelligence agencies had been involved in monitoring the princess's calls and that they leaked the tapes for her husband, Prince Charles. The royal couple was in the middle of a divorce battle.

ALSO KNOWN AS: Squidgygate; Dianagate

LOCALES: Sandringham, Norfolk, and Oxfordshire area, England

CATEGORIES: Communications and media; public morals; publishing and journalism; royalty; sex

KEY FIGURES

Diana, Princess of Wales (1961-1997), princess of Wales, married to Prince Charles

James Gilbey (b. 1956), Diana's lover and heir to the Gilbey's gin fortune

Charles, Prince of Wales (b. 1948), Diana's husband, heir to the British throne

Cyril Reenan (1922-2004), amateur radio enthusiast

Jane Norgrove (fl. 1990's), amateur radio enthusiast

SUMMARY OF EVENT

The August 23, 1992, headline on the front page of *The Sun* revealed the existence of tape recordings of a telephone conversation between Princess Diana and James Gilbey—apparently from New Year's Eve, 1989. The story was sensational in three respects. First, it represented a significant escalation of the willingness of the British media to publish material embarrassing to the royal family, even when a clear breach of privacy was involved. Sec-

ond, the story left no possible doubt that Diana and Gilbey were involved in a sexual relationship that was, technically, treasonous. Third, the story called attention to the apparent vulnerability to eavesdroppers of conversations on cell phones. (Diana was apparently speaking from Sandringham House on a regular phone, while Gilbey was using a mobile phone in his car.)

The revelation that Diana was an adulterer, although titillating, caused little surprise, and its shock value was brief. The continued erosion of the traditional diplomacy maintained by the British press in respect of royalty caused no surprise at all, and only vain protest. The third element of the scandal, cell phone breaches, kept the story going, maintained its newsworthiness for weeks, and continued to generate speculation and discussion for years.

The Sun reportedly received the tape from amateur radio enthusiast Cyril Reenan, a former manager of the Trustee Savings Bank. Reenan apparently constructed an elaborate listening post at his home in Abingdon, Oxfordshire, so that he could spend his time in retirement eavesdropping on non-commercial radio broadcasts. He claimed that he had recorded the conversation between Diana and Gilbey "at hazard," that is, he came across it by pure chance on January 4, 1990. This date was later shown to be false, however. The published story was subjected to extreme skepticism by other commentators, who immediately began searching for a motive to account for the tape's release.

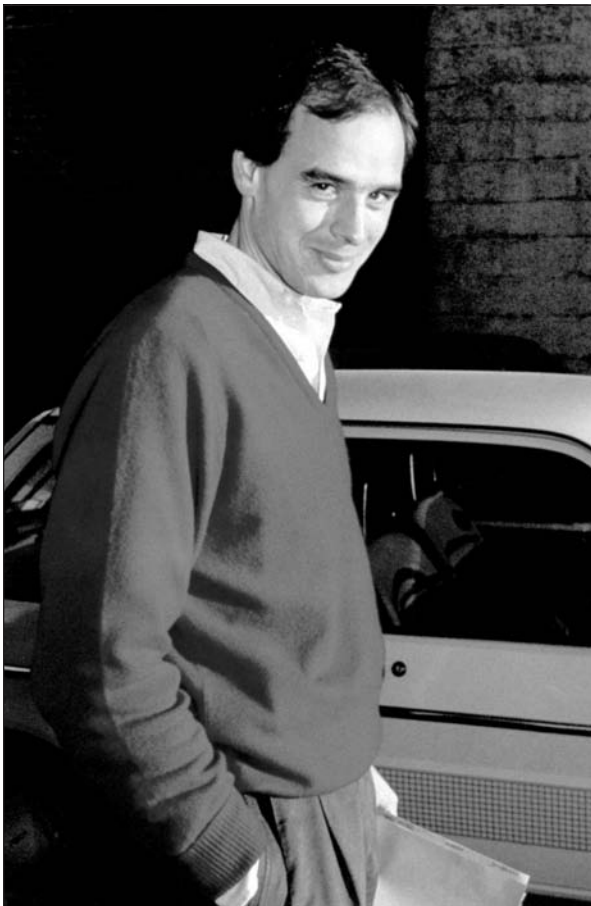
In late 1989, Prince Charles and Princess Diana were involved in divorce negotiations, which were becoming increasing acrimonious. The public appetite for details was immense; Charles's younger brother, Prince Andrew, duke of York, and Diana's close friend, the duchess of York (the former Sarah Ferguson), had also separated a few months earlier. The tribulations of Queen Elizabeth II's children were beginning to resemble a soap opera.

For the first time, because of Diana's complex relationship with the press—who followed her everywhere—the media were willingly being employed as so-called heavy artillery in the developing battle between the prince and princess. Although not public knowledge at the time, Diana had been supplying journalist Andrew Morton with material for a book that would tell her side of the case. In the absence of this knowledge about Diana and Morton, the public soon pointed to Charles, and cooperating government security services—who had been monitoring Diana's calls—as the person who leaked the tape in an attempt to fight back on the same battleground.

On September 5, *The Sun* announced that the conversation had been recorded by a second eavesdropper, Jane Norgrove (also a resident of Oxford-

shire), who claimed that she came forward to clear up allegations regarding conspiracy theories and the possible involvement of the security services in the initial leak—a protestation that only served to add further fuel to such rumors. The rumors were boosted by an assertion made by a surveillance expert, William Parsons, that recording both sides of an intercepted telephone conversation with equal clarity would be almost impossible and that the tape must have been subject to sophisticated technical adjustment. *The Sunday Times* (London) commissioned security firm Audiotel International to analyze the tape. The subsequent report claimed that the tape contained pips (data bursts) that would normally have been edited out during transmission, and that there was a “background hum” that Reenan's equipment could not have recorded, suggestive of a tap on a land line. Two further tapes, of unknown origin, later surfaced in the offices of other newspapers.

The tape held by *The Sun* began during the middle of the Diana-Gilbey conversation, with Diana complaining about her depression and ill-treatment by the royal family, especially by Prince Charles, who was said to be making her life “torture.” The discussion also touched on the television soap opera *EastEnders* and Diana's fascination with her own alleged clairvoyance and spiritual beliefs. The conversation's shock value, however, came from its intimate tone, enhanced by the fear expressed by Diana that she might be pregnant. At the time of the conversation, Gilbey was working as a car salesperson, but he was the heir to a family fortune made in the manufacture of Gilbey's gin. He had known Diana since childhood and dated her before she was selected as Charles's bride, so the intimate tone was not particularly unusual; nor was Gilbey's use, following common practice among the English upper classes, of the term “darling” fourteen times and by the use of a nickname, Squidgy, fifty-three times. The latter appellation, however, caught the public's attention. *The Sun* initially dubbed the affair Dianagate but soon renamed it Squidgygate. A special public phone line was set up by the newspaper for the entire thirty-minute conversation.



James Gilbey. (AP/Wide World Photos)

IMPACT

Speculation regarding the origins of the Squidgygate tape reached such a pitch that the British home secretary, Kenneth Clarke, issued a formal denial that the British security service MI5 (the equivalent of the U.S. Central Intelligence Agency) had been involved in the affair in any way, but his denial did not reduce popular suspicion. The affair inevitably added considerably to Diana's own suspicions, casting a dark shadow of paranoia over her subsequent conduct, including her behavior on the night of her death in a car crash in Paris in 1997.

In 2002, Diana's former protection officer, Ken Wharfe, claimed that his own investigation covered all the parties involved but that he was unable to reveal the details for legal reasons—although he did hint that Diana's suspicions that she was being spied on had merit—thus further fueling the elaborate conspiracy theories surrounding the sequence of events. The most striking consequence of the first tape's release, however, was the tit-for-tat release of another tape to *The Sun's* rival tabloid, the *Daily Mirror*. This tape apparently was recorded on December 18, 1989, and included an intimate long-distance phone conversation between Prince Charles and his lover, and future wife, Camilla Parker Bowles. An Australian magazine, *New Idea*, published a transcript of the Charles-Bowles tape on January 13, 1993, and an international scandal was born.

Charles and Diana became increasingly desperate to manage media coverage after the release of the two tapes. Both gave high-profile television interviews to tell their sides of the story, but neither interview could be anything more than a futile exercise in damage limitation; the harm done to the image of the royal family was irreparable, and Diana's subsequent life was similarly blighted. Insofar as the private war between the two individuals, the photogenic Diana was always bound to win, in spite of the embarrassment caused by the first tape's release, but that she had to die to seal her victory completed the lesson delivered by Squidgygate regarding the deleterious effects of media scandal.

—Brian Stableford

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- Jephson, Patrick. *Shadow of a Princess*. New York: HarperCollins, 2000. A glaring exception to the general run of hagiographic-style studies, written by Diana's one-time private secretary.
- Levine, Michael. *The Princess and the Package: Exploring the Love-Hate Relationship Between Diana and the Media*. Los Angeles: Renaissance, 1998. A more cerebral account than the journalistic biographies, attempting to put Diana's dealings with the press into the context of a more general account of the contemporary production and negotiation of celebrity.
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- Paxman, Jeremy. *On Royalty: A Very Polite Inquiry into Some Strangely Related Families*. New York: PublicAffairs, 2006. A serious exploration of the institution of royalty, with insightful attention to the late twentieth century problems plaguing the House of Windsor.
- Smith, Sally Bedell. *Diana in Search of Herself: Portrait of a Troubled Princess*. New York: Times Books, 1999. A journalistic account with slightly more pretension to analytical acuity than most of its rivals.
- Wharfe, Ken. *Diana: Closely Guarded Secret*. London: Michael O'Mara, 2002. The book in which Diana's former protection officer vaguely endorsed Diana's suspicions regarding her surveillance by British security and the source of the tape.

SEE ALSO: Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; Mar. 2–Sept. 25, 1963: John Profumo Affair Rocks British Government; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; July 25, 1987: Novelist–Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*; Dec. 18, 1989: Prince Charles’s Intimate Phone Conversation with Camilla Parker Bowles Is Taped; Sept. 24, 1992: British

Cabinet Member David Mellor Resigns over Romantic Affair; Jan. 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock; Aug. 31, 1997: Princess Diana Dies in a Car Crash; Sept. 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major; Jan. 21, 2006: British Politician Resigns After Gay–Sex Orgy; Apr. 26, 2006: Britain’s Deputy Prime Minister Admits Affair with Secretary.

September 24, 1992

BRITISH CABINET MEMBER DAVID MELLOR RESIGNS OVER ROMANTIC AFFAIR

David Mellor, a member of British prime minister John Major’s cabinet, became embroiled in scandal when actor Antonia de Sancha detailed her affair with Mellor in the popular tabloid newspaper The People. Mellor’s problems worsened when the press reported he received two free vacations, one from a daughter of an official of the Palestine Liberation Organization. Mellor resigned soon after the story broke.

LOCALE: London, England

CATEGORIES: Sex; publishing and journalism; government; politics

KEY FIGURES

David Mellor (b. 1949), British politician and heritage minister

John Major (b. 1943), British prime minister, 1990–1997

Antonia de Sancha (b. 1961), British film actor

SUMMARY OF EVENT

When conservative politician John Major succeeded the equally conservative Margaret Thatcher as Great Britain’s prime minister in 1990, he promoted arts minister David Mellor to a cabinet post, first as chief secretary to the treasury (1990–1992)

then to the newly created National Heritage Department as its secretary in April, 1992. The British public was not sure of this new department’s function, and when it became clear its responsibilities included sports and the leisure industry, Mellor was dubbed “minister for fun.” One of his first actions was to try to curb press invasions of privacy. The popular press, therefore, became increasingly hostile toward him.

Mellor had graduated from Cambridge University and trained as a lawyer until 1972. He became a member of Parliament (MP) for Putney, London, in 1979, the same year Thatcher became Britain’s first woman prime minister. He served in a number of junior ministerial posts under Thatcher, beginning in 1981, although unlike his friend and contemporary, Major, he never attained cabinet status in his appointments. Mellor’s most important office was as arts minister in 1990.

The popular press around this time was beginning to sense an increasing hostility by the public toward politicians in power. Major, too, seemed above reproach, though events showed later that he was not. So the press began private investigations of many of the Conservative Party MPs, especially those with some office. During the next two years, more than twenty Conservative politicians

were forced to resign over press allegations. A number of libel cases were contested, and several inquiries were set up to investigate various allegations, such as illegal arms sales to Iraq. Although some of the allegations were disproved, the period became known for “government sleaze,” as it was termed.

Mellor was the first politician exposed in this series of scandals that, many have argued, erupted for several reasons. Some believed the prime minister was too lenient in cases of marital unfaithfulness. Others said the press was out of control in its intrusiveness. Still others said the public believed the Conservatives had been in power too long and were growing corrupt and out of touch with the people. Each argument had some merit. Certainly, though, the scandals showed that no longer could MPs expect their private lives to remain private.

In July, 1992, the prime minister was warned that the Sunday tabloid newspaper *The People* was about to unleash a well-documented account of Mellor having a romantic affair with a little-known film actor, Antonia de Sancha. The story ran on July 19. A reporter from the paper had convinced Sancha’s landlord to bug her apartment, and the reporter was able to listen in on her telephone calls, which included calls with Mellor. *The People*’s editor Bill Hagerty defended the legality of the paper’s action in the name of public interest, a defense Mellor had been working to limit. In fact, it proved to be perfectly legal to bug one’s own property (as the landlord did). The actor reportedly was paid sixty thousand dollars for her story, and the details she supplied were sometimes quite lurid. Hagerty, following attacks on his professional integrity, would later say that Mellor’s resignation was the first “decent thing” Mellor had accomplished for some time.

Prime Minister Major took the advice of his cabinet secretary, Robin Butler, who assured Major that no national security had been breached through the affair, and that the people most hurt were Mellor’s own wife, Judith, and his children. Major, therefore, rejected all calls for firing Mellor. However, during the summer recess of Parliament, with little other interesting news, the popular press kept dig-

ging up Mellor’s private life, and by September it had unearthed a few more details.

The first of these discoveries was that Mellor had received a Spanish holiday from Mona Bauwens, the daughter of Jaweed al-Ghusein, the treasurer of the Palestine Liberation Organization. The second discovery was Mellor’s receipt of a similar holiday, paid for by the ruler of the United Arab Emirates state of Abu Dhabi. These gifts clearly were of national interest. Major again consulted Butler, but the 1922 committee, comprising Conservative backbench MPs and chaired by Sir Marcus Fox, already had met on the issue and insisted on Mellor’s resignation. On September 24, Mellor handed in his resignation, which Major accepted with reluctance. Mellor’s resignation letter avoided any mention of personal shame for past actions.

IMPACT

Mellor’s reputation had been tarnished and his career ended because of not only his affair but also his acceptance of the travel gifts. Major’s government was tarnished as well. The press, having sensed its own power along with Major’s vulnerability, pursued a number of other government ministers. Despite Major’s protestations that his administration, and his party, had a policy of decency, the press considered his administration hypocritical. Efforts to suppress the freedom of the press withered away because of this assumption of hypocrisy. It could be argued that the stunning defeat of the Conservative government five years later at the hands of Tony Blair’s Labour Party took some of its origins from this seemingly insignificant incident involving Mellor.

Mellor himself failed to hold government office again and was finally defeated in the 1997 election, though he was asked to be part of the new Labour government’s Football Task Force from 1997 to 1999. However, his legal career continued, as he had been named a Queen’s Counsel in 1987. After Mellor left office, his interest in the arts and in sport led to radio jobs with the British Broadcasting Corporation and to journalistic work. Ironically, one of his jobs would be as a columnist with *The People*, the very newspaper that had discredited him five

years before. The public was then quite forgiving of him. However, his marriage came to an end in 1995.

The sexual improprieties of office-holding politicians remained under the unforgiving scrutiny of the popular press and the British general public from the time Mellor's affair came to light in 1992. Even Major could not resist commenting on the affairs of officeholders when he wryly quoted Jack Lang, a French minister of culture, who had said, "An affair with an actress! Why else does one become minister of culture?"

When Labour came to power, press interest shifted to Labour politicians. Psychologists also began to study the effect of overexposure to publicity, an effect that was found to lead to a sort of moral numbness. More cogently, perhaps, the separation of MPs from their families, their sense of power, and the attraction of alcohol and sex under these conditions have been described as likely reasons for the continuing improprieties of public officials. The scandals, in turn, led the media to expose private lives that, in the modern world of instant communication, are no longer private.

—David Barratt

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Clark, Alan. *Diaries: In Power*. London: Weidenfeld & Nicholson, 2003. Clark's diaries recount the Thatcher and Major years of government and give intimate details into the affairs and indiscretions of a number of ministers.

Major, John. *The Autobiography*. New York: HarperCollins, 2000. Prime Minister Major's auto-

biography, which includes an account of Mellor's resignation. Also includes Major's opinion of the scandal and subsequent attacks on the Conservative Party.

Woodhouse, Diana. *Ministers and Parliament: Accountability in Theory and Practice*. New York: Oxford University Press, 1994. Woodhouse examines the resignation scandals of modern British politics, seeing patterns of responsibility and accountability. Mellor's case is studied in some detail.

SEE ALSO: July 10, 1934: Sex Scandal Forces Resignation of Alberta Premier Brownlee; Mar. 2–Sept. 25, 1963: John Profumo Affair Rocks British Government; Jan. 26, 1979: Former Vice President Nelson Rockefeller Dies Mysteriously; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; July 25, 1987: Novelist-Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*; Aug. 10, 1989: Japanese Prime Minister Sosuke Resigns After Affair with a Geisha; Dec. 18, 1989: Prince Charles's Intimate Phone Conversation with Camilla Parker Bowles Is Taped; Jan. 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Sept. 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major; Apr. 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary.

June 23, 1993**LORENA BOBBITT SEVERS HER HUSBAND'S PENIS**

Lorena Bobbitt cut off half of her abusive husband's penis while he was sleeping, then threw the penis into a field from her car window after she left their apartment. She was found not guilty of malicious wounding and was ordered to a psychiatric hospital for several weeks. John, whose penis was reattached by surgeons soon after the attack, was found not guilty of marital sexual assault. The case brought national attention to spousal rape and abuse, forced abortion, and battered woman, or person, syndrome.

LOCALE: Manassas, Virginia**CATEGORIES:** Violence; psychology and psychiatry; women's issues; law and the courts**KEY FIGURES**

Lorena Bobbitt (b. 1970), married to John Bobbitt
John Wayne Bobbitt (b. 1967), married to Lorena Bobbitt

David C. Reardon (b. 1956), expert witness for Lorena Bobbitt at her criminal trial

SUMMARY OF EVENT

Lorena Bobbitt, born in Bucay, Ecuador, married a U.S. Marine, John Wayne Bobbitt, on June 18, 1989. The marriage was the first for both, but it was not a happy one. On the evening of June 23, 1993, Bobbitt, at this time out of the Marine Corps, had been partying and returned home drunk to the couple's apartment in Manassas, Virginia. John demanded that Lorena have sex with him; she declined and he raped her. After John fell asleep, Lorena left the bedroom for some water in the kitchen. She testified that she saw an eight-inch carving knife on a counter and, wanting retribution against John for his continued abuse during the marriage, snapped, grabbed the knife, returned to the bedroom, and cut off half of John's penis while he was sleeping. According to media reports, she

had requested a restraining order against John just two days before her attack.

After severing John's penis, Lorena immediately left the apartment while clutching the organ in her hand. She drove a short distance before rolling down the car window and throwing the penis into a neighboring field. She then returned home and called 911 to report the incident. The police conducted an extensive search for the severed organ. Upon finding it in the field, they packed it in ice and brought it to the hospital, where John had been taken after the attack. After more than nine hours of surgery, two surgeons were able to reattach John's severed penis.

Lorena was charged with felony malicious wounding and could have been sentenced to twenty years in prison. Because the attack allegedly was in response to years of abuse by John, he, too, was charged with a crime—marital sexual assault. John was acquitted of the sexual assault in September, 1993, and Lorena entered a plea of not guilty by reason of insanity. During trial, she testified that her husband abused her physically and mentally, raped her, and was unfaithful. She also said that John forced her to have an abortion one year into their marriage, which left her emotionally scarred. Several witnesses testified on Lorena's behalf and confirmed her claims of abuse. She became one of the first to argue insanity as a defense in a case of battered woman syndrome (or battered person syndrome), whereby a battered person becomes unable to take action to stop repeated physical or psychological abuse, or both.

Despite its seeming popularity, the insanity defense is rarely used in criminal cases and is not likely to be successful. Meeting the legal definition of insanity is difficult in most states. Lorena, however, was successful in her case. A jury found her not guilty by reason of insanity based on the state of Virginia's irresistible impulse test. Irresistible impulse is a test of a person's volition (movement or action) and loss of control rather than his or her



Lorena Bobbitt and John Wayne Bobbitt. (AP/Wide World Photos)

knowledge of right and wrong. Many state statutes provide that insanity is not a defense if the person committing the crime knows and understands the difference between right and wrong at the time the crime is committed. Lorena knew that what she did was wrong, and her insanity defense would have failed in most states. However, under Virginia's irresistible impulse test, Lorena only needed to show that she was unable to control her behavior because of a mental "defect."

Lorena's attorneys argued that at the time of the crime she was suffering from depression and post-traumatic stress disorder (PTSD), and that she believed she had to escape from her husband—and his penis—because of past abuse. Lorena's condition was supported by experts who claimed that her impulse to sever her husband's penis became irresistible after the rape that same evening.

One defense expert, David C. Reardon, testified that Lorena may have snapped because of her forced abortion from years earlier. Lorena told Reardon that she continued to have flashbacks about the abortion, and Reardon suggested that she was suffering from a mental condition known as postabortion trauma. Lorena also claimed that she had been having anxiety attacks and abdominal

cramps days before the attack on her husband, symptoms Reardon interpreted as characteristic of PTSD and likely caused by the forced abortion. Finally, he suggested that Lorena's fear that she would not be able to have children in the future because of the abortion also contributed to her temporary insanity and inability to control her behavior. He compared Lorena's forced abortion to sexual mutilation and testified that Lorena was seeking retribution against her husband by castrating him.

On January 21, 1994, Lorena was found not guilty by reason of insanity. Virginia law required that she be sent to a mental hospital

for observation and diagnosis to determine if she should remain institutionalized or be released. She spent forty-five days in a state mental facility and, based on reports from the psychiatric hospital, was ordered released because she no longer posed a danger to herself or others. Lorena, however, was required to have weekly outpatient therapy and was forbidden to leave the state.

IMPACT

Lorena and John Bobbitt were divorced in 1995 and Lorena resumed her birth name, Gallo. Although Lorena became a symbol for women's self-defense against domestic abuse, she continued to have legal problems. In 1997, she was charged with assaulting her mother with a punch while her mother was watching television. Four months after the incident, Lorena was found guilty of the assault.

About a year after having surgery to reattach his penis, John was declared fully recovered. Needing money to pay for his medical costs, he formed a musical band called the Severed Parts. The band was not successful, however, so he turned to making pornographic films, including *John Wayne Bobbitt Uncut* (1994) and *Frankenpenis* (1996). This venture failed as well. John has had various jobs since

the attack, including bartender, mover, tow-truck operator, brothel employee, and chapel minister, and also had more legal problems. He was convicted of several crimes, including domestic abuse, assault and battery, and larceny, and he violated his parole.

The media sensationalized the Bobbitt case, and it became a humorist's treasure trove. New words were coined from the case, and the Bobbitt name, which became synonymous with male castration, has been mentioned in musical lyrics, books of fiction, and on television shows. One common motto following the scandal was "Lorena Bobbitt for Surgeon General." Even though Lorena used a violent method to defend herself against her husband, feminist and women's groups defended her, and she became a sort of hero.

The media's attention to the Bobbitt case brought to light domestic violence, the psychological impact of forced abortions, marital rape, and battered woman syndrome. All became topics of national debate and discussion. For many, Lorena's attack was an understandable act of self-defense, and it has since come to symbolize the anger, rage, and resentment felt by abused women and has come to justify their fighting back against their abusers.

—Carol A. Rolf

FURTHER READING

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Pershing, Linda. "His Wife Seized His Prize and

Cut It to Size: Folk and Popular Commentary on Lorena Bobbitt." *National Women's Studies Association Journal* 8, no. 3 (Fall, 1996): 1-35. Contrary to this article's fun-and-games title, the discussion focuses on the academic topic of language use in popular culture in the aftermath of the Bobbitt scandal.

Ragle, Larry. *Crime Scene*. New York: Avon Books, 2002. Explores the collection of crime-scene evidence and the role of forensic science and medical technology in solving unusual crimes, including the Bobbitt case.

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Westervelt, Sandra Davis. *Shifting the Blame: How Victimization Became a Criminal Defense*. New Brunswick, N.J.: Rutgers University Press, 1998. Discussion of the insanity defense, as employed by abuse victims, including Lorena Bobbitt. Also discusses verdicts of not guilty by reason of insanity in cases of spousal abuse.

SEE ALSO: Apr. 4, 1958: Actor Lana Turner's Daughter Kills Turner's Gangster Lover; Mar. 13, 1964: Kitty Genovese Dies as Her Cries for Help Are Ignored; Mar. 10, 1980: Scarsdale Diet Doctor Is Killed by His Lover; Dec. 22, 1984: Subway Vigilante Bernhard Goetz Shoots Four Black Youths; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; May 19, 1992: Amy Fisher Shoots Mary Jo Buttafuoco; June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial.

January 5, 1994

BRITISH CABINET MEMBER RESIGNS AFTER FATHERING A CHILD OUT OF WEDLOCK

Tim Yeo, a Conservative member of the British parliament who publicly espoused traditional family values, fathered a child out of wedlock. The child's mother was a local Conservative politician and attorney, Julia Stent, who told the media that Yeo was the father of her child. The scandal led to Yeo's resignation as a government minister, but he remained a member of Parliament. The scandal was a major blow to Prime Minister John Major's conservative agenda.

LOCALES: London and Suffolk, England

CATEGORIES: Politics; sex; government; public morals; families and children

KEY FIGURES

Tim Yeo (b. 1945), Conservative member of British parliament from Sudbury South, 1983-

Julia Stent (b. 1960), attorney and council member for Hackney, London

Aldine Horrigan (b. 1936), mayor of Haverhill, Suffolk, and local Conservative Party branch chair

John Major (b. 1943), British prime minister, 1990-1997

SUMMARY OF EVENT

Tim Yeo was a popular member of John Major's Conservative government in Great Britain, fully backing Major's so-called Back to Basics agenda. News of his affair with a London attorney and politician, and the subsequent birth of their child, brought his government career to a temporary halt. For the Conservative government, the revelation was a major embarrassment because it had been stressing traditional values, responsibility, and fidelity, especially in family life. Yeo also was a vocal proponent of this agenda.

Yeo was born in Lewisham, a suburb in southeastern London, in 1945. He was educated at the

prestigious private school Charterhouse in Godalming, Surrey, and then went on to Emmanuel College, Cambridge, where he was active in student politics and earned a master's degree in history in 1968. He gained a position with the Bankers Trust Company in London, and from 1970 to 1973 was an assistant treasurer there. In 1970, he married Diane Helen Pickard, with whom he had a son and a daughter. In 1975, he became a director of the Worcester Engineering Company, a position he retained until 1986. In 1980, he was appointed chief executive of a major British charity, the Spastics Society, or Scope. He held the post until his parliamentary career began in 1983.

Yeo had tried unsuccessfully to enter Parliament in 1974 as a Conservative Party candidate for the constituency of Bedwelty, Wales, a safe Labour Party seat. He was looking for a more winnable seat when Aldine Horrigan, chairman of the Sudbury South local Conservative Party, backed him to run as the candidate in her constituency, even though a sitting Conservative member of Parliament already was seated. A redrawing of boundaries gave Horrigan the excuse to push for a new candidate in what was technically a new constituency. Yeo was their candidate, and he ran for office in the 1983 election. The Conservative government of Prime Minister Margaret Thatcher was then at the height of its influence and power, and Yeo was easily elected.

Yeo's first experience in government office came in 1988, when he was appointed private parliamentary secretary to Foreign Secretary Douglas Hurd. After Major defeated Thatcher to become prime minister, subsequently winning the next election, Yeo got his first major appointment, as minister of the environment and countryside, in 1992. Major was launching a new Conservative Party manifesto, called Back to Basics, which emphasized traditional values and public morality, among other things. Yeo committed to this manifesto and

even spoke out against increases in benefits for single-parent families.

However, while working in London away from his family in 1992 and 1993, Yeo had struck up a sexual liaison with Julia Stent, a young attorney in her early thirties, through her involvement with Hackney Borough Council as a Conservative councillor. Stent became pregnant, and she had a child in July, 1993. The affair and child were hushed up at the time, but finally came to the attention of Horrigan on the day after Christmas, 1993. Horrigan believed Yeo had betrayed the Back to Basics campaign and called a meeting of the constituency committee to discuss the matter, hoping to censure Yeo.

Inevitably, the story broke, and in a short time made sensational national headlines, especially with the popular, tabloid press. Yeo admitted he had been “foolish” over the affair, but at first stated he saw no reason to resign. He did not feel his stand on family values was compromised. Although his fellow government ministers uttered general support for him, there was a feeling that if the local party did not back him, he would need to leave office. Several previous ministers, including David Mellor and Michael Mates, were forced to resign in similar circumstances, even though Prime Minister Major had supported them.

Debate was confused at this point. Major insisted his Back to Basics program was not about private morality but rather about methods of delivery. Stent refused to comment on what she considered a private matter. On the other hand, the archbishop of York had weighed in, accusing political leaders of moral and spiritual bankruptcy, and Labour Party leader John Smith accused the government of being in retreat on its own manifesto. Plenty of earlier statements by Conservative leaders showed that they did indeed include private morality and family responsibility in their campaign. Sir Norman Fowler, the party leader, was accused of letting the affair drift out of control.

Above all, the deafening silence of the local constituency party and its failure to publicly support Yeo at its meeting on January 4 forced Yeo's resignation from his government position the following day. However, the call to deselect him altogether as

a local MP failed at a branch meeting held on January 14, and he retained his seat in Parliament.

IMPACT

For Major's government, the Yeo-Stent affair and Yeo's subsequent resignation were major blows to its Conservative agenda. The prime minister had to enter into a damage-limitation exercise, redefining what the term Back to Basics meant. In the end, however, this attempt only trivialized the campaign, and it was scrapped.

The Yeo affair became one of a long list of resignations forced on government ministers because of sexual affairs and other indiscretions. When this later became compounded by internal divisions over the European Union, Major's government was considered ineffective and weak. In the 1997 elections, the Conservatives suffered a landslide defeat, as a victorious Labour Party swept in under the youthful new prime minister, Tony Blair.

Yeo suffered much less than he might have. He retained his seat in the safe Suffolk constituency and was appointed by the new Conservative Party leader, William Hague, as spokesperson on environment, transport, and the regions. Under the next party leader, Iain Duncan Smith, Yeo was made a member of the shadow cabinet, as shadow secretary of state for trade and industry. In 2001, as shadow minister of agriculture, he played a leading role in exposing the Labour government's mishandling of the foot-and-mouth disease epidemic. In 2003, under new leader Michael Howard, he became shadow education and health secretary. In the leadership contest following the party's defeat in the general election, Yeo was briefly considered as a possible candidate. In fact, in the new Parliament he became chairman of the House of Commons environmental audit select committee. His career diversified as well as he became a writer on agricultural topics and a business speaker.

—David Barratt

FURTHER READING

Clark, Alan. *Diaries: In Power*. London: Weidenfeld & Nicholson, 2003. Clark's diaries recount the Thatcher and Major years of government and

give intimate details into the affairs and indiscretions of a number of ministers.

Major, John. *The Autobiography*. New York: HarperCollins, 2000. Contains Major's perspectives on Yeo's resignation, putting it in context of the wider Back to Basics campaign.

The Times, London, January 5-6, 1994. Gives a restrained view of the breaking scandal of Yeo's affair.

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SEE ALSO: Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; Mar. 2-Sept. 25, 1963: John Profumo Affair Rocks British

Government; Aug. 4, 1978: British Politician Jeremy Thorpe Is Charged with Attempted Murder; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; July 25, 1987: Novelist-Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*; Dec. 18, 1989: Prince Charles's Intimate Phone Conversation with Camilla Parker Bowles Is Taped; Aug. 23, 1992: Princess Diana's Phone Conversation with Her Lover Is Made Public; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair; May, 1999: Civil Rights Leader Jesse Jackson Fathers a Child Out of Wedlock; Sept. 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major; Jan. 21, 2006: British Politician Resigns After Gay-Sex Orgy; Apr. 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary.

April 28, 1994

U.S. NAVAL ACADEMY EXPELS MIDSHIPMEN FOR CHEATING

A number of cadets at the U.S. Naval Academy had been expelled from the institution in the wake of a widespread cheating scandal. A backlash to the sanctions, believed to have been unequally doled out, led to further investigations by outside agencies, who looked into the cheating, the integrity of the Naval Academy, and the integrity of U.S. service academies as a whole. The scandal also affected the academy's tradition of policing its own based on its honor code.

LOCALE: Annapolis, Maryland

CATEGORIES: Education; corruption; military; government; ethics

KEY FIGURES

Thomas C. Lynch (b. 1942), U.S. Navy rear admiral and Naval Academy superintendent, 1991-1994

John H. Dalton (b. 1941), secretary of the U.S. Navy, 1993-1998

Frank B. Kelso, Jr. (b. 1933), U.S. Navy admiral, chief of Naval Operations, 1990-1994

Charles R. Larson (b. 1936), U.S. Navy admiral, commander in chief of the Pacific Command, 1991-1994

SUMMARY OF EVENT

On April 28, 1994, twenty-four midshipmen were expelled from the United States Naval Academy for cheating on an electrical engineering examination more than one year earlier, marking the culmination of a series of investigations that had demoralized students and brought to light serious problems at the military institution. In the fall of 1992 a number of midshipmen, students at the college, obtained information about the contents of a test being administered in an electrical engineering course. Some of

THE U.S. NAVAL ACADEMY'S HONOR CONCEPT

Midshipmen are persons of integrity: They stand for that which is right.

They tell the truth and ensure that the full truth is known. They do not lie.

They embrace fairness in all actions. They ensure that work submitted as their own is their own, and that assistance received from any source is authorized and properly documented. They do not cheat.

They respect the property of others and ensure that others are able to benefit from the use of their own property. They do not steal.

these students shared the information with others enrolled in the course. Shortly thereafter, news of the cheating ring was brought to the attention of academy officials. Several dozen midshipmen were identified for cheating, among them at least eight members of the academy's football team.

While the punishment for cheating varies widely among colleges and universities in the United States, any form of cheating at a military service academy is considered a serious breach of that institution's honor code. Normally, determination of guilt or innocence is made by an honor board consisting of fellow students, who either exonerate their fellow midshipman or recommend to the superintendent that a violator be immediately expelled. Hence, when word of this new cheating scandal spread among members of the brigade of midshipmen, most expected that all who had cheated would be dismissed. Rear Admiral Thomas C. Lynch, the academy superintendent, did not see the situation in such simple terms. It became apparent quickly that quite a few students were involved in the case and subject to expulsion. The media would be eager to publicize such a story, given that just two years had passed since the academy was embroiled in a sexual harassment scandal. The new cheating incident threatened to further damage the institution's already tarnished reputation with the American public.

Nevertheless, in December, 1992, Admiral Lynch launched an investigation, enlisting the assistance of the Navy's Criminal Investigative Service, or

CIS. Its involvement suggested to many academy students that the theft of the examination was being treated as a criminal offense. The effect of the inquiry on campus was chilling. At the same time, rumors began circulating that the superintendent was unwilling to dismiss certain offending students, especially members of the football team. The initial investigation was completed in the spring of 1993. Twenty-eight midshipmen were implicated. Only six, however, stood before honor

boards and were recommended for expulsion, which were upheld by Admiral Lynch. The expelled students then appealed his decision to the secretary of the Navy.

Admiral Frank B. Kelso, Jr., a graduate of the Naval Academy, was serving as acting secretary of the Navy at the time the investigation was completed. He was concerned by the allegations of mismanagement and of favoritism within the investigation, so he directed a new inquiry to be headed by the Navy's inspector general. More than one dozen investigators spent months interviewing the students who had taken the electrical engineering examination. The scope of the cheating became apparent as the inquiry progressed, and investigators learned that some midshipmen even sold classmates copies of the examination in advance of testing. Also of concern was the widespread disregard for the honor code on which the institution had relied for years as a means of self-policing among midshipmen.

Meanwhile, newspapers such as *The Washington Post*, *Baltimore Sun*, and *The New York Times* carried detailed accounts of the proceedings during the sixteen months between the initial discovery of the cheating and outcome of the investigations. The media also paid special attention to the fate of the former Navy football players whose involvement as ringleaders in the cheating scandal allegedly sparked the controversy.

By the time the lengthy inquiry was completed in the spring of 1994, 134 midshipmen, by this time all

seniors, had been implicated. A special honor panel consisting of three Navy admirals reviewed the inspector general's findings and made recommendations to the new secretary of the Navy, John H. Dalton, regarding each case. Dalton, also a Naval Academy graduate, understood the gravity of the situation and wanted to be certain he dealt evenhandedly with each of the accused. After reviewing the evidence, he ordered the expulsion of twenty-four midshipmen and retained forty-two. Because the decisions were handed down just weeks before the implicated midshipmen were scheduled to graduate, the press zeroed in on the incident. Reporters were concerned that a considerable amount of taxpayers' money had been spent on the investigation. They also focused on the fate of expelled midshipmen, who under current regulations could have been forced to pay back the cost of their education or enter the Navy not as commissioned officers but as enlisted personnel. Dalton waived both requirements.

The U.S. Department of Defense took immediate steps to restore integrity and trust in academy leadership. Admiral Charles R. Larson, a former academy superintendent who in 1994 was commander in chief of the Pacific Command, was asked to return to the academy to lead the institution. Given that Larson was under consideration at the time for appointment as chairman of the Joint Chiefs of Staff and as chief of naval operations, it was obvious that he was held in high esteem. The designation of a senior admiral to a position normally held by an officer of lower rank was an immediate signal that Defense Department officials considered the situation at the academy a top priority.

IMPACT

The cheating scandal at the Naval Academy was devastating to the institution as a whole. The cheating was demoralizing in itself, but the generally held belief that the superintendent had shown favoritism in dealing with alleged offenders and had tried to minimize the incident and cover up details was especially harmful to students who had rightly assumed that their leaders were persons of fairness and integrity. The incident ended the career of Admiral Lynch, who decided to retire.

The academy's honor code was affected as well. Because outsiders such as Navy CIS and the Navy's Office of the Inspector General entered the investigation, the time-honored tradition of allowing midshipmen to enforce the honor code themselves was violated. Also, the cheating scandal—coupled with reports of continuing sexual harassment at Annapolis and the Army academy at West Point, New York, and the U.S. Air Force Academy at Colorado Springs, Colorado—led the U.S. Congress to initiate hearings on the state of operations at all the service academies. Congress wanted to ensure that appropriate steps were taken to protect the rights of all individuals involved. Outside review and direction, even from Congress, altered the Naval Academy's freedom to establish its own rules for dealing with internal matters, that is, for taking care of its own.

—Laurence W. Mazzeno

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Force Prosecution of Female Officer for Adultery Reveals Double Standard; Jan. 2, 2003: E-mail Message Prompts Inquiry into Air Force Academy Sexual Assaults; June 22, 2005: U.S. Air Force Investigates Religious Intolerance at Its Academy; Feb. 18, 2007: *Washington Post* Exposes Decline of Walter Reed Army Hospital.

June 1, 1994

CONGRESSMAN DAN ROSTENKOWSKI IS INDICTED IN HOUSE POST OFFICE SCANDAL

As part of the House post office scandal, long-time U.S. representative Dan Rostenkowski, a Washington, D.C., power player, was indicted on charges that included exchanging postal stamps purchased for official House business for cash, buying expensive gifts for friends and family with government funds, and witness tampering. He was found guilty on some charges, served fifteen months in a federal white-collar-crime prison camp, and saw the end of an otherwise illustrious, influential career.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; government; politics; hoaxes, frauds, and charlatanism; law and the courts

KEY FIGURES

Dan Rostenkowski (b. 1928), U.S. representative from Illinois, 1959-1995, and chairman of the House Ways and Means Committee

Robert V. Rota (fl. 1990's), former House postmaster

Carl Rauh (b. 1940), Rostenkowski's attorney

Robert S. Bennett (b. 1939), Rostenkowski's attorney

SUMMARY OF EVENT

Dan Rostenkowski was born in Chicago, Illinois, in 1928 and elected to the U.S. House of Representatives in 1958. In 1964 he became a member of the

House Ways and Means Committee, which writes most tax legislation, and served as the committee's chairman from 1981 to 1994.

During this thirteen-year-period as chairman, Rostenkowski controlled the tax-writing committee with an iron fist. He played a significant part in the tax and trade policy formation during the Ronald Reagan administration of the 1980's. In particular, he helped push through the 1986 Tax Reform Act, which lowered taxes and simplified the rather complex and confusing tax code. He had established himself as one of the most dominant members of the House of Representatives and was expected to play a crucial role in numerous legislative battles for the Bill Clinton administration of the 1990's, battles that would include health care, tax reform, trade provisions, and welfare policy. However, Rostenkowski's reputation and political career quickly collapsed in the spring of 1994 when he was charged with more than one dozen counts of fraud and political corruption involving the House post office.

Rostenkowski had attended the prestigious St. John's Military Academy in Delafield, Wisconsin, for high school from 1942 to 1946. After graduation, he entered the U.S. Army's 7th Infantry Division and served in Korea from 1946 to 1948. After his military service he opted to continue his education at Loyola University in Chicago, where he attended from 1948 to 1951. After college, Rostenkowski began his political career as an Illinois state senator at the young age of twenty-four.

Rostenkowski's political roots date back to the early 1930's, when his father, Joseph P. Rostenkowski, served as a ward alderman and committee member for more than two decades between 1936 and 1961. His father's years of service to the Democratic Party provided his son with a strong political foundation on which to begin and, essentially, flourish. Eventually, the young Rostenkowski would follow in his father's footsteps. During his early years as a state senator, Rostenkowski cultivated a strong political friendship with Chicago mayor Richard Daley. Daley became Rostenkowski's mentor and helped him get elected to the U.S. House of Representatives in 1958. Thirty-five years after becoming a Congress member, his lengthy, successful career would come to an end.

On June 1, 1994, a federal grand jury indicted Rostenkowski on seventeen criminal corruption charges, including misuse of public and government funds, fraud, conspiracy, and concealing material facts. U.S. attorney Eric H. Holder, Jr., said at a news conference following the indictment,

The allegations contained in today's indictment represent a betrayal of the public trust for personal gain. In essence, this indictment alleges that Congressman Rostenkowski used his elective office to perpetuate an extensive fraud on the American people.

Rostenkowski's schemes allegedly cost taxpayers more than \$500,000. Charges included witness tampering, mail fraud, and wire fraud. Between January, 1978, and April, 1991, he allegedly took at least \$50,000 in cash disguised as purchases of stamps from the House post office. His coconspirator, former House postmaster Robert V. Rota, who also pleaded guilty to embezzlement, said that during a six-year period, Rostenkowski traded in postal vouchers for over \$20,000, had taken stamps, and then sold those for cash. The investigation into Rostenkowski's illegal activities began in 1991, after Rota and his employees were being monitored for criminal activities in the House post office as well. Those investigations began in what came to be called the House post office scandal.

Rostenkowski also was accused of a kickback scam dating back to 1971. He had hired fourteen individuals to work for him, yet their work amounted to menial tasks such as mowing his lawn at his summer home and taking wedding photographs for his daughters. Some of his hires did no work. Those who did no work allegedly collected a substantial monthly paycheck and kicked back a portion of their salaries to Rostenkowski as a sign of gratitude for being hired. These employees would submit their government paychecks to Rostenkowski's Chicago office manager, who would then distribute the cash to the "ghost" employees for less than the actual value of their original paychecks.

From April, 1988, to January, 1992, Rostenkowski also allegedly used approximately \$40,000 in office funds to buy expensive gifts for family and friends. Furthermore, he used more than \$100,000 in House funds and over \$70,000 in political-campaign funds to buy and rent automobiles for the personal use of his family members and his friends. Additionally, the most serious of the charges—witness tampering—occurred in September, 1993. After learning of the federal investigation into his past illicit activities, Rostenkowski also attempted to discourage a federal prosecution witness, an engraver who had inscribed plaques for crystal sculptures that he was giving as gifts to friends. Rostenkowski had billed these engravings to his government expense account at the House stationery shop but neglected to pay for them. This charge of witness tampering was by far the most severe allegation, bringing with it a possible criminal sentence of ten years in federal prison.

As the corruption unfolded and the federal investigation continued, Rostenkowski lost his leadership roles and lost his bid for reelection to the House. The first deal offered to Rostenkowski by the U.S. attorney, one that the Congress member publicly rejected, would have sent him to jail for six months and required him to pay a fine of roughly \$38,000. Based on the advice of his high-profile defense attorneys, Carl Rauh and Robert S. Bennett, Rostenkowski accepted a plea agreement the following year that reduced the total number of criminal charges from seventeen to two—for mail fraud

only. Finally, in April, 1996, he was sentenced to seventeen months in a federal white-collar-crime prison camp and was fined \$100,000.

In May, before entering prison, Rostenkowski had successful prostate cancer surgery. On July 22, he began serving his sentence at the Federal Medical Center Rochester (in Minnesota) for white-collar prisoners. Following a full recovery from his cancer treatment, he was transferred to a federal minimum-security prison camp in Oxford, Wisconsin, which was near Chicago. The camp is known as a recreational house of reform for former crooked politicians and elderly mobsters. After serving fifteen months, Rostenkowski was given the chance to serve his last two months at a Salvation Army halfway house in Chicago until his formal release on October 15, 1997.

Rostenkowski was granted a full federal pardon in 2000 by President Bill Clinton, who pardoned more than seventy white-collar offenders in his last days in office. In the years following his release from prison, Rostenkowski worked as a political commentator, adjunct college professor, and chief executive officer of Danross Associates, Inc., a legislative consulting firm specializing in governmental affairs.

IMPACT

After more than three decades in Congress and as one of the nation's most powerful Democratic Party leaders, Rostenkowski saw his political career collapse almost instantaneously. The extent of his known illegal activities cost the American public close to half a million dollars and inadvertently brought attention to the many misuses of authority and power carried out by those persons who are elected to serve their constituents and represent them in Congress.

The U.S. Department of Justice's response to the myriad illicit activities carried out by Rostenkowski



Dan Rostenkowski outside the federal courthouse in Washington, D.C., following his arraignment on corruption charges on June 10, 1994. (Hulton Archive/Getty Images)

offered some hope that criminal and unethical acts carried out by politicians will not be tolerated. Although he was granted a full presidential pardon, the fact remains that Rostenkowski was caught, indicted, convicted, and imprisoned for his crimes. However, the public witnessed once again how political power, greed, and success breed crime and corruption. Politicians continue to cross moral and legal boundaries. Ultimately, Rostenkowski's greed destroyed his career, but it also further strained the public's fragile trust and faith in their elected officials.

—Paul M. Klenowski

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fice; May 12, 1924: Kentucky Congressman John W. Langley Is Convicted of Violating the Volstead Act; Nov. 16, 1951: Federal Tax Official Resigns After Accepting Bribes; Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; Oct. 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall; Oct. 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering; Feb. 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers; Sept. 23, 1987: Plagiarism Charges End Joe Biden's Presidential Campaign; Aug. 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents.

June 12, 1994

DOUBLE MURDER LEADS TO SENSATIONAL O. J. SIMPSON TRIAL

The discovery of the bodies of Nicole Brown Simpson and Ronald Goldman marked the beginning of one of the most notorious scandals and criminal trials in American history. Brown Simpson's former husband, O. J. Simpson, was charged with the crime and found not guilty, but he was found responsible for the murders in a civil trial. Simpson moved to Florida to avoid payments to the Brown and Goldman families on the civil judgment of \$33.5 million.

LOCALE: Los Angeles, California

CATEGORIES: Murder and suicide; publishing and journalism; radio and television; law and the courts; racism

KEY FIGURES

Nicole Brown Simpson (1959-1994), former wife of O. J. Simpson

Ronald Goldman (1968-1994), waiter, who was a friend of Nicole Brown Simpson
O. J. Simpson (b. 1947), retired professional football player

SUMMARY OF EVENT

On the night of June 12, 1994, a couple walking their dogs came upon the dog of their neighbor, Nicole Brown Simpson. The Akita, wandering the streets, had what appeared to be blood stains on its fur. The neighbors, knowing that Brown Simpson's dog was not allowed to run loose, brought the dog to her condominium on Bundy Drive. Upon reaching the entry gate to the complex, they saw a ghastly, macabre scene and immediately notified police.

The police found the bodies of thirty-five-year-old Brown Simpson and her acquaintance, twenty-six-year-old Ronald Goldman. The two had been stabbed and slashed to death. The bruising on Brown

Simpson's face and head showed that she was punched and bludgeoned into unconsciousness and was stabbed several times in her neck. She was nearly decapitated from a deep cut across her throat. Her body lay at the foot of a short flight of steps, and her blood ran down the tiles of the walkway. It appeared that she was unable to fight her attacker.

Goldman appeared to have struggled with his attacker. He received several defensive wounds and several shallow stab wounds and deep knife wounds to a thigh and to his aorta and neck. He also caused his murderer to lose a large leather glove, which would play a part in the criminal trial of the suspect in his and Brown Simpson's murder. Goldman was a waiter at a nearby restaurant, where Brown Simpson and her family had dined earlier that evening. After his shift, he returned Brown Simpson's mother's eyeglasses, which she had forgotten at the restaurant, to Brown Simpson.

The exact circumstances of the murder remains unknown, but the forensic reconstruction of the crime scene suggests the following: Brown Simpson was the primary target and Goldman was a secondary, or even situational, target. Evidence on their bodies and at the crime scene suggests that Brown Simpson was bludgeoned and stabbed into unconsciousness before Goldman was attacked and killed. The attacker returned to Brown Simpson, grabbed her hair, pulled her head back to expose her throat, and made a fatal knife slash.

The murders, for the most part, were unremarkable as common domestic homicides. They were, however, exceptionally violent and brutal, suggesting a crime of passion. The sole suspect in the case, O. J. Simpson, the former husband of Brown Simpson and a former star professional football player, made this case remarkable. Although he was retired from football, Simpson kept himself in the public eye by limited acting and by promoting products on



O. J. Simpson, in an infamous court scene, is unable to put on the leather gloves the prosecution claimed he wore as he allegedly murdered Nicole Brown Simpson and Ronald Goldman. (AP/Wide World Photos)

television. He also was noted by the media for his golf games with the rich and famous. His celebrity status made this domestic homicide case a different case altogether. The criminal evidence made him the only suspect.

Although the police investigation and interrogation were less than illustrious, the evidence against Simpson was overwhelming. His blood (from a deep finger cut) was found at the crime scene. Blood from both victims and from the suspect was found in or near Simpson's Ford Bronco and on a glove found near the crime scene. Hair from Goldman and fibers from the Bronco were found on that same glove, and the matching glove was found on Simpson's property. The glove type was uncommon, yet Simpson owned a pair. Furthermore, Simpson had received promotional knives from a manufacturer, any number of which could have been used in the murders.

Most usually, brutal murders are precipitated by an emotionally significant event in the life of the perpetrator. On the day of the murders, Simpson had been embarrassed in public after Brown Simpson failed to save a seat for him at his daughter's re-

cital. In a packed auditorium, he was forced to wander up and down the aisles to find a seat. Also, his girlfriend at the time testified that she had broken up with him the day of the murders.

Simpson's murder trial was a media sensation. Every aspect of the trial was filmed, reported upon, discussed in print and on the air, and remarked upon by media-appointed experts. Major debate about race, racism, and domestic violence surfaced not only among commentators but also a divided public, and Simpson's defense relied heavily upon issues of race and racism as factors in the investigation and trial. The prosecution focused heavily on domestic violence and violence against women during the trial.

On October 3, 1995, Simpson was found not

guilty of murdering Brown Simpson and Goldman. Jury members, who had deliberated only four hours, later stated that prosecutors failed to prove Simpson's guilt beyond a reasonable doubt.

It is commonly believed that the incompetence of key professionals in the murder investigation and trial compounded the injustice against the victims, their families, and the people of the state of California. Prosecutors, a criminal-trial court judge, and police investigators performed their professional duties with incredible incompetence, and Simpson was freed as a result.

IMPACT

Finding little closure for their losses in the verdict in the criminal case, the Brown and Goldman families responded by suing Simpson for wrongful death. On February 5, 1997, a civil court awarded \$33.5 million to the Brown and Goldman families. Publicly vowing never to pay the victims' families anything, Simpson sought refuge against the civil judgment by moving to Florida, where his earnings, house, and pension would be protected to some degree from seizure.

The Simpson trial and media coverage had far-reaching social impact. The outcome of the criminal trial led to further public distrust of the criminal justice and legal systems, concluding that justice is differentially investigated and distributed based upon a defendant's race, socioeconomic status, and fame. The murder trial also solidified the belief that hero-worship stymies justice. A large percentage of those persons involved in the murder investigation and trial appeared star struck in Simpson's presence. The jury, along with onlookers, seemingly ignored the overwhelming evidence against Simpson and determined in favor of the celebrity. Also, the principals in the case, including key witnesses, prosecutors, defense attorneys, and the judge, were made into celebrities as well.

In hindsight, it became clear that the media invented and repeated "facts" that first

"IF IT DOESN'T FIT, YOU MUST ACQUIT"

In his closing statement at the criminal trial of O. J. Simpson, lead defense attorney Johnnie Cochran, with folksy rhetoric, appealed to the jury's sense of obligation to acquit Simpson if the evidence does not make sense.

The Defendant, Mr. Orenthal James Simpson, is now afforded an opportunity to argue the case, if you will, but I'm not going to argue with you, ladies and gentlemen. What I'm going to do is to try and discuss the reasonable inferences which I feel can be drawn from this evidence. . . .

From the very first orders issued by the LAPD so-called brass, they were more concerned with their own images, the publicity that might be generated from this case than they were in doing professional police work. . . . Because of their bungling, they ignored the obvious clues. . . . We think if they had done their job as we have done, Mr. Simpson would have been eliminated early on. . . .

And so as we look then at the time line and the importance of this time line, I want you to remember these words. Like the defining moment in this trial, the day [assistant prosecutor Christopher] Darden asked Mr. Simpson to try on those gloves and the gloves didn't fit, remember these words; if it doesn't fit, you must acquit. . . .

And when you are back there deliberating on this case, you're never going to be ever able to reconcile this time line and the fact there's no blood back there. . . . They don't have any mountain or ocean of evidence. It's not so because they say so. That's just rhetoric. We this afternoon are talking about the facts. And so it doesn't make any sense. It just doesn't fit. If it doesn't fit, you must acquit. . . .

were embraced by a public obsessed by the case. For example, in every major city, the news media, also obsessed with the case, found experts (most of whom had dubious credentials) to speak on the case and predict the outcome of the trial. These so-called talking heads became the mainstay of trial coverage for many, if not most, media outlets. As the trial progressed, however, many viewers began to question the veracity of these news reports and commentaries, casting doubt on news reporting as a whole.

Perhaps most significant, though, was the not-guilty verdict in the murder trial, which polarized the public along racial lines on a scale not seen since the 1950's and 1960's, the height of the Civil Rights movement in the United States. The trial was interpreted by both blacks and whites as having been overwhelmingly about race.

—Edward J. Schauer

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June 24, 1994

TIME MAGAZINE COVER USES ALTERED O. J. SIMPSON PHOTO

In 1994, retired football star O. J. Simpson was charged with the murder of his former wife, Nicole Brown Simpson, and her friend, Ronald Goldman. In its coverage of the story, Time magazine used an altered version of the Los Angeles Police Department booking photograph of Simpson on its cover. The altered photo made Simpson appear “blacker” than in the original photo and caused an uproar amid accusations that Time engaged in editorial manipulation and encouraged racist stereotypes.

LOCALE: New York, New York

CATEGORIES: Forgery; publishing and journalism; communications and media; racism; ethics; social issues and reform

KEY FIGURES

O. J. Simpson (b. 1947), former football star and actor

Matt Mahurin (b. 1959), freelance illustrator, artist, and film director

James R. Gaines (b. 1947), journalist, *Time* magazine editor, and author

Nancy Kearney (fl. 1990’s), spokesperson for *Time* magazine

SUMMARY OF EVENT

On June 12, 1994, Nicole Brown Simpson, the former wife of O. J. Simpson, and her friend, Ronald Goldman, were found murdered outside her condominium. Simpson was arrested and charged with their murders. On June 17, a Los Angeles Police Department photographer produced a mug shot of Simpson; this photo was released to the media. Both *Time* and *Newsweek* magazines used this mug shot on the cover of their respective issues of June 24. *Newsweek* published the photo in its original form but *Time* altered the photo in ways that made Simpson appear “blacker” and, therefore, more guilty.

As was reported widely in the media, Matt

Mahurin, the freelance artist who worked on the photo for *Time*, altered the original picture so that Simpson appeared unshaven and with a darker complexion. Also, Mahurin made the mug shot identification number smaller and added the caption “An American Tragedy” to the photo. The alterations might not have been noticed had *Time* and *Newsweek* not published the photo on their covers on the same day, which allowed readers to see the two issues side by side and, thereby, compare the photos.

Critics strongly objected to the photo alterations. The controversy was discussed in newspapers, on television, and in the electronic media. Critics argued that *Time*, in making Simpson appear more black, was perpetuating racist stereotypes that black men are dangerous by nature, and that the magazine manipulated these fears to influence readers’ perceptions of Simpson’s guilt or innocence prior to trial. Sheila Stainback, vice president of the National Association of Black Journalists, asked, rhetorically, “Why did [Simpson] have to be darker? I think that it plays into the whole menacing black-male portrayal.”

Nancy Kearney, a spokesperson for *Time*, responded to the criticism by denying that *Time* intended to manipulate or mislead readers. She added that it was insulting to the magazine and to the artist to cast the photo as sinister or racist and that the artist’s intent was to create a “visually compelling” image for the magazine’s cover.

As the outcry continued and amid charges of poor editorial judgment, *Time* magazine’s managing editor, James R. Gaines, was forced to respond to critics. First, he posted a message on a computer bulletin board stating that “no racial implication was intended, by *Time* or by the artist.” Ultimately, in a letter in the July 4 issue of *Time*, Gaines apologized to readers who were offended by the altered Simpson cover and reiterated that it was not his or the artist’s intent to offend readers or to influence their perceptions of Simpson’s guilt or innocence.

In the published apology, he reiterated that there were “no racial implications” in the reworking of the photo but that *Time* should have been more sensitive to the racial issues implied by the cover.

IMPACT

The controversy did not end with the public apologies. The issue of the negative portrayal of ethnic and racial minorities, as well as women, by the media continues as a topic in academic and political circles. For example, Greg Dickinson and Karrin Vasby Anderson (2004) compared the altered *Time* cover photo of Simpson with an altered photo of Hillary Rodham Clinton that the magazine used during its coverage of the Whitewater controversy during the early 1990's.

The *Time* cover scandal also revealed the ethical dilemmas of altering photographs that are part of the documentary record. Indeed, Simpson's celebrity, along with the racial dimensions of the scandal, added public interest to the problem of photo manipulation, and it is true that photographs have been altered since the beginning of photography during the early nineteenth century. One of the more infamous cases of photo manipulation was Joseph Stalin's “disappearing” of people from official photos. This practice is well documented in a 1997 book by David King. However, what is different now is the digital retouching of images—also called “photo-shopping” in reference to the popular software editing program Adobe Photoshop. The alteration of Simpson's photo was a mere precursor to what was soon to come.

The *Time* photo scandal prompted early calls for new rules and frameworks to guide editors deciding on whether a photo or other image should be altered or enhanced. John Long, as ethics cochairman and past president of the National Press Photographers Association (NPPA) in the United States, created the resource “Ethics in the Age of Digital Photography” in 1999. In this ethical guide for journalists, he uses as an example the 1994 *Time* cover of Simpson. Long and, by association the NPPA, takes the position that all photo manipulation is lying if it changes the content of a photo; that is, if it transforms a photo from a document or direct account of

Time Magazine Cover Uses Altered Simpson Photo

reality into an editorial statement. The NPPA's position is that this kind of manipulation undermines the credibility of the press. The *Time* magazine cover of Simpson continues to stand as one of the most significant and negative examples of editorialized photo manipulation.

—Carmen James Schifellite

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SEE ALSO: July 23, 1984: Vanessa Williams Is the First Miss America to Resign; June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial; Nov. 20, 2006: News Corp Abandons Plan to Publish O. J. Simpson's Book.

June 30, 1994

TONYA HARDING IS BANNED FROM SKATING AFTER ATTACK ON RIVAL

At the 1994 U.S. Figure Skating Championships, an unknown assailant clubbed skater Nancy Kerrigan on her knee after a practice session. Although Kerrigan had to withdraw from the event, she was still named to the U.S. Olympic team. The former husband of 1994 champion Tonya Harding claimed that he had hired Kerrigan's assailant, touching off a heavily publicized scandal. Harding competed in the Olympics but was later stripped of her national title and banned from sanctioned skating events.

LOCALE: Detroit, Michigan

CATEGORIES: Sports; corruption; violence; law and the courts

KEY FIGURES

Tonya Harding (b. 1970), professional figure skater

Nancy Kerrigan (b. 1969), professional figure skater

Jeff Gillooly (fl. 1990's), Harding's former husband

Shane Stant (b. 1971), bounty hunter and former convict

Shawn Eckardt (1967-2007), Harding's bodyguard

SUMMARY OF EVENT

The 1994 U.S. Figure Skating Championships, held at the Joe Louis Arena in Detroit, Michigan, was a qualifying event for the coming Winter Olympics in

Lillehammer, Norway. The United States had qualified to send two skaters for the ladies skating event, so the top two finishers at the championships would receive automatic spots on the U.S. Olympic team. Nancy Kerrigan, a bronze medalist at the 1992 Olympics in Albertville, France, and the reigning U.S. national champion, was the favorite to win the event for the second year in a row. Tonya Harding, the 1991 U.S. national champion and second-place finisher in the 1991 World Championships, was her main rival.

At approximately 2:35 P.M. on January 6, 1994, Kerrigan stepped behind a curtain separating the ice rink from a back hallway leading to the locker rooms after a practice session at nearby Cobo Arena. She stopped briefly to speak with a reporter when a then-unknown assailant rushed by and struck her on the right knee with a blunt baton similar to those used by police officers. Kerrigan fell to the ground crying, as reporters and skating personnel gathered around. Her attacker disappeared in the confusion. Kerrigan was taken to nearby Hutzel Hospital, where she was diagnosed with severe muscle and tissue bruising. She was forced to withdraw from the competition. Harding won the event and Michelle Kwan won second place. The U.S. Figure Skating Association (USFSA) named Kerrigan to the team, along with Harding, and named Kwan the alternate. The attack on Kerrigan received widespread publicity, and speculation began immediately as to who was behind the attack.

Harding's bodyguard, Shawn Eckardt, was ar-

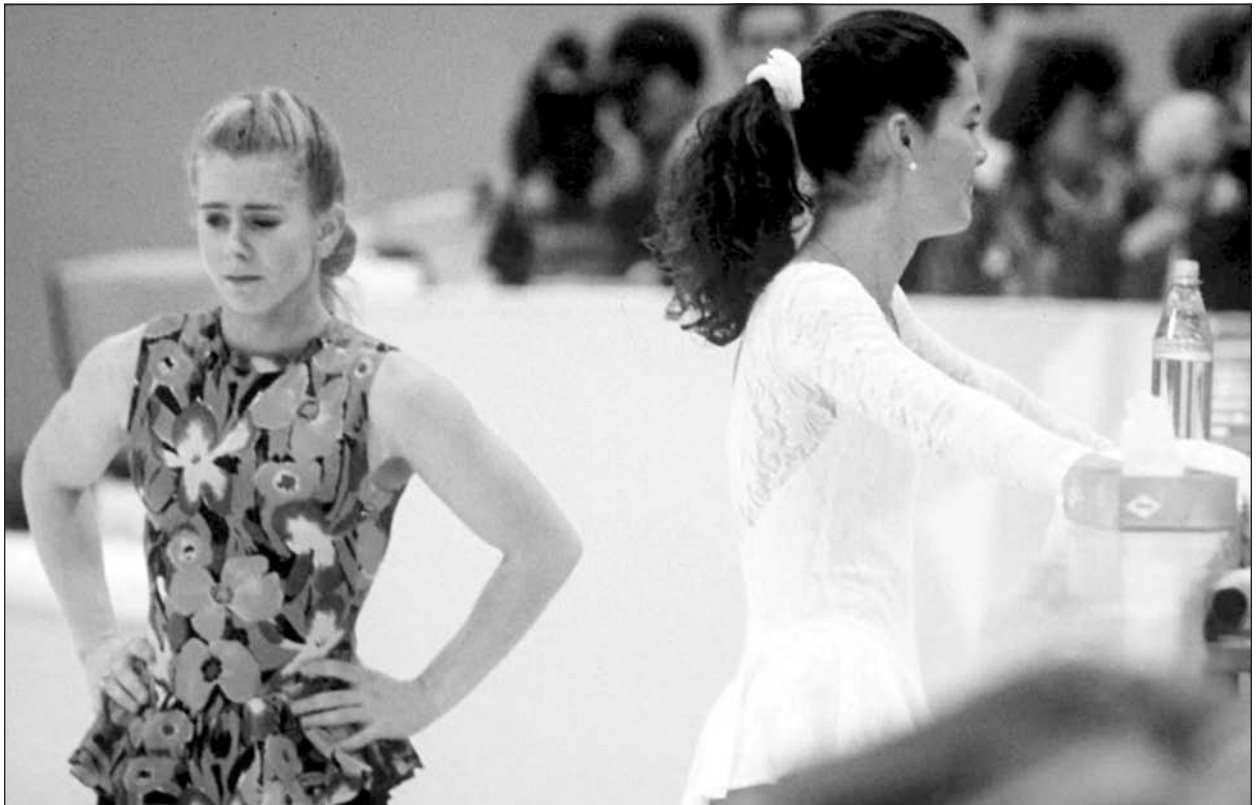
rested in Portland, Oregon, on January 13. He informed the Federal Bureau of Investigation (FBI) that Harding's former husband, Jeff Gillooly, had orchestrated the attack. Also arrested in the conspiracy was Derrick B. Smith. Shane Stant, a bounty hunter and former convict, was charged with the actual attack on Kerrigan and surrendered to police in Phoenix, Arizona, on January 14. Gillooly surrendered to Portland police on January 19.

Questions about Harding's role in the attack grew with every passing day. She held a press conference in Portland on January 27, admitting that she learned of the conspiracy to attack Kerrigan after the fact and failed to report what she knew to investigators. She maintained that she had no prior knowledge of the attack and did not help in its planning. On February 1, Gillooly pleaded guilty to his role in the conspiracy and reached a plea bargain. He confessed to racketeering charges only. In ex-

change, he promised authorities that he would implicate Harding.

The negative publicity and allegations against Harding led the U.S. Olympic Committee (USOC) to seek a way to keep her from participating in the Olympics. She appeared before the USOC's administrative board to respond to charges that she violated its athletic code, but the board ultimately voted to let her skate because she had not been formally charged with a crime. She also threatened to sue the committee if it prohibited her participation.

The Olympics began in mid-February, and both Harding and Kerrigan stayed in the Olympic Village during their time away from the ice arena. Both skaters were hounded by the media as they skated at the same practice sessions. Further drama erupted on February 17, when Kerrigan arrived at practice wearing the same white lace practice dress she had



Tonya Harding, left, and Nancy Kerrigan at a training session at the 1994 Winter Olympics in Norway. (Hulton Archive/Getty Images)

been wearing when she was attacked. On February 25, she had a nearly flawless performance and won the silver medal behind Ukrainian skater Oksana Baiul in a controversial 5-4 split of the nine-judge panel. Harding finished a disappointing eighth after tearfully requesting that the judges let her restart her program when one of the laces on her skate broke.

After the Olympics, Harding pleaded guilty in Portland to conspiracy to hinder prosecution for her role in covering up the attack. She was not charged with helping to plan the attack and has always maintained her innocence. She received a fine, probation, and orders to perform community service, but no jail sentence. On June 30, the USFSA stripped Harding of her 1994 national title and banned her for life from USFSA-sanctioned events. She could still skate in professional events, but many of the top professional skaters would not skate with her. She would later take up the sport of professional boxing. Gillooly, Eckardt, and Stant would all serve prison sentences for their roles in the attack. Kerrigan became a professional skater, married, and had two sons.

IMPACT

The scandal tarnished figure skating's image, but at the same time it greatly increased its popularity. Television ratings for skating events soared, resulting in new skating shows, competitions, and television specials. Increased advertising revenue and ticket sales brought new money into the sport that could be invested in its development. Rising skating stars such as Kwan built on the popularity brought by the scandal. Sports reporter Christine Brennan once joked that all skaters should send a thank-you card to Harding for the benefits they have reaped in the scandal's aftermath. The publicity also exposed the inner, competitive world of figure skating and led many to question the treatment of Harding as a skater before the attack; she did not fit the traditional stereotype of the female skater as an "ice princess."

The attack on Kerrigan came less than one year after tennis star Monica Seles was stabbed in the back by an obsessed "fan" during a break in an

April, 1993, match in Germany. Although Seles recovered physically, the stabbing was a tragedy that, like the Harding-Kerrigan case, helped to raise awareness about the need for heightened security at all athletic events.

—Marcella Bush Trevino

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July 1, 1994

SOCCKER STAR DIEGO MARADONA IS EXPELLED FROM WORLD CUP

Diego Maradona, generally regarded as one of the greatest soccer players of the modern era, was a national hero in his native Argentina, for which he helped win the 1986 World Cup. In later years, he developed a drug dependency. At the 1994 World Cup competition in the United States, he tested positive for ephedrine doping and was sent home. He claimed that the International Federation of Association Football had expelled him for innocently using a weight-loss drug that contained traces of ephedrine.

LOCALE: Dallas, Texas

CATEGORIES: Drugs; medicine and health care; sports

KEY FIGURES

Diego Maradona (b. 1960), Argentine soccer star
Daniel Cerrini (b. 1968), Argentine body builder and weight-loss trainer

Carlos Menem (b. 1930), president of Argentina, 1989-1999

SUMMARY OF EVENT

Even among the greatest of modern soccer players—Pelé, Franz Beckenbauer, Johann Cruiff, Roberto Baggio, Alfredo Di Stéfano, Zico—Diego Maradona was a unique presence. His skill at the world's most popular sport was unrivaled. Like these other great offensive players, he rose to his best in the World Cup final matches, held every four years and watched by hundreds of millions of fans.

Likewise, Maradona's play so dominated his national team that he became inextricably associated

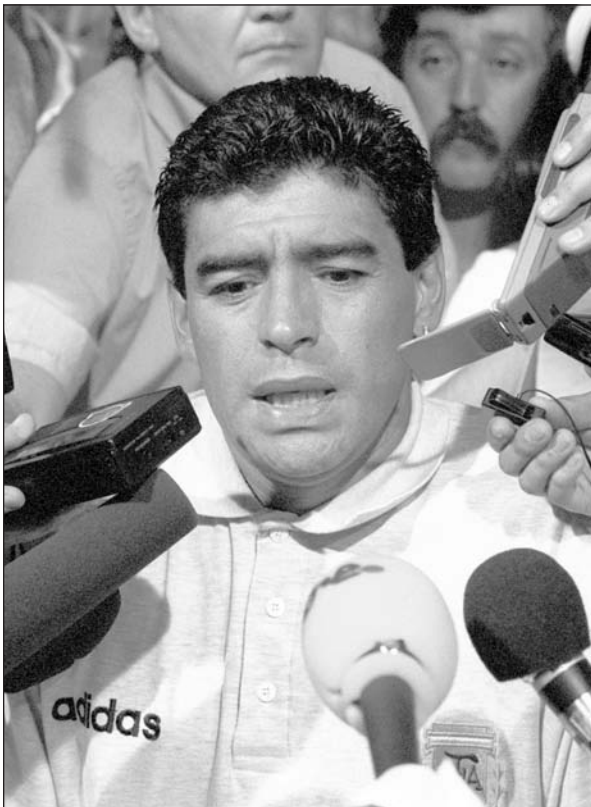
with Argentina's image and was the most famous Argentine in the world. However, unlike his peers, who felt a certain obligation thereby to represent their nations in a dignified manner, Maradona at times gave the appearance that he believed that international soccer existed for his benefit. Off the field—and sometimes on as well—he was often embroiled in controversy and seemed but one step from scandal.

Maradona was born on October 30, 1960, in a shanty town outside Buenos Aires. He began playing soccer at the age of three. By the age of twelve he was already well known for his soccer skills and tricks. Starring for several professional soccer clubs, Maradona played in his first World Cup competition in 1982. In 1986, as team captain, he led Argentina to victory at the Mexico World Cup with a brilliant tournament.

The most memorable game of the 1986 cup was the June 22 quarterfinal match between Argentina and England, two countries that had been at war over the Falkland Islands off the coast of Argentina. The two goals that Maradona scored in Argentina's 2-1 victory are among the most famous in World Cup history. The first goal was the infamous hand of God goal, in which Maradona was accused of illegally knocking the ball into the English net with his hand (the "hand of God," Maradona claimed). The second goal is considered by many fans to be the greatest in soccer history and has been dubbed the goal of the century. Maradona dribbled the ball 55 yards past five of England's fabled defenders before shooting it past the superb goalkeeper Peter Shilton. In 1990, Argentina lost the

final-round World Cup match to the champion Italian team.

By the 1990's, however, Maradona was struggling with both a cocaine addiction and a tendency to gain weight. Playing for a Naples, Italy, soccer club, he was under the spotlight of European tabloids for his unruly personal life and under investigation by the Italian police for drug use and Mafia connections. On March 17, 1991, a random drug test revealed the presence of cocaine in his body. He was banned from professional soccer for fifteen months. When Maradona returned to professional soccer in 1992, he was overweight, depressed, and a diminished presence on the soccer field. His fans—and he himself—saw the 1994 World Cup, to be played over the summer in the United States, as an opportunity for Maradona to restore his tarnished reputation, both on and off field.



Diego Maradona is mobbed by reporters one day before being expelled from World Cup competition for failing a drug test. (Hulton Archive/Getty Images)

In the summer of 1993, Maradona had begun training with Argentine personal trainer and body builder Daniel Cerrini, who prescribed a regimen of intense exercise, rigorous dieting, supplements of vitamins and minerals, and energy-boosting drugs. Soon, Maradona had lost fifteen kilograms (thirty-three pounds) and felt ready for the World Cup. He arrived in the United States during the summer of 1994. Cerrini joined Maradona's long-time fitness trainer, Fernando Signorini, for the trip as well. During the first two qualifying games, Maradona performed well. He led his team to a 4-0 victory over Greece on June 21 and a well-played 2-1 win against Nigeria four days later. One of the few players of international renown, he was cheered by the American fans in Boston.

Cerrini and Signorini were still disputing Maradona's ideal weight. Maradona weighed 76.8 kilograms (169 pounds) at the start of the tournament, which was acceptable to Signorini, but Cerrini wanted him at 70 kilograms (154 pounds) and continued to prescribe him diet supplements. Apparently, the team physician, Ernesto Ubalde, was not involved in the diet regimen.

On June 25, during half-time in the Argentina-Nigeria match, two urine samples were collected from Maradona, pursuant to the new random drug-testing policy of the Fédération Internationale de Football Association (FIFA), which called for testing players during the qualifying rounds. On July 1, the World Cup organizing committee announced that Maradona's urine test revealed the presence of the stimulant ephedrine and four other substances prohibited by FIFA doping control regulations. Maradona, waiting in Dallas for Argentina's game against Bulgaria, was immediately suspended from further play. In addition, an investigation was launched into his use of drugs. After his suspension he took a lucrative position as commentator on the games for Argentine television.

On August 24, the organizing committee announced the results of the investigation. Although Maradona was found not to have taken drugs to enhance his performance, and was in fact not even aware of the contents of the drug, he nevertheless was in breach of FIFA regulations. Ultimate re-

sponsibility for the infraction was assigned to Cerrini, but FIFA did take into account Maradona's previous history of drug abuse in holding him partly responsible. Both Maradona and Cerrini were banned from participation in all soccer events for fifteen months and fined twenty thousand Swiss francs. With Maradona off the team, Argentina was soon eliminated from the 1994 World Cup tournament.

The outcry in response to Maradona's suspension was worldwide. In Dhaka, more than twenty thousand Bangladeshis demonstrated in protest. American newspapers, many of which were sympathetic to Maradona, compared the scandal to the one seared in the consciousness of American sports fans—the Black Sox baseball scandal of 1919. In Argentina, fans were devastated. Argentine president Carlos Menem wrote FIFA a five-page letter pleading for clemency for Maradona. Nevertheless, the committee affirmed its decision, recommending that in the future all players' medical treatments should be under the exclusive supervision of the team physician.

IMPACT

Maradona garnered much sympathy because of his heroic training regimen for the World Cup. By all accounts, his conditioning level was the best it had been in years and he recovered playing skills. When told of his suspension, he said, "They have sawed off my legs."

Moreover, there is little reason to doubt Maradona's contention—confirmed by the organizing committee—that the drug infraction was the byproduct of his attempt to stabilize his weight, not to enhance his performance. In his 2000 autobiography, published in English in 2007, Maradona claimed that Cerrini had made an innocent mistake. Maradona had run out of his usual supplement, Ripped Fast. Cerrini had substituted the over-the-counter product Ripped Fuel, not knowing that it contained a small amount of ephedrine.

FIFA was required to act on the matter. By expelling Maradona, FIFA took overdue measures against the proliferation of stimulants in soccer, a problem that was increasingly plaguing all sports.

Diego Maradona Is Expelled from World Cup

While Maradona's explanation for the accidental presence of ephedrine was plausible, there is no denying its potential for stimulating athletic energy.

The 1994 games would be tragically marred as well by the combination of illegal drug money and the importance of soccer in Latin American culture. When the Colombian defender Andres Escobar returned home after making a well-publicized mistake in the game with the United States, he was gunned down on the crime- and drug-plagued streets of Medellín, Colombia.

Maradona retired from soccer a few years after the doping affair. His drug addiction continued and he eventually had a heart attack in 2004 following a cocaine overdose. Maradona appeared to change after this, becoming free of weight concerns and cocaine addiction.

—Howard Bromberg

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Olympic Gold Medal Because of Drugs; Jan. 27, 2005: German Soccer Referee Admits to Fixing Games for Money; Mar. 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use; May 4, 2006: Me-

dia Uncover Match-Fixing in Italian Soccer; July 26, 2006: Tour de France Is Hit with a Doping Scandal; Oct. 5, 2007: Olympic Champion Marion Jones Admits Steroid Use.

August 5, 1994

KENNETH STARR IS APPOINTED TO THE WHITEWATER INVESTIGATION

A three-judge panel appointed Kenneth Starr as independent counsel to investigate whether U.S. president Bill Clinton broke any laws in a real estate project in Whitewater, Arkansas. For the next five years, Starr aggressively directed an investigation that moved well beyond Whitewater and into allegations that the president lied under oath about his sexual relationship with former White House intern Monica Lewinsky.

LOCALE: Washington, D.C.

CATEGORIES: Law and the courts; politics; government; sex; corruption

KEY FIGURES

Kenneth Starr (b. 1946), White House independent counsel

Bill Clinton (b. 1946), governor of Arkansas, 1979-1981 and 1983-1992, and president of the United States, 1993-2001

Hillary Rodham Clinton (b. 1947), First Lady, 1993-2001, U.S. senator from New York, 2001-2009, and Secretary of State, 2009-

Robert B. Fiske (b. 1930), special prosecutor

David B. Sentelle (b. 1943), Court of Appeals justice in Washington, D.C.

Jim McDougal (1940-1998), co-owner of Whitewater Development Corporation and Madison Guaranty Savings & Loan

Susan McDougal (b. 1955), co-owner of Whitewater Development Corporation and Madison Guaranty Savings & Loan

SUMMARY OF EVENT

From 1979 to 1989, Bill and Hillary Rodham Clinton were business associates with Jim and Susan McDougal in the Whitewater Development Corporation, a failed real estate venture in Arkansas that resulted in the 1989 bankruptcy of the McDougal's financial firm Madison Guaranty Savings & Loan and a federal government bailout of sixty million dollars. The Clintons claimed to have done nothing improper in the matter, suffering personal losses of more than forty thousand dollars.

In late 1993, David Hale, a banker who was under indictment for fraud, claimed that U.S. president Bill Clinton, while governor of Arkansas, pressured him into making an illegal \$300,000 loan to Susan McDougal. Hearing of Hale's claim, *The Washington Post* called for an investigation, but one without the U.S. Department of Justice, to establish whether Clinton had been a part of the Whitewater venture.

In January, 1994, Clinton's advisers convinced him to ask U.S. attorney general Janet Reno to appoint a special prosecutor. For the task, Reno appointed Robert B. Fiske, a moderate Republican lawyer. On the last day in June, Fiske issued two reports: The first report concluded that the 1993 suicide of White House counsel Vincent Foster, a former law partner of Hillary Clinton, was not related to Whitewater, and the second report concluded that the evidence for Hale's allegations was insufficient to bring criminal charges against anyone in the White House. Some Republicans criticized Fiske

for not being sufficiently aggressive in the investigations.

As the Fiske reports were being issued, the U.S. Congress passed a bill reestablishing the Office of Independent Counsel (OIC). President Clinton reluctantly signed the bill into law. (Hillary Clinton had recommended that he veto the legislation.) Like the earlier law that had been in effect from 1978 to 1992, the new statute conferred the OIC with almost unlimited powers to investigate, subpoena, and prosecute persons having a relationship to any matter under investigation. The statute further provided that the independent counsel would be appointed by a panel of three U.S. Court of Appeals judges, and the panel was to be selected by the chief justice of the United States, at this time William H. Rehnquist. To lead the three-judge panel, Rehnquist selected Judge David B. Sentelle, who had close connections to U.S. senator Jesse Helms of North Carolina and other conservative politicians highly critical of the president.

The panel dismissed Fiske and replaced him with Kenneth Starr on August 5. Sentelle explained that a change was desirable because Fiske's appointment by the attorney general gave the appearance of a conflict of interest. Starr, the new appointee, was a former U.S. Court of Appeals judge who had left the bench to serve as the solicitor general. His appointment initially received favorable comment from most journalists and informed observers. The Clintons, who were familiar with his past work, were suspicious that Starr would be extremely assertive and probably motivated by partisan zeal. Hillary Clinton and Democratic adviser James Carville even recommended a campaign against the appointment. White House Counsel Lloyd Cutler, however, argued that Starr was highly professional and would conduct a fair investigation.

Starr assembled a large OIC staff of aggressive, experienced lawyers. The OIC expanded the Whitewater investigation to target any person having had any direct or indirect relationship to the venture. Upon finding evidence of illegal acts, Starr offered the person in ques-

tion a reduced penalty in exchange for testimony against one of the Clintons. In December, Webster Hubbell, a former Arkansas associate attorney general who had worked with Hillary Clinton on Whitewater matters, pleaded guilty to tax evasion and mail fraud in connection with his billing practices. In 1996, Starr obtained convictions of Jim McDougal and Arkansas governor Jim Guy Tucker for fraud. Susan McDougal, claiming that Starr was pressuring her to lie about the president, refused to answer questions before a federal grand jury and was sentenced to eighteen months in prison for contempt of court.

Despite their best efforts, Starr and his OIC team were unable to obtain sufficient proof to indict the Clintons. However, the OIC did discover items that turned out to be embarrassing to the Clintons. Hil-



Kenneth Starr at a news conference in 1997 in Washington, D.C., announcing that he will remain lead counsel with the Whitewater investigation. (AP/Wide World Photos)

lary Clinton's lost billing records were finally located, revealing that she had done sixty hours of legal work on Whitewater-related business, even though she had earlier told investigators she could not recall working on the project. Furthermore, Starr requested and received approval to investigate allegations that she had given false testimony to a U.S. Senate committee about her role in the firing of employees at the White House Travel Office. After 125 subpoenas, the OIC concluded that there was insufficient evidence to establish beyond a reasonable doubt that she perjured herself before the committee.

By January, 1998, the OIC had been investigating claims of improprieties well beyond its initial Whitewater mandate. It also discovered credible allegations that President Clinton, in a lawsuit filed by Paula Jones against Clinton for sexual harassment, had lied under oath when he denied having had a sexual encounter with former White House intern Monica Lewinsky. Starr also found evidence that Clinton had encouraged Lewinsky to lie under oath. After the three-judge panel granted Starr permission to pursue the matter, Starr discovered that the allegations against Clinton were true. Starr's report of September, 1998, which dealt primarily with the Lewinsky scandal, resulted in Clinton's impeachment by the U.S. House of Representatives. The majority of the Senate, however, voted to acquit him on February 12, 1999, and he continued his term in office. Starr officially resigned from the OIC in October and was replaced by Robert W. Ray.

IMPACT

By the time of Starr's resignation, the majority of Democratic and Republican leaders had serious questions about the fairness and efficacy of the OIC. With the June, 1999, demise of the bill that created the office came a reluctance by many members of Congress to okay its reauthorization. Although five in-process investigations continued, the OIC, without reauthorization, would not get a new independent counsel. Acting under statutory authority, Attorney General Reno drew up new regulations for conducting independent investigations

of misconduct by public officials under the supervision of the Justice Department.

Many Americans, especially Democratic supporters of the president, have been highly critical of Starr for his zeal in pursuing the Lewinsky scandal. His detractors tend to describe him as a scandal-obsessed fanatic with a disdain for liberal politicians. Many argue that the president's sexual behavior, as detailed in the Starr Report, is a matter of private morality, not public policy. Other critics point to the large amount of money—more than fifty million dollars—spent during the five years that Starr directed OIC investigations. Only one other independent counsel—Lawrence E. Welsh—had spent more money on an investigation. His mandate had been to look into the Iran-Contra scandal of the 1980's.

Others, however, defended Starr's direction of OIC investigations. His supporters argued that he was a serious prosecutor seeking truth according to the law, and that he successfully prosecuted several individuals who had committed criminal acts in the Whitewater project. They also emphasized that the Starr Report proved that President Clinton had given false testimony, a crime, in a civil suit. In January, 2000, Starr's successor, Ray, reached an agreement with the president. To avoid prosecution, Clinton had to acknowledge that he lied under oath, agree to a suspension of his law license for five years, and pay a fine of \$25,000.

—Thomas Tandy Lewis

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Sex Scandal Forces Dismissal of NAACP Chief

that Clinton is a pathological liar and Starr is a person of integrity who, nonetheless, was the "wrong man" for the investigation into Whitewater because of his moralistic theories of prosecution.

SEE ALSO: Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; June 13, 1971: *New York Times* Publishes the Pentagon Papers; June 17, 1972-Aug. 9, 1974: Watergate Break-in Leads to President Nixon's Resignation; Oct. 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Dec. 5, 2002: Senator Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign; Sept. 8, 2004: *60 Minutes II* Reports on George W. Bush's Evasion of Wartime Duty.

August 21, 1994

SEX SCANDAL FORCES DISMISSAL OF NAACP CHIEF BENJAMIN CHAVIS

Benjamin Chavis, executive director of the NAACP, lost his job for agreeing to an out-of-court monetary settlement to be paid to his assistant, Mary E. Stansel, to forestall a sexual harassment and sex discrimination lawsuit against him and the NAACP. He had paid Stansel using NAACP funds without the permission or the knowledge of the organization. A court later ruled that the NAACP would not have to pay any part of the original settlement, and it ordered Stansel to return the funds she already received.

LOCALE: Baltimore, Maryland

CATEGORIES: Law and the courts; sex crimes; women's issues

KEY FIGURES

Benjamin Chavis (b. 1948), director of the National Association for the Advancement of Colored People

Mary E. Stansel (fl. 1990's), Chavis's executive secretary

SUMMARY OF EVENT

Benjamin Chavis was appointed executive director of the National Association for the Advancement of Colored People (NAACP) in April, 1993. Seventeen months later he was dismissed as director when it was discovered that he had agreed to an out-of-court settlement with his former executive assistant, Mary E. Stansel, to keep her from suing both

Chavis and the NAACP for sexual harassment, sex discrimination, and violating her civil rights. Chavis agreed to pay Stansel more than \$80,000 from NAACP funds without the knowledge of its board or general counsel. On August 21, 1994, the NAACP board overwhelmingly voted to dismiss Chavis, concluding that his actions were inimical to the best interests of the organization. In turn, Chavis called his ouster a "lynching."

While Chavis may have been within his powers as executive director to settle a suit against the NAACP, it remains questionable whether he should have used the organization's funds to settle the accusations against himself. The settlement between Chavis and Stansel, signed on November 12, 1993, consisted of cash and an agreement that Chavis would find her another job outside the NAACP. In late July, 1994, the NAACP found out about the agreement. Stansel, who had been Chavis's executive assistant for less than two months, filed suit against Chavis and the NAACP on June 30 for breach of contract. In court papers, she indicated that she already had received around \$77,000, most of that from NAACP coffers, of an agreed-upon \$80,000. Furthermore, Chavis had agreed to pay her an additional \$250,000 were he to fail in finding her another job paying a salary of at least \$80,000 within six months. Stansel sued when the deal fell through.

Chavis, an African American civil rights and religious leader, was born to educators and civil rights activists and was an activist from an early age. He was involved with the Southern Christian Leadership Conference (SCLC) and school desegregation in North Carolina. In 1976, he was convicted, with nine other desegregationists known collectively as the Wilmington Ten, for arson, firebombing, and conspiracy to commit assault. Chavis was sentenced to thirty-four years in prison and the others to ten years. After a lengthy battle that made international headlines, all ten were exonerated and released in 1980.

Chavis attended college while in prison and wrote the books *An American Political Prisoner Appeals for Human Rights in the United States of America* (1978) and *Psalms from Prison* (1983). He earned a bachelor of arts degree in chemistry from

the University of North Carolina, a master of divinity degree from Duke University, and a doctor of ministry degree from Howard University. He also completed the course requirements for a doctor of philosophy degree from Union Theological Seminary. He was a youth coordinator in North Carolina for the Reverend Martin Luther King, Jr., and the SCLC and then returned to Oxford, North Carolina, and taught at the all-black Mary Potter High School. He was a minister in the United Church of Christ during the 1980's and led the church's Commission for Racial Justice. Chavis is credited with coining the term "environmental racism," a form of discrimination whereby, to take one example, a disproportionate number of toxic and hazardous materials waste sites and facilities are located within neighborhoods with many ethnic and racial minorities. His influential study *Toxic Waste and Race in the United States of America* was published in 1986.

According to his lawyer, Chavis agreed to the settlement with Stansel under duress. He wanted to avoid bad publicity and questions about his credibility. Other concerns about Chavis's tenure at the NAACP might have contributed to his dismissal. He was already under fire from some board members for his unorthodox practices, including reaching out to the Nation of Islam and to gang members. There was concern about how he handled NAACP finances. The organization was facing mounting debt and declining membership, and many within the NAACP believed Chavis's legal troubles had been affecting donations. Chavis, however, maintained that membership was growing, despite all the evidence to the contrary. Some of the larger contributors and supporters, such as the Ford Foundation, began to question the effectiveness of the NAACP. Some also believed that Chavis's unorthodox methods were leading the organization away from its original goals.

As the board was meeting to determine Chavis's future with the NAACP, Susan Tisdale, who had worked as a secretary for Chavis's wife, Martha, sent a memo to the board, indicating that she was initiating a sexual harassment suit against Chavis. However, Tisdale dropped the matter, saying the accusation of sexual harassment was a misunder-

standing. Nevertheless, Chavis was dismissed by the board on August 21, 1994.

IMPACT

Being dismissed as head of the NAACP did not affect Chavis's career. He became the executive director of the National African American Leadership Summit in 1995 and was appointed national director of the Million Man March on Washington, D.C., in October, 1995. Two years later, in 1997, he became a member and a minister of the Nation of Islam, changed his surname to Muhammad, and soon was named the organization's East Coast regional minister. He organized the Million Family March in 2000. In 2001, he became the cochairman and chief executive officer of the Hip-Hop Summit Action Network (HHSAN) in collaboration with entrepreneur Russell Simmons. The HHSAN is a coalition of community members and activists and hip-hop artists dedicated to fighting for justice and against poverty among African Americans.

Stansel had sued both Chavis and the NAACP as responsible parties, but a Washington, D.C., court ruled that the NAACP was not financially liable for any part of the settlement between Stansel and Chavis. The court ordered Stansel to return the money she had already received from the organization.

The NAACP sought to recover from the Chavis scandal and its own mounting debt. Organization leaders pledged to restore the NAACP's reputation. Myrlie Evers-Williams, a civil rights activist and the wife of slain NAACP field secretary Medgar Evers, was elected chair, thereby becoming the first woman to head the organization. Kweisi Mfume, a U.S. representative from Maryland, was appointed the new executive director. A Democrat, Mfume gave up his congressional seat in 1996 to take the position at the NAACP, which was on the verge of bankruptcy. With Evers-Williams and Mfume at the helm, the NAACP managed to pull itself out of debt but still suffered some image problems.

—Judy L. Porter

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SEE ALSO: Jan. 13, 1913: Federal Judge Is Impeached for Profiting from His Office; May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery; Oct. 11-13, 1991: Justice Clarence Thomas's Confirmation Hearings Create a Scandal; Dec. 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Jan. 2, 2003: E-mail Message Prompts Inquiry into Air Force Academy Sexual Assaults; June 2, 2004: U.N. Report Reveals That Secretary-General Kofi Annan Dismissed Sexual Harassment Charges; Oct. 13, 2004: Television Producer Files Sex Harassment Suit Against Bill O'Reilly.

February 28, 1995**FORMER MEXICAN PRESIDENT CARLOS SALINAS'S BROTHER IS ARRESTED FOR MURDER**

In an unprecedented action, Mexican president Ernesto Zedillo ordered the arrest of Raúl Salinas, the brother of his predecessor and political ally Carlos Salinas, for murdering the Salinas's brother-in-law. Raúl Salinas was convicted and sentenced but was later acquitted of the murder and released. The ensuing scandal led to breaks in tradition, the exposure of widespread government corruption, political reform, and a shift toward democracy in Mexico.

LOCALE: Mexico City, Mexico**CATEGORIES:** Corruption; drugs; government; politics; law and the courts; murder and suicide**KEY FIGURES**

Raúl Salinas de Gortari (b. 1946), brother of former Mexican president Carlos Salinas de Gortari
Ernesto Zedillo Ponce de León (b. 1951), president of Mexico, 1994-2000

José Francisco Ruiz Massieu (1946-1994), Mexican politician, member of the Institutional Revolutionary Party

Carlos Salinas de Gortari (b. 1948), president of Mexico, 1988-1994

Luis Donaldo Colosio (1950-1994), politician and presidential candidate in 1994

SUMMARY OF EVENT

Carlos Salinas de Gortari served as president of Mexico from 1988 to 1994, as Mexico's constitution limits the number of terms for a president to one. However, because the Partido Revolucionario Institucional (Institutional Revolutionary Party), or PRI, had won all of the presidential elections since its founding in 1929, each president traditionally picked the candidate who would succeed him. Luis Donaldo Colosio, who had been Salinas's campaign manager in 1988 and served as social development secretary in Salinas's cabinet since 1992, appeared to be the chosen successor.

Colosio, however, was not having a successful campaign, and there were rumors that he would be replaced by Manuel Camacho, who had attracted public attention for his negotiations with the guerrillas of the Ejército Zapatista de Liberación Nacional (Zapatista Army of National Liberation). Salinas publicly stated his support for Colosio, and Camacho declared he would not be a candidate. Then, on March 23, 1994, Colosio was killed at a campaign rally in Tijuana. Camacho was first blamed for the murder; others were then accused, including members of organized crime and, finally, Salinas. Apparently, Colosio had given a speech in which he had angered Salinas by speaking of the leader's hope for justice and a good future.

The PRI almost was left without a candidate. Any person who had held a public office six months before an election was not eligible to run for the presidency. This requirement eliminated most of the potential replacements. Salinas chose Ernesto Zedillo Ponce de León, who had some time earlier resigned his office to serve as campaign manager for Colosio, as the candidate.

On September 28, Salinas's brother-in-law, José Francisco Ruiz Massieu, was shot and killed in downtown Mexico City, about one block from the Paseo de la Reforma. Massieu was slated to become the PRI majority leader in the chamber of deputies at the time he was assassinated. The assassin, Daniel Aguilar, a farmworker hired to kill Ruiz Massieu, was quickly arrested and revealed the names of a number of coconspirators.

The assassination caused pandemonium in Mexico. President Salinas immediately ordered an investigation. Ruiz Massieu's brother, Mario Ruiz Massieu, was the head prosecutor. On November 15, Ruiz Massieu accused the PRI of hindering the investigation. This caused distrust within Mexico and led major foreign investors to withdraw from the country. On November 23, Ruiz Massieu resigned and left Mexico. It was later discovered that

he had seven million dollars deposited in a Texas bank, arousing suspicions that he was hiding the identity of the person responsible for his brother's death.

Pablo Chapa Bezanilla replaced Ruiz Massieu as head prosecutor. He initiated a series of interviews with José's family members. He discovered that a bitter feud existed between José and Raúl Salinas de Gortari, President Salinas's brother, since the time José had divorced Adriana Salinas, their sister, in 1978. Further investigations revealed that all references to Raúl Salinas had been removed from the testimony given by the conspirators.

The investigation continued through the end of Salinas's term as president and into the term of Zedillo. All of the evidence pointed to Raúl Salinas as the architect of the murder. Zedillo was stunned. He regarded Carlos Salinas as his friend and mentor. Moreover, the Mexican president was protective of his predecessor. However, the law demanded that Raúl Salinas be brought to trial. Zedillo had to make a choice: remain loyal to Carlos Salinas and his family or uphold the law. He chose to obey the law and arrest Raúl Salinas.

On February 28, 1995, Raúl Salinas was arrested for ordering the murder of his former brother-in-law. The investigation further corroborated Raúl Salinas's involvement. Carlos Salinas strongly objected to the proceedings and insisted that it was a slander campaign against his family. In November, as Raúl Salinas's trial continued, his wife, Paulina Castañón, and her brother, Antonio, attempted to withdraw about \$84 million from an account in a Swiss bank. The account was under a fictitious name. They were arrested. Investigations began in Switzerland and implicated Raúl Salinas in money laundering and drug trafficking. The Swiss accounts were frozen. Meanwhile, Raúl Salinas remained in the maximum-security prison he had been in since his arrest.

In 1998, the prosecution rested its case. On October 16, 1998, the Mexican attorney-general asked that Raúl Salinas receive a maximum sentence of fifty years in prison for the murder of Ruiz Massieu. On January 22, 1999, he received that sentence. He had insisted that he was innocent during the long

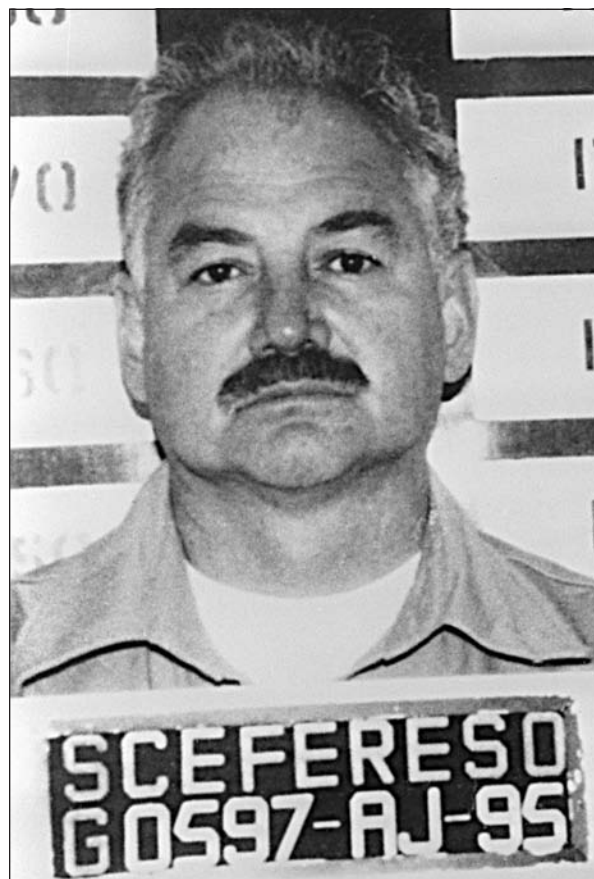
Carlos Salinas's Brother Arrested for Murder

trial and appealed the sentence. The Mexican appeals court reduced the sentence to twenty-seven and one-half years.

On June 14, 2005, Raúl Salinas was released from prison after being acquitted of the murder. His release, however, also cost him financially. He had to pay a three-million-dollar bond because he was under investigation for corruption, money laundering, and drug trafficking. He was exonerated of all these charges, however. The only misdeed he admitted to was obtaining a false passport, which he used in Switzerland.

IMPACT

The Salinas scandal was far-reaching—involving murder, corruption, and unethical political practices—and had serious consequences for Mexico



A police mug shot of Raúl Salinas de Gortari after his arrest for murder. (Hulton Archive/Getty Images)

and Mexican politics. Political crisis ensued, and even tradition was tarnished when President Zedillo arrested Raúl Salinas.

The arrest and trial of Raúl Salinas fully exposed the opportunities for corruption that were inherent in Mexico's political system, a strong one-party system that controlled the elections and the government. The power of tradition afforded to an outgoing president—allowed to choose his successor—provided a safe, unquestioned atmosphere for unethical political practices. The public notoriety given to Raúl Salinas for masterminding a murder and for his roles in money laundering and drug trafficking played a significant part in bringing about political reform and a shift toward democracy in Mexico.

Furthermore, because the Salinas brothers were known to share a close relationship—Raúl had been part of Carlos's government, serving as his aide and as a government food distribution officer—Raúl's arrest for murder threw suspicion on Carlos as well. Rumors already existed that Carlos Salinas was involved in the murder of Colosio. The family scandal, coupled with blame for economic problems in Mexico, led to Carlos Salinas's self-imposed exile from Mexico. He moved to Ireland, where he remained for several years.

The PRI also lost its hold on the presidency in the next election. Vicente Fox, an opposition party candidate, defeated the PRI candidate, Francisco Labastida, in the 2000 election. For the first time since its founding in 1929, the PRI could not elect its candidate to the presidency.

—Shawncey Webb

FURTHER READING

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SEE ALSO: Oct. 29, 1965: Moroccan Politician Mehdi Ben Barka Disappears in Paris; Feb. 3, 1975: Honduras's "Bananagate" Bribery Scandal Leads to Executive's Suicide; Aug. 21, 1983: Filipino Opposition Leader Aquino Is Assassinated on Return Home; Jan. 12 and May 11, 1987: Media Reports Spark Investigation of Australian Police Corruption; Jan., 1997: Pyramid Investment Schemes Cause Albanian Government to Fall; Dec. 23, 1998: Prominent Belgians Are Sentenced in Agusta-Dassault Corruption Scandal; Oct. 22, 2006: Chilean Politicians Use Community Funds for Personal Campaigns.

June 27, 1995

FILM STAR HUGH GRANT IS ARRESTED FOR LEWD CONDUCT

Los Angeles police officers arrested film star Hugh Grant for lewd conduct in public and also arrested Divine Brown for prostitution after the two were caught having oral sex in a parked car in Hollywood. The incident generated much gossip and attention in the media but did not harm Grant's career. The publicity also earned for Brown more than one million dollars for telling her story to British tabloids and television and radio shows in the United States and for posing for the adult magazine Penthouse.

LOCALE: Los Angeles, California

CATEGORIES: Prostitution; sex crimes; public morals; law and the courts; publishing and journalism; Hollywood

KEY FIGURES

Hugh Grant (b. 1960), British film star
Divine Brown (b. 1969), American prostitute
Elizabeth Hurley (b. 1965), British model and actor

SUMMARY OF EVENT

Hugh Grant's brush with scandal came at a time in his career that could have meant disaster for him. However, if anything, the incident in which police caught the debonair English actor with a prostitute in Los Angeles left him relatively unscathed and gave the prostitute he paid fifty dollars for fellatio a chance for fame and fortune.

Grant had begun acting in films just before graduating from Oxford University during the early 1980's. Of his early films, the two that drew the most attention from press and public both had sexuality as a major theme. In *Maurice* (1987), a prestigious adaptation of E. M. Forster's novel about a young gay man's coming of age in early twentieth century England, Grant played the title character's first lover. In the Australian production *Sirens*

(1994), Grant played an Anglican priest who learns to let go of his inhibitions while frolicking in the Outback with an artist's gorgeous and often naked models. However, it was the film he made directly after *Sirens*, the wildly popular comedy *Four Weddings and a Funeral* (1994), which put him on the edge of superstardom.

One of the biggest hits of the 1990's and also one of the highest-grossing films ever produced in the United Kingdom, *Four Weddings and a Funeral* focused on a handsome young Englishman who has had dozens of girlfriends but cannot commit for long to any of them and who becomes obsessed with a somewhat promiscuous American woman even as she prepares to marry another man. Critics praised Grant's comic flair for both verbal and physical humor, and audiences were impressed with his good looks and abundant charm. He had just arrived in the United States to begin work on his first big-budget Hollywood film, *Nine Months* (1995), when he solicited Divine Brown on a street corner on Sunset Boulevard in Hollywood.

Divine Brown's background could not have contrasted more markedly from that of Grant. Whereas Grant had grown up amid upper-middle-class affluence in London, Brown had come of age in one of the poorest, most crime-ridden neighborhoods of Oakland, California. Following in the footsteps of her friends, she turned to prostitution in her late teen years as a way to pay the bills. She acquired a pimp, who called himself Gangster Brown, and with whom she had two daughters. Under his guidance she began to work regularly on the streets of San Francisco and Oakland. On June 27, 1995, the night that she was solicited by Grant, she was a new arrival to Los Angeles, just as Grant had only recently come to California to try his luck in Hollywood. Grant agreed to pay Brown fifty dollars for oral sex. Before the sex act could be completed, however, two police officers interrupted the pair and arrested

them. Brown was booked for prostitution and Grant for lewd conduct in public. Within twenty-four hours, their mug shots were in newspapers around the United States, with accompanying copy detailing their encounter.

However brief their time together, the names Hugh Grant and Divine Brown were inextricable in print, on television, and in the minds of the public. Comedians found the incident irresistible, as did newspaper cartoonists. Brown and Grant were repeatedly featured on late-night television news and were the topic of many talk-show jokes. Grant's longtime companion Elizabeth Hurley made a public statement about the hurt and humiliation she was experiencing because of her lover's infidelity and the surrounding media circus, and the media covered her statement with the sort of deadpan seriousness usually afforded presidents or the chairs of important committees.

Just as the frenzy began to die down, Grant's attorneys appeared in a Los Angeles court on July 11 to answer to the charges leveled against their client, rekindling media and public interest in the affair even though Grant did not attend the hearing personally. Through his lawyers, he pleaded no contest to the charge of lewd conduct in public. The judge ordered Grant to pay a fine of \$1,180 and to take a course in HIV-AIDS awareness. He also placed Grant on two years' probation.

Even after the settling of Grant's court case, the public—and the principals—did not stop talking about the events of June 27. While his attorneys represented him in court, Grant appeared on one of the most widely watched television programs in the United States, *The Tonight Show with Jay Leno*. If the audience expected to hear far-fetched rationalizations, contempt for the police, disparaging remarks about Brown, or expressions of self-pity, they were surprised. Grant simply, clearly, even somewhat humbly admitted that he had done what he had been accused of, that it had been wrong, and that he was sorry. Both the studio audience and host Jay Leno were obviously impressed with his straightforward mea culpa, and Grant went on to make more or less the same statements again and again on other programs, including *Larry King Live*

and *Live with Regis and Kathie Lee*. Though the names of Grant, Brown, and Hurley continued to be bandied about in the media for months to come, the scandal was effectively diffused by Grant's appearance on *The Tonight Show*.

IMPACT

Because of Grant's ready openness about the incident, the scandal had little effect on his career. *Nine Months* proved to be a modest hit and Grant's career proceeded without a hitch. His work has included popular and critical favorites such as *Notting Hill* (1999), *Bridget Jones's Diary* (2001), and *About a Boy* (2002). His relationship with Hurley did not fare as well. Though they managed to stay together for some time, they announced their split in May, 2000.

The effect the scandal had on Brown was perhaps more startling. She is rumored to have made more than one million dollars from her few minutes with Grant. Much of the money came from British tabloids, such as *News of the World*, which paid lavishly for her recollections of that night in June. Brown also appeared on a wide array of American television programs, including the two most notorious talk shows of the decade, *The Jerry Springer Show* and *The Howard Stern Show*. She also posed for adult magazines such as *Penthouse* and even starred in a pornographic video re-creating her and Grant's encounter. At some point, she also recorded a music album.

An ethicist might suggest that Grant survived the Brown scandal purely because of his honesty and openness. Certainly it could be argued that if the incident had any impact at all on the public as a whole, it provided an exemplar for how to deal with one's own wrongdoing: Admit the mistake openly and apologize. However, as admirable as Grant was in taking responsibility for his actions, the scandal did not harm his career mostly because of changing times.

By the final years of the twentieth century, a young actor's consorting with a prostitute simply was not as shocking or damaging to his public image as it would have been in previous decades. The sexual encounter between Grant and Brown, albeit

involving an exchange of money, was consensual and between adults. Furthermore, Grant was an actor who played in films geared toward adults. His actions would have fared differently had he been a celebrity such as Paul Reubens (Pee-wee Herman), who was charged with public indecency in 1991 and whose work was geared toward children.

—Thomas Du Bose

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Hugh Grant Is Arrested for Lewd Conduct

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Tresidder, Jody. *Hugh Grant: The Unauthorized Biography*. New York: St. Martin's Press, 1996. Published soon after the sex scandal. Offers insights and observations fresh from the time.

SEE ALSO: Jan. 20, 1933: Hedy Lamarr Appears Nude in the Czech Film *Exstase*; Summer, 1936: Film Star Mary Astor's Diary Becomes a Public Sensation; Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; July 19, 1985: Mayflower Madam Pleads Guilty to Promoting Prostitution; July 18, 1988: Actor Rob Lowe Videotapes Sexual Tryst with a Minor; July 26, 1991: Comedian Pee-wee Herman Is Arrested for Public Indecency; Sept. 22, 1997: Sports-caster Marv Albert Is Tried for Sexual Assault; Apr. 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks.

November 18, 1995

FORMER CANADIAN PREMIER BRIAN MULRONEY IS EXPOSED IN AIRBUS SCANDAL

In 1995, Canadian police began investigating former prime minister Brian Mulroney and his adviser, Frank Moores, for taking kickbacks in the sale of Airbus Industrie planes to government-owned Air Canada in 1988. The news media had been reporting on the Airbus investigation for more than one year until finally connecting Mulroney to the scandal in November, 1995. Mulroney eventually was exonerated, but not without controversy.

ALSO KNOWN AS: Schreiber affair; Air Canada scandal; Airbus affair

LOCALE: Canada

CATEGORIES: Publishing and journalism; corruption; government; trade and commerce; business; space and aviation

KEY FIGURES

Philip Mathias (fl. 1990's), reporter with the *Financial Post*

Brian Mulroney (b. 1939), prime minister of Canada, 1984-1993

Frank Moores (1933-2005), adviser for Mulroney, lobbyist, and premier of Newfoundland, 1972-1979

Karlheinz Schreiber (b. 1934), German-Canadian businessman, lobbyist, and consultant for Airbus Industrie

Giorgio Pelossi (b. 1938), Swiss accountant and Schreiber's former partner at International Airline Leasing

SUMMARY OF EVENT

Air Canada, owned by the Canadian government, signed a \$1.8 billion contract in 1988 to purchase thirty-four A-320 medium-range passenger airliners from the European business consortium Airbus Industrie, comprising four companies: Aérospatiale of France; British Aerospace; Messerschmitt-Bölkow-Blohm of West Germany; and CASA of

Spain. American aerospace giant Boeing lost out in the bidding. Speculation circulated that there were improprieties in awarding the contract to Airbus, but early investigations by the Royal Canadian Mounted Police (RCMP) and the Federal Bureau of Investigation (FBI) did not find any wrongdoing.

Years later, on September 29, 1995, the senior counsel of the Canadian Department of Justice (DOJ), on behalf of the RCMP, sent Swiss government officials a letter of request asking for help in obtaining access to banking records that might implicate former Canadian prime minister Brian Mulroney and Ottawa lobbyist and former Newfoundland premier Frank Moores in accepting kickbacks from German-Canadian businessman Karlheinz Schreiber. Schreiber had been a fund-raiser for Mulroney, was an associate of Moores, and was a Canadian representative for Airbus. Moores was chairman of the lobbying firm Government Consultants International (GCI) and a board member of Air Canada.

The DOJ was investigating Mulroney, Moores, and Schreiber on charges of defrauding the Canadian government. One of the bad deals involved Messerschmitt-Bölkow-Blohm's sale of helicopters to the Canadian coast guard and the other deal involved a failed attempt to launch a German armored-vehicle factory in Canada. All of the deals involved Schreiber. The letter to the Swiss authorities also requested that the alleged bank accounts of Moores and Mulroney be frozen and that the RCMP be given the right to access account information.

Later that fall, someone leaked the letter's existence to the media; many claim it was Schreiber. On November 18, *Financial Post* reporter Philip Mathias broke the story that Mulroney, Moores, and Schreiber were being investigated. Even though the media had been reporting on the Airbus contract controversy for some time, the article by

Mathias was the first to connect Mulroney's name with the scandal. Mathias's article included portions of the letter of request as well. The media indicated that the letter acknowledged possible schemes to receive illegal payments involving the sale of the thirty-four A-320 aircraft to Air Canada. The reports claimed that money was likely transferred from Airbus to Schreiber's company, International Aircraft Leasing (IAL), and then transferred into two Swiss bank accounts set up for Moores and Mulroney.

Mulroney responded to the investigations and news reports by filing a \$50 million libel suit—\$25 million in damages and an additional \$25 million in punitive damages—against the DOJ and the RCMP. The DOJ insisted that it had followed normal investigative procedures in writing the letter and that details of the investigation had to be included to ensure Swiss authorization of the request. Mulroney denied claims of misconduct, rejected ownership of bank accounts outside Canada, and refuted claims of having close ties with Moores during the time in question. Moores also denied claims that he lobbied Airbus for the contract and that he had any direct contact with GCI or any of the partners of the consortium. Mulroney and his lawyers argued that the disclosure and publication of excerpts from the letter from the DOJ was defamatory, based on false allegations, and that the excerpts led to worldwide criticism of Mulroney.

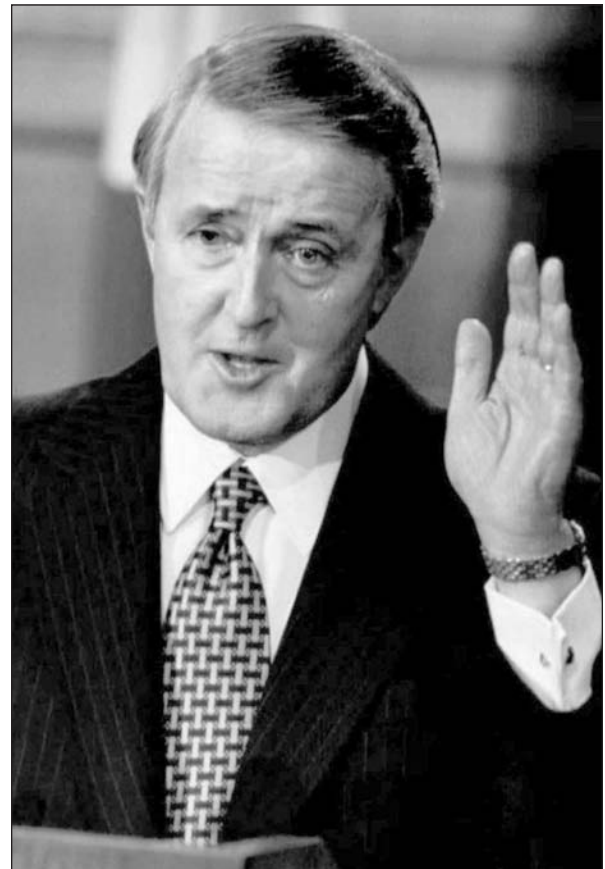
In July, 1996, Schreiber filed his own lawsuit, contending that the letter of request was tantamount to undue search and seizure. A Canadian federal court ruled that prior judicial approval of the letter to Swiss authorities was needed and, therefore, any evidence gathered as a result of the letter's requests was unusable in court. In May, 1998, Canada's supreme court overruled the lower court's finding.

The key informant against Schreiber was Giorgio Pelossi, Schreiber's former accountant-bookkeeper at IAL. Pelossi worked with both the RCMP and Swiss authorities to provide evidence against Schreiber. Pelossi told investigators that he had attended a meeting in which Schreiber and Moores

Brian Mulroney Exposed in Airbus Scandal

opened bank accounts in Switzerland. He claimed Schreiber said that one of the accounts was for Mulroney, but Pelossi also acknowledged he had no evidence that Mulroney was aware of the account or that it had been used.

Mulroney's lawsuit against the Canadian government was scheduled to start in Quebec superior court on January 6, 1997. Shortly before the appointed date, Mulroney agreed to settle the case in exchange for an apology for the letter of request and for payment of his legal fees. Mulroney received his apology, which noted that officials had not found evidence of "wrongdoings." Moores and Schreiber also received letters of apology, but their letters did not mention a lack of conclusive evidence against them. The settlement, however, did not preclude the RCMP from conducting further investigations.



Brian Mulroney. (Hulton Archive/Getty Images)

1990's

New information about Schreiber's and Mulroney's questionable relationship was revealed after the settlement between Mulroney and the Canadian agencies, furthering the Airbus scandal. In 1993, after resigning as prime minister but while still a member of the House of Commons—as well as on two succeeding dates during the next eighteen months—Mulroney had met with Schreiber and received three separate \$100,000 cash payments. Mulroney allegedly received these payments to help Schreiber promote other businesses, but the former prime minister failed to report these funds on his tax forms at that time. Years later, in 1999, he voluntarily filed a tax disclosure of \$225,000.

In September, 1997, German investigators issued an arrest warrant for Schreiber, seeking details from him about several allegations, including tax evasion, fraud, and the Airbus affair. Canadian officers arrested Schreiber in Toronto two years later, on August 27, 1999. He was ordered to be extradited to Germany, but he was released on bail while he appealed the order.

IMPACT

On April 22, 2003, after nine years of costly investigations and a lack of evidence, the RCMP announced an end to the Airbus inquiry. In May, 2004, the Ontario superior court concurred with a lower court's decision to extradite Schreiber, and the Ontario court of appeals followed suit in March, 2006. Early in 2007, Schreiber's bail bond expired, and he was taken back into custody. Two months later, Schreiber sued Mulroney for failure to deliver services after he paid the former prime minister \$300,000 in 1993 and 1994.

In June, 2007, the federal court of Canada agreed with the lower courts regarding Schreiber's extradition. Schreiber once more appealed the extradition order, but he failed in the Ontario court of appeals in November and remained in jail in Toronto. Schreiber still feared extradition to Germany, where he was wanted for several corruption charges, including his connection to a fraud investigation involving Helmut Kohl, the former German chancellor. In March, 2008, he lost his last chance to be tried in Canada when the supreme court ruled that he

should be extradited, but only after the completion of a public inquiry into his business dealings with Mulroney.

The Airbus affair ranks as one of the worst political scandals in Canadian history. The time-consuming investigation consumed money as well: Canadian citizens had to pay millions of dollars over the course of the inquiry, creating much cynicism about politics when the investigation became widely known by the public.

The vague and uncorroborated aspects of the Airbus affair and the subsequent scandalous business dealings between Mulroney and Schreiber still mystify many people, and there remains much speculation about whether or not Mulroney deserved exoneration. Some believe he should return the settlement monies he received for the cost of his legal fees. Mulroney has vacillated between publicly welcoming further inquiry in hopes of improving his reputation to arguing that there is no sense in wasting even more taxpayer money on further investigations.

—Cynthia J. W. Svoboda

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Kaplan, William. *Presumed Guilty: Brian Mulroney, the Airbus Affair, and the Government of Canada*. Toronto, Ont.: McClelland & Stewart, 1999. Kaplan investigates the widespread presumptions that defined the Airbus affair and Mulroney's role in the scandal. Also examines how Mulroney worked to gain his own exoneration.

_____. *A Secret Trial: Brian Mulroney, Stevie*

Cameron, and the Public Trust. Ithaca, N.Y.: McGill-Queen's University Press, 2004. A comprehensive account of the Airbus scandal with much attention paid to the role of journalist Stevie Cameron in revealing the affair to the public.

SEE ALSO: Mar. 4, 1966: Munsinger Sex and Spy Scandal Rocks Canada; Sept. 17, 1985: Media Allege Canadian Officials Allowed Sale of Rancid Tuna; May 7, 1999-Mar. 2, 2001: Ethics Counselor Exonerates Canadian Prime Minister Jean Chrétien.

February 4, 1996

WHISTLE-BLOWER REVEALS TOBACCO INDUSTRY CORRUPTION

Former Brown & Williamson researcher Jeffrey Wigand revealed on the CBS news program 60 Minutes that his former employer added chemicals such as ammonia to cigarettes to increase nicotine's addictiveness. The scandal and its fallout created an ethical and legal earthquake that shook the underpinnings of the tobacco industry, led to a new consumer awareness of the dangers of tobacco products, and rattled investigative journalism.

LOCALE: New York, New York

CATEGORIES: Radio and television; corruption; medicine and health care; environmental issues; business; publishing and journalism

KEY FIGURES

Jeffrey Wigand (b. 1942), former vice president for research, development, and environmental affairs at Brown & Williamson

Mike Wallace (b. 1918), CBS television correspondent

Lowell Bergman (b. 1945), CBS television producer and investigative reporter

SUMMARY OF EVENT

Jeffrey Wigand, a biochemist and former vice president for research, development, and environmental affairs at Brown & Williamson (B&W) in Louisville, Kentucky, became a big-tobacco whistle-blower after confronting his former employer by

claiming on national television that the company was guilty of illegal and unethical activities. Wigand, who as a B&W employee also was deeply involved in the corrupt practices, alleged that B&W attempted to systematically conceal the adverse health risks of smoking and consciously introduced injurious toxins (a practice he referred to as "impact boosting") into cigarettes to enhance their appeal and addictive qualities. The revelation also evolved into a major journalistic scandal when *60 Minutes*, a prime-time CBS news program, initially chose to delay airing its interview with Wigand before finally opting to air a heavily edited version of his confession.

Wigand was born in Pleasant Valley, New York, on December 17, 1942. After a brief stint in the military, he received a doctorate from State University of New York, Buffalo, and subsequently worked as a marketer and manager at several pharmaceutical companies, including Pfizer and Johnson & Johnson, before going to work for B&W in January, 1989. Although his formal title at B&W was researcher and developer, his job more specifically involved investigative processes including fire safety, ignition propensity, and tobacco additives. He later disclosed that he thought he would have the opportunity to make a difference at B&W by working on a safer cigarette, or cigarettes that would be less harmful. According to Wigand, however, the company blocked most of his proposed studies. He was fired on March 24, 1993.



Former Brown & Williamson researcher Jeffrey Wigand, accompanied by attorneys, arrives for a deposition in Pascagoula, Mississippi, in November, 1995. (AP/Wide World Photos)

Upon his termination, Wigand initially honored his confidentiality agreement with B&W, denying any illegal practices on the part of his former employer. In the spring of 1994, however, Wigand was approached by and cooperated with CBS producer Lowell Bergman, who was seeking advice (mostly involving Wigand's work in developing the self-extinguishing cigarette) about a Philip Morris cigarette-safety program *60 Minutes* was preparing to air. At the same time, Wigand, along with former Philip Morris chemist William Farone, became the lead informant in a U.S. Food and Drug Administration investigation into the tobacco industry's use of genetically altered plants to increase nicotine levels in cigarettes.

Lowell understood that Wigand's insider knowledge was important, but Wigand himself remained concerned about the legal and personal consequences of going public. After expressing such doubts, CBS, in exchange for Wigand's complete forthrightness as their informant, agreed to help him legally if he were sued by B&W for violating

his confidentiality agreement with the company. Attorney Richard Scruggs agreed to represent Wigand pro bono. Wigand agreed to the deal, and CBS set up his interview with *60 Minutes* correspondent Mike Wallace.

In the August 3, 1995, interview, Wigand explained the practice of impact boosting, a harmful chemical process that ensures nicotine is absorbed more quickly by the lungs, which, in turn, affects the brain and central nervous system. He also discussed B&W's target market—youths—and the company's refusal to develop a safer cigarette. He further claimed that additives in tobacco were known carcinogens, and he referred to cigarettes as mere delivery devices for highly addictive nicotine. Wigand also claimed that B&W legal counsel edited

the results of some of his studies to exclude references to the hazardous effects of cigarettes.

Following the *60 Minutes* interview, which had yet to be broadcast, Wigand began to receive death threats, which he naturally attributed to his conflict with B&W. He confessed to writer Marie Brenner in a 1996 *Vanity Fair* magazine interview that his children had received death threats and his reputation was under systematic attack through a B&W smear campaign. Someone broke into his Louisville apartment on at least one occasion.

Meanwhile, as the Wigand interview moved forward at CBS, a legal settlement between ABC and the companies Philip Morris and R. J. Reynolds developed out of fear that ABC's airing of its own program about big tobacco would prove damaging to all parties. CBS took note of the case, and although Lowell, Wallace, and *60 Minutes* executive producer Don Hewitt understood the significance of the Wigand interview, other CBS executives, fearing that a potential lawsuit would cost billions of dollars, opted to shelve the broadcast. Producers

also feared CBS could be charged with tortious interference for persuading Wigand to break his confidentiality agreement with B&W. On November 12, CBS agreed to air a redacted version of the interview and the allegations against B&W, but the network did so without naming Wigand as its source. Almost immediately, *The New York Times*, media critics, and others condemned the decision as journalistic cowardice. Wallace, too, went on record condemning the executive decision. Only after someone at CBS leaked a transcript of the interview to the *New York Daily News* and after the threat of a lawsuit passed did the network decide to broadcast a revised version of the interview that included Wigand. The program aired on February 4, 1996.

As expected, B&W sent a message to future whistle-blowers by suing Wigand for breach of contract. By this time, however, the damage had been done. B&W's lawsuit against Wigand garnered little public or media sympathy. Now, few could trust the word of a big tobacco company, or support its claims. *The Wall Street Journal* and other publications expressed popular sentiment when they concluded that most of the serious allegations against Wigand were unfounded. Though he escaped a possible prison sentence, economic ruin, and attacks on his personal integrity, Wigand emerged from the incident with his credibility and positive public image largely intact.

Wigand's story was adapted for film. *The Insider* (1999), directed by acclaimed filmmaker Michael Mann, was adapted by Mann and screenwriter Eric Roth from Brenner's *Vanity Fair* article "The Man Who Knew Too Much" (1996). The celebrated cast includes Russell Crowe as Wigand, Al Pacino as Bergman, and Christopher Plummer as Wallace. Ultimately, *The Insider* not only popularized the Wigand-B&W scandal but also garnered popular appeal and critical praise. The film received seven Academy Award nominations in 2000, including Best Picture, Best Director, and Best Actor for Crowe, and five Golden Globe nominations.

The film, however, was not without controversy. Mann was accused of using excessive dramatic license. Several persons at CBS (including Wallace) claimed that Bergman attempted to negotiate the

film deal while the real-life events were still unfolding. Some also alleged that Bergman was on the phone with Mann during a number of CBS meetings. Wallace was alarmed as well, arguing that Mann's film portrayed him in an unflattering way.

B&W also claimed Mann had distorted the facts. The company primarily was concerned about scenes in the film in which Wigand receives death threats and is being followed by menacing figures. However, according to Brenner's article (on which the film is based), additional death threats had been made against Wigand, most of which were not addressed in the film. As a public-relations safety measure, the company sent representatives to screenings of the film to answer questions. B&W also purchased a full-page advertisement in *The Wall Street Journal* to respond to the film's promotional campaign (particularly the public appearances of Wigand) and to maintain its innocence.

IMPACT

In the months following Wigand's *60 Minutes* interview, a succession of big tobacco whistle-blowers came forward, including three from industry giant Philip Morris.

Wigand became a standard-bearer for a grassroots crusade against big tobacco, and his name is now synonymous with corporate whistle-blowing, the tobacco wars, and the government's attempt to regulate the fifty billion dollar tobacco industry.

More generally, the Wigand scandal led to a broad shift in protocol for investigative media. It also led to changes in the public-relations strategies of tobacco companies but also to a more cynical public. The case also represents a critical moral transformation in the battle against cigarette manufacturers. With the public disclosure of what was previously internal knowledge, tobacco companies began to face new ethical impediments, and the industry's earsplitting denials of the dangers of tobacco went unheard in the wake of overwhelming evidence to the contrary. Likewise, whistle-blowing and investigative journalism proved to be exceptional partners for an informed consumer society.

The whistle-blowing scandal also affected Wigand personally: After moving to Mt. Pleasant,

Michigan, he began working as a lecturer and consultant on various tobacco issues. Perhaps most important, he also became deeply involved in teaching adolescents about the dangers of using tobacco, forming Smoke-Free Kids, Inc., his own nonprofit organization.

—Matthew E. Stanley

FURTHER READING

Brandt, Allan M. *The Cigarette Century: The Rise, Fall, and Deadly Persistence of the Product That Defined America*. New York: Basic Books, 2007. An authoritative and superbly researched history of cigarettes, smokers, and the tobacco industry in the twentieth century.

Brenner, Marie. "The Man Who Knew Too Much." *Vanity Fair*, May, 1996. Brenner's illuminating article broke much of the Wigand story and was the basis for the screenplay to Michael Mann's film *The Insider*.

Kessler, David. *A Question of Intent: A Great American Battle with a Deadly Industry*. New York: PublicAffairs, 2001. Kessler, former head of the FDA, was faced with a simple question upon starting his job with the agency in 1990: "Why doesn't the FDA regulate the consumer product that is the nation's number-one killer?" This book looks at the FDA's role in regulating the giant tobacco industry.

Tate, Cassandra. *Cigarette Wars: The Triumph of the "Little White Slaver."* New York: Oxford University Press, 2000. Provides an all-purpose overview of the history of cigarettes and their use. Pays particular attention to the trajectory of various movements against tobacco use and successfully ties the movements into the broader historical and social context of reform history.

SEE ALSO: Sept.-Oct., 1937: Prescription Elixir Causes More than One Hundred Deaths; Summer, 1974: Dalkon Shield Contraceptive Is Removed from the Market; Oct. 20, 1978: Firestone Recalls Millions of Defective Car Tires; Sept. 26, 1979: Love Canal Residents Sue Chemical Company; May 29, 1981: Court Finds That Ford Ignored Pinto's Safety Problems; Sept. 17, 1985: Media Allege Canadian Officials Allowed Sale of Rancid Tuna; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; July, 2002: Journalist Alleges Release of Genetically Modified Corn Seeds in New Zealand; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; Summer, 2006-Mar. 16, 2007: Manufacturer Recalls Pet Food That Killed Thousands of American Pets; Sept. 18, 2006: *Newsweek* Reveals That Hewlett-Packard Spied on Its Own Board.

Spring, 1996

PHYSICIST PUBLISHES A DELIBERATELY FRAUDULENT ARTICLE

Concerned about a perceived misuse of scientific vocabularies and theories by postmodernist critics, American physicist Alan Sokal parodied postmodern criticism in a journal article he later acknowledged was a hoax. The incident provoked widespread debate about intellectual integrity, academic publishing, postmodern criticism, and cultural studies.

ALSO KNOWN AS: Sokal hoax; Sokal affair

LOCALE: United States

CATEGORIES: Hoaxes, frauds, and charlatanism; publishing and journalism; education

KEY FIGURES

Alan Sokal (b. 1955), American physicist

Andrew Ross (b. 1956), Scottish cultural theorist and editor

Bruce Robbins (b. 1949), American historian, literary theorist, and editor

Stanley Aronowitz (b. 1933), American sociologist and editor

Jean Bricmont (b. 1953?), Belgian theoretical physicist

SUMMARY OF EVENT

Physicist Alan Sokal, distressed by what he considered was a retreat from a responsible concern with evidence in both academics and leftist politics influenced by postmodernism, conducted an experiment that would ignite a firestorm of controversy in academia and the press. “Transgressing the Boundaries: Toward a Transformative Hermeneutics of Quantum Gravity,” a brilliant parody of the jargon and attitudes of faddish leftist academic scholarship, was the outcome of that experiment. The essay, which Sokal submitted to the respected critical and cultural studies journal *Social Text*, was filled with what Sokal considered characteristically ill-defined claims having little but their fashionable-

ness to recommend them. Those with knowledge of mathematical set theory, for example, could only chuckle at the following Sokal line, taken from a footnote in the controversial work.

[L]iberal (and even some socialist) mathematicians are often content to work within the hegemonic Zermelo-Fraenkel framework (which, reflecting its nineteenth century liberal origins, already incorporates the axiom of equality) supplemented only by the axiom of choice. But this framework is grossly insufficient for a liberatory mathematics, as was proven long ago.

Journal editors published Sokal’s essay in the Spring/Summer, 1996, “Science Wars” issue of *Social Text*.

Sokal acknowledged his deception in “A Physicist Experiments with Cultural Studies,” published in the May/June, 1996, issue of the popular academic magazine *Lingua Franca*. He then submitted a second essay to *Social Text* to explain his motives for the deception, but the journal declined to publish the piece. That second essay, “Transgressing the Boundaries: An Afterword,” was published in the fall, 1996, issue of the political journal *Dissent* and in slightly different form in the October, 1996, issue of the journal *Philosophy and Literature*.

Intense debate ensued. Sokal’s “Transgressing the Boundaries” was full of exaggerated and absurd science, nonsensical claims, ungrounded assertions, and vocabulary considered politically correct and fashionably flattering. Two editors of *Social Text*, Andrew Ross and Bruce Robbins—and various sympathizers—explained how the article came to be accepted, but the reasons they offered cast an even less flattering light on the viewpoints they represented.

Social Text founding editor Stanley Aronowitz defended the journal’s decision to publish the essay. He took issue with Sokal’s belief that, as

ACADEMIC PARODY

Physicist Alan Sokal parodied the appropriation of scientific theory by cultural theorists in an admittedly fraudulent journal article he had published in a leading cultural studies journal. An excerpt from his article appears here.

Can the boundary be transgressed (crossed), and if so, what happens then? Technically this is known as the problem of “boundary conditions.” At a purely mathematical level, the most salient aspect of boundary conditions is the great diversity of possibilities: for example, “free b.c.” (no obstacle to crossing), “reflecting b.c.” (specular reflection as in a mirror), “periodic b.c.” (re-entrance in another part of the manifold), and “antiperiodic b.c.” (re-entrance with 180° twist). The question posed by physicists is: Of all these conceivable boundary conditions, which ones actually occur in the representation of quantum gravity? Or perhaps, do *all* of them occur simultaneously and on an equal footing, as suggested by the complementarity principle?

Source: Social Text, nos. 46/47 (Spring/Summer, 1996).

Aronowitz put it, “proper scientific method filters out social and cultural influences in the process of discovery.” Others also questioned the belief that scientific method is clear and that only error can be explained in terms of cultural factors. Literary theorist Stanley Fish argued, in an op-ed piece in *The New York Times* (“Professor Sokal’s Bad Joke,” May 21, 1996), that Sokal’s deception undermined the basic trust and collegiality relied on by scientific investigation.

To many others, however, Sokal’s experiment demonstrated the incompetence (at best) or dishonesty (at worst) of those who had been deceived. More generally, the hoax seemed a decisive demonstration of the intellectual bankruptcy of trendy postmodernism in its various guises.

Some of those sympathetic to postmodernism’s virtues embraced dismissive explanations or changed the subject to Sokal’s own motivations, and a few misunderstood the hoax as a right-wing entry in the debate over political correctness (either to revile or salute it). Indeed, Sokal did not conceal his own leftist political sympathies. Others argued that Sokal had caricatured postmodernist philosophy and oversimplified the history of science. Mathe-

matician Gabriel Stolzenberg, for example, critiqued Sokal’s work in a series of articles emphasizing “the failure of my professional colleagues, the science warriors, to recognize the limits of their competence to read and reason intelligently about certain texts that are outside their professional domains.” Philosopher and historian of science Mara Beller argued that “astonishing statements, hardly distinguishable from those satirized by Sokal, abound in the writings of [famous physicists such as] Bohr, Heisenberg, Pauli, Born and Jordan.”

With many additional examples on hand of the (apparent) misuse of science by nonscientists, mostly collected during the preparation of the parody, Sokal wrote a book, in French (*Impostures intellectuelles*, 1997), with his Belgian colleague, Jean Bricmont. Published

later in the United States as *Fashionable Nonsense: Postmodern Intellectuals’ Abuse of Science* (1999), the work offers detailed criticism of the scientific faux pas of a number of French intellectuals who had influenced American academics. A new firestorm was ignited.

Undeterred, Sokal continued what he considered was his second career: defender of an evidence-based, scientific approach to social issues. In later work, he explored the ways in which pseudoscience shares intellectual weaknesses with postmodernism. Sokal argues that pseudoscience and postmodernism encourage a self-serving scientific gullibility. He also turned his attention to the ways in which the political left’s postmodernist vices facilitated the conservative distortion of science during the administration of U.S. president George W. Bush, a distortion based on the vested interests of big corporations and religious fundamentalists. Sokal’s criticism culminated in the book *Beyond the Hoax: Science, Philosophy, and Culture* (2008).

IMPACT

The Sokal hoax provoked international debate, especially in the United States and France, about the

meanings of science, rationality, and intellectualism, and about the academy in general. According to scholar Patricia Clough, the hoax and ensuing debate help to explain why the so-called culture wars became the so-called science wars. In assessing the long-term effects of the hoax, Clough laments that “cultural studies of science have been turned over to disciplinary studies,” meaning that the social sciences and humanities have themselves formed their own science-studies specializations (within their respective fields), “as if to assure the disciplinary and methodological rigor of those engaged in science studies.” That shift, she suggests, had the effect of limiting or restricting criticism: Questions about the legitimacy of science and reason had been “quieted,” Clough argues, and the relationship of such questions to various differences (of race, gender, and class) has “ceased to be central to social criticism.” Sokal himself rejoiced that among the academic left, “pronouncements of extreme relativism have subsided significantly in recent years.”

Even assuming that such changes in scholarship and focus were made, their connection to the hoax remains uncertain. Nonetheless, there can be little doubt that Sokal’s engaging criticism of the abuse of science played a major role in focusing attention on these issues. Some even would contend that because postmodernist attitudes are so impervious to reasoned criticism, effective refutation ironically had to employ more than merely argumentative means. Arguably, it was scandal alone—the scandal of appearing (and, in fact, being) gullible—that affected the selective skepticism and convenient relativism of academics at the end of the twentieth century.

—Edward Johnson

FURTHER READING

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Clough, Patricia Ticineto. “Technoscience, Global Politics, and Cultural Criticism.” *Social Text* 22,

Physicist Publishes Deliberately Fraudulent Article

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Mooney, Chris, and Alan Sokal. “Can Washington Get Smart About Science?” *Los Angeles Times*, February 4, 2007. A brief discussion of the ways in which right-wing corporate and fundamentalist science abuse in Washington, D.C., has supplanted leftist postmodernist science abuse in the academy.

Sokal, Alan D. *Beyond the Hoax: Science, Philosophy, and Culture*. New York: Oxford University Press, 2008. A reconsideration of his own 1996 hoax and an extension of its lessons to right-wing abuses of science. Includes a reprint of the parody, with explanatory footnotes.

Sokal, Alan D., and Jean Bricmont. *Fashionable Nonsense: Postmodern Intellectuals’ Abuse of Science*. New York: Picador, 1999. Originally published in French in 1997, this detailed criticism of the postmodernist thought of French intellectuals examines a broad range of texts discovered in the course of Sokal’s preparation of his parody. Includes a reprint of the parody and its later-published afterword.

The Sokal Hoax: The Sham that Shook the Academy. Lincoln: University of Nebraska Press, 2000. An anthology by the editors of *Lingua Franca*. Surveys the impact of the hoax (the original parody, Sokal’s “confession,” and numerous commentaries).

Stolzenberg, Gabriel. “Reading and Relativism: An Introduction to the Science Wars.” In *After the Science Wars*, edited by Keith Ashman and Philip Baringer. New York: Routledge, 2001. One of several essays in which Stolzenberg makes his case that the Sokal-style criticism of postmodernist and other philosophical thought frequently misreads texts, argues simplistically, and generally overreaches its limits of competence.

SEE ALSO: 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian;

June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Nov. 21, 1953: Piltown Man Is Revealed to Be a Hoax; Apr. 25, 1983: German Magazine Publishes Faked Hitler Diaries; Mar. 23, 1989: Scientists' "Cold Fusion" Claims Cannot Be Verified; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian

Doris Kearns Goodwin Is Accused of Plagiarism; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; Sept. 25, 2002: Inquiry Reveals That Physicist Jan Hendrik Schön Faked His Research; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

August 16, 1996

BELGIAN MEDIA REVEAL HOW POLICE BUNGLED SERIAL MURDER CASE

Belgian police investigating an alleged kidnaper and serial killer named Marc Dutroux missed evidence of a basement dungeon containing two kidnapped teenagers. Charges of police corruption and incompetence soon followed, leading to a major reorganization of Belgian law enforcement.

LOCALE: Brussels, Belgium

CATEGORIES: Murder and suicide; violence; corruption; law and the courts; families and children

KEY FIGURES

Marc Dutroux (b. 1956), Belgian serial killer
Michel Nihoul (b. 1941), Dutroux's accomplice
Bernard Weinstein (1955-1995), Dutroux's accomplice

Sabine Dardenne (b. 1983), one of Dutroux's last two victims

Laetitia Delhez (b. 1981), one of Dutroux's last two victims

SUMMARY OF EVENT

A Belgian parliamentary committee investigating the Marc Dutroux serial killing case determined that the abductions, torture, rape, and murders of at least two girls could have been prevented had police not made numerous mistakes during its investiga-

tion of Dutroux prior to his arrest in August, 1996. Police had neglected to follow a tip about missing teenage girls, leading to a public scandal that began when the news media reported on the investigation the day after police raided Dutroux's home. Two days later, he confessed to the killings and abductions.

On August 15, after deciding to act on the tip about missing girls, police found two teenage girls locked in a soundproof concrete dungeon inside Dutroux's house. The youngest girl, twelve-year-old Sabine Dardenne, was kidnapped on May 28 and kept in the basement by Dutroux for more than two months. Fourteen-year-old Laetitia Delhez was abducted on August 9. Both girls reported being sexually assaulted by Dutroux.

A few days later police exhumed the bodies of Julie Lejeune and Mélissa Russo, two eight-year-old girls who disappeared in June, 1995. They were found in the backyard of one of Dutroux's seven homes. Also found were the remains of an accomplice—Bernard Weinstein—who Dutroux insisted was at fault for the girl's deaths. Dutroux said Weinstein kidnapped the children and failed to feed them while Dutroux was jailed for several months for vehicle theft. Dutroux admitted to drugging Weinstein and burying him alive next to the girls.

Police had searched Dutroux's home in Charle-roi during a separate investigation into stolen cars

before his arrest, but they failed to notice a dungeon in the basement of the house; Dardenne and Delhez were in that dungeon. Further investigations revealed rampant government and police corruption and incompetence in the months before the arrest. In 1993, police ignored a tip from an informant who told them that Dutroux offered him the equivalent of about five thousand U.S. dollars to kidnap young girls and that Dutroux was selling girls into prostitution. Police also ignored a tip that came from Dutroux's mother. She had contacted prosecutors to report that her son was keeping young girls in the basements of his unoccupied houses. Despite these disturbing, detailed tips, the police did nothing, and more girls disappeared.

The scandal would bring more surprises. Additional accomplices, including Dutroux's second wife, Michelle Martin, were arrested, and the media revealed that Dutroux had been convicted in 1989 for the rape and abuse of five young girls. He received a thirteen-year prison sentence but was released for good behavior after serving only three years. Shortly after his release, young girls began to disappear around the neighborhoods where Dutroux's homes were located.

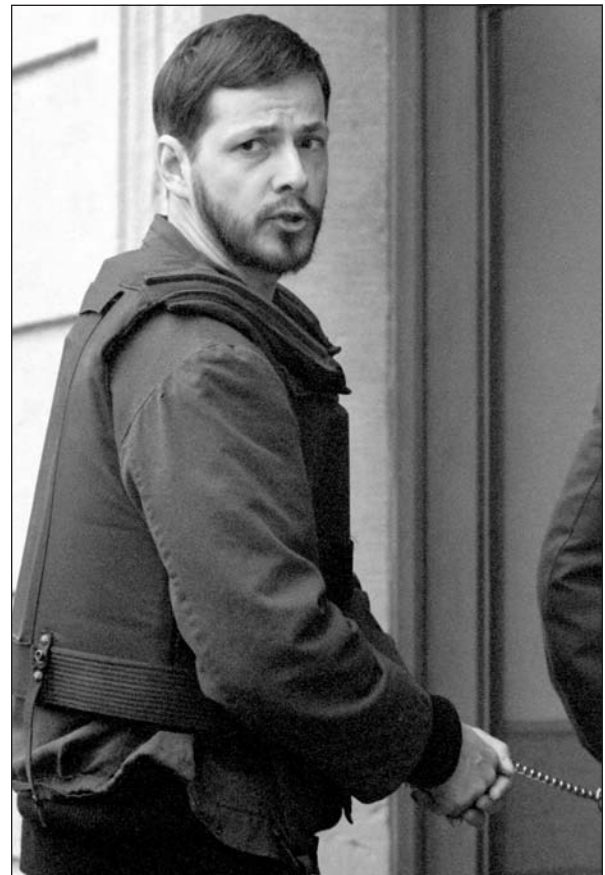
The public was outraged at the news that the girls were murdered at the hands of a convicted rapist and child abuser who had been released early from prison. The public also condemned police for not acting on the tips from informants about Dutroux's activities after his release from prison.

Investigators also uncovered evidence of a related child-sex ring and arrested a number of people connected with Dutroux, including Michel Nihoul, Michel Lelièvre, and nine police officers. Nihoul was a businessman who admitted to arranging orgies at a Belgian château that catered to government and police officials. Lelièvre was identified as an accomplice in the kidnapping of two girls.

In October, 1996, Jean-Marc Connerotte, the investigative judge in the Dutroux case, was dismissed. The supreme court of Belgium removed him because he was involved in fund-raising for programs that helped search for missing children, particularly children who had been kidnapped by Dutroux. The court ruled that Connerotte lacked objectivity.

Connerotte's dismissal, and the incompetence of the police and government in handling the case, led to the largest peacetime marches in Belgium since World War II. About 300,000 people marched throughout the city of Brussels, demanding serious reforms of the political and judicial system. Suspicion of a government cover-up was high. The protests and heightened scrutiny led to a parliamentary committee investigation into how law enforcement and the courts handled—and mishandled—the case. The committee's final report was clear: The young girls who were murdered might have lived had police properly investigated the tips they received. The official inquiry demanded a change in laws, including a reinstatement of the death penalty in Belgium.

To further complicate matters, the case dragged on in the legal system, reinforcing suspicions of a



Accused serial murderer Marc Dutroux being led into a Belgian court in 1998. (Hulton Archive/Getty Images)

cover-up. Dutroux and his accomplices were scheduled for trial in 2000, but the trial did not begin until 2004. On the third day of the proceedings, Dutroux testified that two Belgian police officers helped him kidnap two of his victims. He also blamed his accomplices in the deaths of some of the victims and hinted that he was merely one part of a large pedophile network led by codefendant Nihoul. Dutroux also claimed the case involved other prominent Belgians, including bankers, members of the royal family, and high-ranking government officials. Investigations into these claims did not go far, however, because the accusations lacked accompanying evidence.

Dismissed judge Connerotte testified that he received death threats during his investigation of the case, and that the inquiry was severely hampered by the government's protection of suspects. Finally, on June 17, 2004, the jury reached a verdict. Dutroux was found guilty of six counts of kidnapping and rape and three counts of murder. His accomplices were found guilty on offenses that included kidnapping and murder. Dutroux received a sentence of life in prison and his codefendants received sentences ranging from five to thirty years.

IMPACT

The notoriety of the Dutroux abduction and murder case brought worldwide attention to Belgium, and Dutroux became the most despised person in that small nation. The incompetence of the police force and its bungled investigations brought scorn from around the world.

The Belgian parliament's inquiry into the bungled case led to court hearings, which then led to discussions of critical government and police reform. However, it was not until after Dutroux escaped for three hours in April, 1998, after overpowering a police officer that the government finally agreed to take action and restructure the justice system. The 1998 escape also prompted the resignation of three officials, including the justice and interior ministers.

—Jesus F. Gonzalez

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November 3, 1996

CAR CRASH REVEALS DEPTH OF GOVERNMENT CORRUPTION IN TURKEY

A former chief of the Istanbul police, a leader of the Grey Wolves right-wing terrorist group, and a model turned assassin were killed in a car crash that marked the start of the Susurluk scandal in Turkey. Documents in the car revealed connections between Turkish politicians and military forces and organized crime groups, a revelation that came as no surprise to many who already suspected deep government corruption.

LOCALE: Susurluk, near Istanbul, Turkey

CATEGORIES: Corruption; drugs; organized crime and racketeering; politics; violence

KEY FIGURES

Hüseyin Kocadağ (d. 1996), former deputy chief of the Istanbul police special operations department

Sedat Bucak (b. 1960), True Path Party deputy, leader of the Kurdistan Workers' Party

Abdullah Çatli (1956-1996), leader of the Grey Wolves terrorist group and a convicted fugitive
Gonca Us (d. 1996), former model who became a hired assassin

Mehmet Ağar (b. 1951), former government interior minister, True Path Party member, 2002-2007

Tansu Ciller (b. 1946), former prime minister of Turkey, 1993-1996

SUMMARY OF EVENT

The Susurluk scandal was born from the remains of a traffic accident in Susurluk, Turkey, on November 3, 1996. The identities of the passengers in one of the crashed vehicles revealed a connection between criminal organizations and Turkish politicians, police, and military officials and confirmed suspicions of what was known as the deep state in Turkey. The deep state is an alleged coalition of antidemocratic officials and organized criminals believed to be enmeshed within the Turkish state (a

state within a state). The scandal led to the resignation of a major political figure, numerous arrests of police and government officials, several convictions, and increased tensions and distrust between Turkish citizens and the national government.

Three of four passengers in an automobile were killed after a truck driver, later charged with reckless driving, hit the car, a Mercedes. Inside the car at the accident scene, police discovered fake passports and gun licenses, pistols, sniper rifles, submachine guns, silencers, ammunition, explosives, narcotics, and cash. The discovery of this arsenal was not as shocking and frightening to the public as was the identities of the four passengers riding in the car.

The only survivor from the car was Sedat Bucak, a True Path Party deputy of the Turkish parliament and leader of the Kurdistan Workers' Party (a militant Kurdish organization seeking independence from Turkey). Bucak was taken from the vehicle with serious injuries. Hüseyin Kocadağ, a former deputy chief of the special operations department with the Istanbul police, was killed in the crash. The other two passengers killed in the crash were Mehmet Özbay and his girlfriend, Gonca Us, a Turkish former model who turned hired assassin. During the police investigation of the accident, it was discovered that Özbay was an alias for a convicted international fugitive named Abdullah Çatli, the leader of a right-wing terrorist organization called the Grey Wolves (also known as the Commandos or the Nationalist Action Party). The Grey Wolves were known for torturing, bombing, massacring, and assassinating left-wing political figures and supporters and had been held responsible for many of the unexplained bombings and deaths throughout Turkey's civil war between the Turkish military and Kurdish separatists. The group was responsible, particularly, for many of the killings during the war's peak during the 1970's. Çatli was an international fugitive sought after by Interpol (the International Criminal Police Organization) for his 1982



Former interior minister Mehmet Ağar in November, 1996. (AP/Wide World Photos)

escape from a prison where he was serving time for drug trafficking and murder.

The tragedy of the crash muted Turkish citizens' fear and anger as many questioned why these four people of varying backgrounds were in the same car. For many, the connection solidified fears that Turkey was a deep state in which government officials collaborated with criminal organizations to secure political interests through terrorism and murder while overlooking the organizations' own illicit activities, such as drug trafficking. The police weapons and false passports—particularly those signed by Mehmet Ağar, Turkey's interior minister and a member of the True Path Party—found inside the Mercedes fueled speculation that the deep-state government was protecting wanted criminals.

After details of the crash surfaced, Ağar insisted that Kocadağ and Çatli were in the same car because Kocadağ had captured Çatli. However, evidence that the four passengers had been staying at the same hotel for several days contradicted Ağar's

claims. Ağar resigned from his position as interior minister, citing that the government was involved in confidential security operations in connection with the accident and that he could not provide further details.

On November 12, a parliamentary commission was created to investigate the possible connection between government and security officials and criminal organizations. Bucak and several special-police officers were suspended for their possible involvement in illegal operations. The commission hearings began on December 24 and both Bucak and Ağar declared their innocence and used parliamentary immunity to exempt them from testifying—or being convicted. In February, 1997, nonviolent protests that included blackouts, flashing lights, and honking car horns poured out across Turkey because of the diplomatic immunity of Ağar and Bucak and the lack of information given to citizens regarding the incident. The protests eased at the end of March in anticipation of the commission's *Susurluk* Report, which was released in early April.

Instead of assuaging the public's distrust and anger, the report produced more questions, infuriated those who demanded that Bucak's and Ağar's immunity be removed, and disappointed many who expected a purge of Turkey's government, police, and military to sever criminal connections. The suspected government cover-up led to further protests.

The *Susurluk* investigation was hampered by the commission's inability to access government documents and by the numerous refusals by officials to testify, including former prime minister Tansu Ciller, who also was suspected of being involved with the deep state. The report called for the removal of Bucak's and Ağar's immunities and that they be tried; it also cited how such diplomatic protection had exacerbated the corruption of politicians. The report speculated that the passengers of the Mercedes had been planning or were about to perform an illegal act prior to the crash. The report concluded that politicians such as Ciller and Ağar had organized a criminal network in conjunction with Turkish security forces to protect the nation's interests against separatists, and that the security

operations grew out of control when terrorists such as Çatli executed political opponents, distributed drugs, and committed other crimes. The report blamed individual politicians and not the state for dealing with criminal organizations.

The Susurluk trial concluded on September 19 and was met with a mix of protests from Turks and praise from Kurdish separatists. A majority of the defendants were released because of insufficient evidence. Only a few defendants, mainly special police, who confessed to their involvement were convicted and sentenced. Following the defendants' release, Ciller demanded an official apology from the state. In response to public protests, the commission annulled Bucak's and Aġar's immunities in December and charged them with organizing and participating in criminal enterprises.

The commission's final report was released in January, 1998, which reiterated previous findings, urged the immediate removal of politicians found to be involved in criminal activities, and suggested an immediate crackdown on drug trafficking. The commission's investigation of Bucak's and Aġar's involvement in Susurluk was deferred when they were reelected to Parliament in February, 1999.

In 2001, the convictions of security officials previously found guilty in Susurluk were overturned because of an inadequate investigation; a retrial was ordered. On November 3, 2002, Bucak's trial resumed after he failed to be reelected. Bucak was found innocent on June 26, 2003; however, the Turkish supreme court annulled the verdict on February 28, 2004, demanded that Bucak be charged as the head of a criminal organization, and ordered a retrial (which began on January 17, 2006). Bucak was found guilty on November 14 and sentenced to one year and fifteen days in prison. Aġar's trial resumed on February 14, 2008, after he also lost his bid for reelection.

IMPACT

The Susurluk scandal rocked the political and social foundations of Turkey but offered the chance for the formation of a movement against government corruption. However, many citizens believe that Turkey remains a deep state and that the government

was able to bury much of its involvement in Susurluk and avoid accountability. The open wound left in Turkey's political system by the scandal forced many to question the state's legitimacy and its ability to rid the country of corruption and terrorism and to protect its citizens. On March 21, 2008, scandal again struck the country as several politicians, legal officials, and military personnel were apprehended for their involvement with a criminal group known as the Ergenekon network.

—Sheena Garitta

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January, 1997

PYRAMID INVESTMENT SCHEMES CAUSE ALBANIAN GOVERNMENT TO FALL

After the fall of communism in Albania, numerous investment companies with little capital backing began to appear in the country. Some of these companies were actually pyramid schemes that took advantage of desperate times. The schemes collapsed, however, leading to riots approaching civil war and the fall of the corrupt government.

LOCALE: Albania**CATEGORIES:** Hoaxes, frauds, and charlatanism; government; corruption; violence; business**KEY FIGURES**

Sali Berisha (b. 1944), president of Albania, 1992-1997

Aleksander Meksi (b. 1939), prime minister of Albania, 1992-1997

Fatos Lubonja (b. 1951), cofounder of the Albanian Forum for Democracy

SUMMARY OF EVENT

When the communist regimes of Eastern Europe began falling between 1989 and 1991, Albania smoothly introduced democratic rule into the country. However, Albania was still the poorest country in Europe. With the economy in dismal shape, Albanians looked for a quick fix. They thought they found it in what ultimately turned into a series of pyramid schemes. The plans, given the low level of the Albanian economy, were unprecedented in their scope and audacity, and their eventual collapse was monumental as well. At its height the nominal value of the investments reached almost half the country's gross national product. Almost 70 percent of the population had stock in the fraudulent companies.

The schemes were fed by the lack of stable and historic Albanian financial institutions and markets and the failure of the government to regulate the economy, much of which was handled through in-

formal markets. Albania lacked private banks, and the three state banks that existed established strict credit policies after bad loans mounted in their portfolios. Private loans from family members and unregulated lenders filled the gaps. Some of these private lending companies invested depositors' funds in the pyramids.

A banking act of February, 1996, put the lending institutions under the authority of the Bank of Albania, but the bank was unable to exercise control because the government continued to support the pyramid companies and prevented closure of the rogue banks. Some of the highest government leaders, including prime minister Aleksander Meksi, were closely associated with these banks, which gave large contributions to the ruling Democratic Party.

Some of the companies involved were pure pyramids, attracting investors by promising huge returns from the investments of later depositors. The companies themselves had no intrinsic value nor did they engage in any enterprise to raise profits, except seeking more investors. As more investors became involved, it was impossible to keep up with the promised returns, and when investors wanted to pull their monies, they discovered that the companies were in fact frauds.

Some of the companies fell into a more gray area: investing in enterprises. Three of the largest of these companies—VEFA, Gjallica, and Kamberi—had investments in illegal activities that included smuggling contraband into Bosnia. These companies, too, dissolved into pyramids in 1996, when their liabilities far outstripped their assets.

The road to ruin began in late 1995. United Nations sanctions against Yugoslavia ended the lucrative smuggling activities of the companies, but the corruption continued. At the beginning of 1996, the companies increased their promised interest rates to attract more investors. Taking into account that Albania's runaway inflation rate was 17 percent at the

time—triple what it had been the previous year—the promised annual rate of return amounted to almost 100 percent and, during the year, that rate continued to rise. Two new pyramid companies, Xhafferi and Populii, joined in with even greater promises. One of the pure pyramid companies, Sude, offered rates that were double those of the others.

More investors entered the pyramids. VEFA had the largest number of liabilities, with eighty-five thousand depositors. Xhafferi and Populii attracted two million depositors between them. (Albania had a population of only 3.5 million.) A war of inflated promises began. Kamberi promised 10 percent per month; Populii promised 30 percent. In November, Xhafferi promised a 300 percent increase after a three-month period. Sude countered with a promise of doubling the depositor's investment in two months. Pyramid liabilities rose to \$1.2 billion. Albanians sold their homes and farmers sold their cattle.

The population, initially, paid little attention to the rumors of fraudulent dealings. There was an expectation that the government would take care of things, a feeling perhaps stemming from the decades under communist rule. If the money was the fruit of some shady dealing, the investors did not care. They happily put all their expendable income, and some income they could not afford, into the investments.

Meanwhile, the government remained idle. Only in October did it warn the public against the risky investments, but it attacked only the pure pyramid companies. Albanian president Sali Berisha defended the companies, but the International Monetary Fund (IMF) warned the government of the danger of the schemes. Berisha responded by accusing the IMF of interfering in Albania's internal affairs. Under external pressure, he established a commission to investigate the companies, but that commission never met.

On November 19, Sude defaulted, and like a house of cards the pyramids began to tumble. Sude's failure led to a lack of confidence in the rest of the companies. Some tried to restore confidence by offering more reasonable rates on deposits, but

the public would reject the attempts. In January, 1997, Sude and Gjallica declared bankruptcy. Soon, the other companies stopped making their payments as well. The government refused to compensate the investors for their losses, which made possible national economic recovery but did not appease the investors.

The government moved against the pure pyramids, freezing the assets of Xhafferi and Populii, but it still took no action against those that had investments, especially the largest ones, even after the parliament enacted a law against pyramids in February. The Bank of Albania, on its own, limited the amount of money that could be withdrawn at any one time to prevent the depletion of resources.



Greek soldiers patrol Durrës, Albania, in the spring of 1997. The soldiers were part of a United Nations peace-keeping force in Albania to restore order and distribute humanitarian aid following rioting and other violence. (AP/Wide World Photos)

By the spring of 1997 the government lost control of the country. Soldiers and police officers deserted, allowing many people to loot the national armories for rifles. Foreigners were evacuated by their home countries and Albanians fled the country. The government resigned, and a caretaker government faced a hopeless situation. Rioting led to the deaths of two thousand people, and the economy collapsed. Anarchy ruled through most of the nation. The rioters burned customs and tax offices, and state revenues dwindled. Industries closed, trade stopped, and prices rose close to 30 percent in the first six months of the year. The lek (the national currency) fell 40 percent in value. Still, the largest pyramid companies claimed to be solvent and clung to their existing assets.

In Vlora, angry crowds threw stones at police trying to restore order. The mob beat some police and stripped off their uniforms, burning them with their weapons and equipment in bonfires. The police fired in the air and retaliated with stones from rooftops. In Tirana, thirty-five thousand rioters attacked the police and forced them to retreat. The police returned with water cannons and police dogs to quell the mob, but the rioters continued, setting government buildings afire. Berisha called a state of emergency on March 2, and on March 28, thousands of U.N. peacekeeping troops entered the country.

IMPACT

With international assistance the caretaker government began to restore order. The economic effects of the schemes affected the economy in the short term only. The political and social effects were more damaging, however. Much of the population lost its meager savings, and confidence in the new democracy was severely shaken. Some of the pyramid leaders were tried and convicted.

Fatos Lubonja, cofounder of the Albanian Forum for Democracy, told an American political scientist after the crisis that the government corruption destroyed Albania's infrastructure and, far worse, destroyed the people's faith in the new Albania. Lubonja hoped that those who fled would return and rebuild the country.

The development of a new Albanian constitution led to reform in politics and the economy, but although democracy and the rule of law took hold, government corruption persisted. In 2005, Berisha, who had defended the pyramid companies, returned to public office as prime minister of Albania.

—Frederick B. Chary

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February 26, 1997

TEACHER MARY KAY LETOURNEAU IS ARRESTED FOR STATUTORY RAPE

In 1996, a thirty-four-year-old married schoolteacher named Mary Kay Letourneau became sexually involved with a thirteen-year-old student named Vili Fualaau. Initially released on a suspended sentence, she violated the terms of her parole by seeing the boy again and was sentenced to more than seven years in prison. She had two children with Fualaau and married him in 2005.

LOCALE: Seattle, Washington

CATEGORIES: Law and the courts; families and children; sex crimes; public morals

KEY FIGURES

Mary Kay Letourneau (b. 1962), teacher at Shorewood Elementary School in Burien, Washington

Vili Fualaau (b. 1983), student at Shorewood Elementary School

SUMMARY OF EVENT

Mary Kay Letourneau, who was thirty-four years old, a wife, and a mother of four children, became the source of tabloid fodder and instant scandal when it became known that she had been having an affair with a thirteen-year-old student. She was sent to prison in 1997 for statutory rape.

Letourneau grew up in Southern California and was one of seven children of John and Mary Schmitz. John G. Schmitz was a member of the conservative John Birch Society and had political aspi-

rations. He served in the California state senate and was a U.S. representative. After an unsuccessful bid to run for president on the American Independent Party ticket in 1972, Schmitz moved his family to Corona del Mar, California. Two years later, Letourneau's three-year-old brother, Philip, drowned in the family pool. Letourneau insists that this tragic event in her family's life did not have any long-term effects on her.

In 1982, Schmitz's political career was cut short by revelations that he was having an affair with Carla Stuckle, a former college student and Republican campaign volunteer, and had fathered two of her children. During the scandal, Letourneau sided with her father. In November, 1983, Letourneau met Steve Letourneau, a baggage handler for Alaska Airlines. Four months into their relationship, Letourneau became pregnant. While Letourneau was not in love with her husband, her strict Roman Catholic parents insisted that she and Steve marry; they did so on June 30, 1984. The couple moved to Anchorage, Alaska, then Seattle, Wash-ington.

Letourneau finished her teaching degree at Seattle University in 1989 and got a job at the Shorewood Elementary School located in Burien, Wash-ington, a suburb of Seattle. Initially assigned to second-grade classes, she first encountered Vili Fualaau when he was eight years old and in the second grade. By all accounts a talented artist, Fualaau made an impression on his teachers and was among Letourneau's circle of favorite students. Fualaau



Mary Kay Letourneau. (AP/Wide World Photos)

was raised in a large, extended Samoan family. His father was in prison for armed robbery and his mother worked in a bakery. Letourneau, in spite of her own increasing money worries, helped nurture his abilities by buying him art supplies.

The year 1995 was a particularly stressful time for Letourneau. She was a busy mother of four and was now teaching fifth and sixth graders. Her marriage woes were compounded by her and Steve's financial situation. Letourneau's father was diagnosed with cancer and she miscarried a fifth child just a few months later. The Letourneaus were forced to declare bankruptcy. At this time, the relationship between Letourneau and Fualaau grew closer. He was a constant presence in the home and even accompanied the Letourneaus on their family vacation. The unusual relationship between teacher and student did not go unnoticed among Steve's family members.

During the summer of 1996, Letourneau and Fualaau had sexual relations for the first time.

Fualaau would boast to friends that he and his teacher had sex more than four hundred times that summer, and had done so in every room of the Letourneau home. While making last-minute preparations for the fall semester, Letourneau discovered she was pregnant. As she and Steve had stopped having sex, she had no doubt whose child it was. Steve, who suspected Letourneau was having an affair with Fualaau, found a shoe box of letters in the linen closet of their home. Steve moved out of the house and started divorce proceedings.

Steve's cousin made an anonymous call to Letourneau's employer to reveal the affair. On February 26, 1997, she was arrested for statutory rape of an unnamed minor. She was released later that night and told not to go near Fualaau. Letourneau's mother took charge of the children. When counseled by her attorney, David Gehrke, Letourneau admitted that she was carrying the child of the boy she was accused of raping. As the trial approached, Letourneau underwent a series of court-ordered exams. Psychiatrist Julia Moore noted Letourneau's rapid mood swings during her interview and diagnosed her as having bipolar disorder. At her trial in November, Letourneau pleaded guilty to two counts of rape of a child in the second degree.

At her hearing, a seemingly repentant Letourneau told the judge, "I give you my word . . . it will not happen again." Judge Linda Lau of the King County Superior Court accepted Letourneau's plea. The judge took into consideration that Letourneau had no criminal record and sentenced her to three months in jail and ordered her to enroll in a sexual deviancy treatment program. Letourneau and Fualaau's child, Audrey, who had been born in May, would be placed in the care of Fualaau's mother, Soona Vili. Under the terms of her release, Letourneau was forbidden to have contact with Fualaau.

The court-ordered restriction did not stop Letourneau from seeing Fualaau again. Upon her release in January, 1998, the two resumed their relationship. On February 3, during a routine late-night neighborhood patrol, a police officer noticed a parked car with two people inside. When he ran the car's license plates he discovered that the owner

was Letourneau, now a registered sex offender. Inside the car was sixty-five hundred dollars in cash, baby clothes, and a passport. The officer recognized Letourneau immediately and arrested her for violating the terms of her parole. Fualaau's name was publicly linked to Letourneau's after his mother, Soona, agreed to a series of interviews with the tabloids.

Judge Lau harshly admonished Letourneau, saying, "This case is not about a flawed system . . . it is about an opportunity that you foolishly squandered." Letourneau's original maximum sentence of 7.5 years was reinstated, and she entered the Washington Correction Center for Women in Gig Harbor, forty miles south of Seattle. Upon her incarceration, a medical exam revealed that she was pregnant. In October, 1998, she gave birth to another daughter, Alexis, who would be placed in the care of Fualaau's mother.

Defiant even behind bars, Letourneau attempted to smuggle notes to Fualaau in violation of court orders and was placed in solitary confinement for six months for doing so. In January, 2001, Letourneau's father died of cancer. Her request to attend his funeral was denied. Letourneau served her full sentence and was released on August 2, 2004. Two days later, Fualaau filed a motion to vacate a court order that barred Letourneau from contacting him upon her release. Letourneau, never wavering from her belief that she and Fualaau from the beginning were deeply in love and meant to be together, married her twenty-one-year-old former student on May 20, 2005. Letourneau, now Mary Fualaau, would remain a registered sex offender for the rest of her life, regardless of the couples' legal status as husband and wife, unless a court order allows her to unregister.

IMPACT

The Letourneau-Fualaau affair unleashed a media frenzy that inspired a made-for-television film and at least two privately published accounts of the scandal. More important, it prompted discussion about gender bias in statutory rape cases. In 2004, a U.S. Department of Education study found that 40 percent of educators who had been reported for sex-

ual misconduct were women. The well-publicized incidents of female teachers having sex with their underage students led to renewed interest in the controversy surrounding age of consent and teacher-student sexual relations. These cases reflect a decline in the double standard of treating male authority figures more harshly than female authority figures in cases involving the abuse of a minor.

—Robin Imhof

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Marries Thirteen-Year-Old Cousin; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock; July 20, 1983: Con-

gress Members Censured in House-Page Sex Scandal; May 19, 1992: Amy Fisher Shoots Mary Jo Buttafuoco; Sept. 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page.

March 12, 1997

PRIZE-WINNING ABORIGINE NOVELIST REVEALED AS A FRAUD

*In 1997, the Australian literary establishment was rocked by the revelation that a critically acclaimed prize-winning female author of the aboriginal autobiographical novel *My Own Sweet Time* was actually a white man. The scandal led to questions of literary and cultural authenticity, gender and race, sexism and racism, national identity, publishing practices, and the intellectual property rights of indigenous peoples.*

ALSO KNOWN AS: Wanda Koolmatrie hoax

LOCALES: Sydney and Adelaide, Australia

CATEGORIES: Hoaxes, frauds, and charlatanism; literature; racism; publishing and journalism; social issues and reform; cultural and intellectual history

KEY FIGURES

Leon Carmen (b. 1949?), Australian writer

John Bayley (b. 1949), Australian literary agent

Ava Hubble (fl. 1990's), reporter for the Sydney *Daily Telegraph*

Andrew Stevenson (fl. 1990's), reporter for the Sydney *Daily Telegraph*

SUMMARY OF EVENT

Wanda Koolmatrie's first novel, *My Own Sweet Time* (1994), was hailed by noted Australian playwright, author, and critic Dorothy Hewett as the start of a new genre. In 1996, Koolmatrie's autobiographical novel was short-listed for the New South

Wales Premier's Award and it won the Nita May Dobbie National Award for the best first novel written by a woman. *My Own Sweet Time* became required reading for high school students sitting for their exit exams (and to obtain their higher school certificates) in New South Wales in 1996.

My Own Sweet Time depicts the life of an aboriginal woman born in 1949 who was raised by white foster parents in the suburbs. The novel's author, Koolmatrie, it turned out, was a pseudonym for Leon Carmen, a white man. Carmen later claimed in an interview that he believed he could get published only if he were nonwhite and female. He claimed that the Australian literary establishment discriminated against white men when considering who to publish.

A former school friend of Carmen, John Bayley, agreed to be his literary agent. (Some believe that Bayley, and not Carmen, wrote the book.) Bayley submitted Carmen's manuscript to three publishers: the University of Queensland Press, Reed Books, and Magabala Books. Magabala Books, a government-subsidized publisher specializing in works written by aboriginal authors, agreed to publish the work, and it was launched in Sydney, Australia, during the Sydney Writers Festival on January 25, 1995. Neither Koolmatrie (Carmen) nor Bayley attended the launch. Indigenous author and poet Roberta Sykes launched the book on behalf of the "absent" Koolmatrie.

The defense of using an assumed identity in literature is not new. Carmen argued that he would not

have been published without the symbolic currency of his chosen identity. Other writers, especially women, have chosen an assumed identity (most often another gender). These writers include George Eliot (Mary Anne Evans), Henry Handel Richardson (Ethel Richardson), and Miles Franklin (Stella Maria Sarah Miles Franklin), women whom Carmen claimed presented “only a short step to Wanda, our mythical female author.” (Bayley was a fan of writer Thomas Chatterton, who created a fifteenth century priest-poet called Thomas Rowley.)

For many writers, the motivation behind adopting a gender-bending nom de plume is twofold. First, as Carmen himself argued, the motivation is purely artistic (“bookish,” as he called it); that is, to compromise one’s real identity to garner readers of their work of literature. Second, as confirmed by the first argument, the motivation is implicitly commercial: One compromises his or her true identity to exploit the book market—to sell books.

Carmen claimed that he and Bayley had to accept Magabala’s advance against royalties to avoid potentially awkward questions arising about the book’s (fictional) author. The pair accepted the five thousand dollars prize money for the Nita Dobbie Award. Soon, Bayley sent Magabala a copy of Carmen’s sequel to *My Own Sweet Time*, the book *Door to Door*, which Magabala published in 1998. Before this, however, Magabala representatives became suspicious when they could not speak with Koolmatrie personally. It was not long before Carmen admitted to the hoax, and the scandal broke.

Reporters Ava Hubble and Andrew Stevenson of Sydney’s *Daily Telegraph* newspaper broke the story, “My Sweet Hoax,” on March 12, 1997. The news report came within weeks of two other newsworthy hoaxes: those of Ukrainian writer Helen Demidenko (Helen Darville) and aboriginal painter Eddie Burrup (Irish-born Elizabeth Durack). Bayley, though, claims in his book *Daylight Corroboree* (2004) that he confessed his part in the Koolmatrie hoax to Adelaide *Advertiser* columnist Tony Baker months before the hoax came to light in the *Daily Telegraph*.

The New South Wales Fraud Enforcement Agency targeted Bayley for arrest and prosecution because he made “a false and misleading statement involving the author Wanda Koolmatrie who was a fictitious person invented by Leon Carmen and Mr. Bayley.” It appears that criminal charges materialized only because Bayley had accepted the Nita Dobbie Award cash prize on behalf of Koolmatrie. Consequently, his house was raided on May 8. Officers entered the premises, but Bayley was not home; he was en route from Melbourne. They seized the contents of his computer hard drive and his working journals. Interestingly, Bayley’s appearance at Sydney’s Downing Centre magistrates court on March 12, 1998, came one year to the day after the *Daily Telegraph* broke the story of the Koolmatrie hoax. Magistrate Geoff Brad presided over the case.

To many observers, Bayley was the one who defrauded Magabala Books, and he was the one charged with a crime. Critics were bewildered when the magistrate dismissed the fraud charge against Bayley because there was no prima facie case to substantiate the allegations of fraud. However, evidence seems to prove a prima facie case did exist. First, Bayley falsely claimed that he accepted the Nita Dobbie Award on Koolmatrie’s behalf because Koolmatrie was in England. Also, in *Daylight Corroboree*, Bayley admits to indicating “yes” on a declaration sent to him by Magabala Books before

YOUNG WANDA REFLECTS

Leon Carmen, better known by the pseudonym Wanda Koolmatrie, opens his controversial autobiographical novel My Own Sweet Time (1994) with his protagonist, Wanda, reflecting on her days as a black child growing up with white parents in a white neighborhood.

By six years old I’d picked up a handful of stunts—bawling out for milk and porridge, recognizing animals and visitors, responding to my parents with coyness, indifference, enthusiasm, whatever. Cause and effect were tumbling into a pattern. One thing puzzled me though. Mum and Dad and the few people who came to the house were all white. I knew no other children. I was certainly growing, but I stayed black. Would I fade, or what?

publication of *My Own Sweet Time* that included the question “Is the author of aboriginal or Torres Strait Islander descent?”

IMPACT

One of the most significant aspects of the Koolmatrie hoax was the extent to which it mobilized a range of critical opinion. For instance, while the hoax still inspires much debate about the politics of nonindigenous writers assuming a nonwhite racial identity, according to some critics the incident highlights the existence of antiwhite bias within the Australian culture industry. Such critics argue that the hoax gave credibility to the opinion that white men experience prejudice within a culture defined by a prevailing fascination with minority culture, namely indigenaity, or indigenouness. Critics also argue the hoax legitimated claims of the existence of special privileges for indigenous Australians. Others argue that because the 1990’s saw a series of identity poachers exposed in Australian literary and artistic circles as frauds, the trend is symptomatic of a cultural downturn in white-Anglo privilege. Others claim the fraud was artfully contrived in that Carmen and Bayley specifically approached Magabala Books, a government-financed publisher of works written by aboriginal authors especially.

By extension, some critics claim the hoax exposed the urgent need for the Australian government to recognize, formalize, and protect aboriginal intellectual property rights. Even more critics claim the incident exposed the inherent tensions in post-modern approaches to written works. These critics argue that while postmodern understandings of written works created the very space in which Koolmatrie was heard—as a culturally marginalized voice—the hoax itself raised important post-modern questions regarding authorial intent, authenticity in writing, and the blurring lines between factual and fictional Australian national identity.

—Nicole Anae

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Hosking, Sue. “The Wanda Koolmatrie Hoax: Who Cares? Does It Matter? Of Course It Does!” *Adelaidean* (University of Adelaide), April 21, 1997. Hosking’s article asks many questions about the hoax and concludes that Carmen’s assumption of an aboriginal identity was purely in self-interest.

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SEE ALSO: 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian; June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Apr. 25, 1983: German Magazine Publishes Faked Hitler Diaries; Apr., 1998: Scottish Historian Is Charged with Plagiarism; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

May 20, 1997

AIR FORCE PROSECUTION OF FEMALE OFFICER FOR ADULTERY REVEALS DOUBLE STANDARD

The first woman in the U.S. Air Force qualified to fly the B-52 bomber, Kelly Flinn was charged with adultery for having sex with an enlisted woman's husband and then lying to superiors about it and ignoring direct orders to desist. The threat that Flinn, an accomplished and respected pilot, would face imprisonment for consensual sex suggested a double standard for female service members, outraging many, including members of Congress. Instead of being court-martialed, Flinn received a general discharge from the Air Force.

LOCALE: Minot, North Dakota

CATEGORIES: Military; women's issues; sex crimes; law and the courts; space and aviation; politics

KEY FIGURES

Kelly Flinn (b. 1970), U.S. Air Force pilot, first lieutenant

Marc Zigo (b. 1972?), Flinn's civilian lover

Sheila Widnall (b. 1938), secretary of the U.S. Air Force

Ronald R. Fogelman (fl. 1990's), Air Force chief of staff

SUMMARY OF EVENT

First Lieutenant Kelly Flinn was no stranger to publicity or U.S. Air Force regulations when she became the focus of a military sex scandal in 1996-1997. The youngest of five children, Flinn grew up in Missouri and Georgia as an exemplar of the so-called all-American tomboy. At the age of sixteen, after attending Space Camp in Huntsville, Alabama, she decided on an aviation career. Following high school, she won appointment to the U.S. Air Force Academy in Colorado Springs, Colorado, in 1989. The rigorous training, discipline, and male-oriented ethos at the academy came as a shock to her, yet she persisted and became a top-ranking cadet. She also won two coveted overseas training as-

signments before graduating. During postacademy flight training, her first choice of aircraft for permanent assignment was the B-52 bomber, a massive plane equipped to carry nuclear payloads.

During the 1990's, the U.S. armed forces was under intense pressure to incorporate women into combat support roles. Flinn's assignment to fly B-52s was widely publicized as part of this new direction for the military. Flinn reported for duty at Minot Air Force Base in North Dakota, the B-52 fleet's home base, in October, 1995. The base is on a remote, desolate prairie, and there were few amenities either on base or in the nearby town. According to Flinn's autobiography *Proud to Be* (1997), she arrived in Minot with the hope of making a life for herself there, and to meet a special man with whom to develop a serious relationship. Even though she had spent the prior few years studying and working in a mostly male environment, Flinn had tried to be "one of the guys," developing only a few buddy-type friendships. She probably was less prepared than most twenty-four-year-old single women for the hazards and duplicities of the dating scene.

Unfortunately, social life at Minot seemed to revolve around drinking and sexual games. At least that was the impression that Flinn received. There were certainly few other recreations available for single, action-oriented young adults. Flinn fell into one dubious situation when she threw a wine-cellar party. At the party she had a sexual encounter with Colin Thompson, a senior enlisted airman. Both were apparently drunk at the time. The Uniform Code of Military Justice prohibits fraternization, that is, relations between an officer and an enlisted person, even if the persons in question come from different commands. Afterward, Flinn mostly shrugged off her encounter with Thompson (an encounter that would be included as part of the charges against her).

Most of Flinn's leisure time, however, was devoted to soccer. An avid soccer player since child-

hood, she joined the base soccer team, which was coached by a civilian named Marc Zigo. (He had claimed college and professional soccer experience, which later proved false.) Zigo was charming and smooth and Flinn fell for him. He seemed to be equally smitten. Zigo was at Minot with his wife, Gayla, who was an enlisted airman at the base. Zigo told Kelly that the two were now legally separated. Although that remark was not true, the marriage was stormy. Gayla threw her husband out of their house after she found some of Flinn's letters to him. Zigo threatened suicide, and he pleaded with Flinn to let him stay with her, as he had nowhere else to go.

Meanwhile, base security police began investigating both Flinn and Zigo, based on reports of their relationship from a lieutenant against whom Flinn had testified in an unrelated case. Flinn and Zigo were called in separately and questioned. Flinn denied any sexual component to their relationship.



Air Force first lieutenant Kelly Flinn before a pretrial hearing at Minot Air Force Base, North Dakota, in May, 1997. (AP/Wide World Photos)

Shortly afterward she regretted this denial. Following protocol, she told Lieutenant Colonel Ted LaPlante, her commanding officer, that she wanted to revise her statement to police. LaPlante knew nothing about the charges but refused to listen to Flinn, saying he might eventually be called on to adjudicate the case. Flinn would remain on record as having lied in an official investigation. Two days after Zigo moved into her place, Flinn was handed a written order forbidding her from any contact with Zigo, even if through a third party. Disobeying the order would have left her homeless.

Flinn followed LaPlante's advice to seek legal counsel, but both Air Force attorneys who took her case were stationed elsewhere and unable to devote time to the issue. Meanwhile, Flinn was slowly realizing that Zigo was moody, dishonest, and manipulative—the classic profile of an abusive man. She was still partly in love with him, and he played on her sympathies, keeping her from making a clean break from him. The fall of 1996 started out full of promise for Flinn, with her piloting achievements drawing additional plaudits from superiors and the public. Now things were changing drastically, moving faster than she realized. Despite the mounting charges against her, Flinn assumed that she would be able to negotiate for an Article 15 administrative punishment. Adultery cases usually led to Article 15 reprimands. This would stall her career but allow her to remain flying.

In a shocking twist of events, the *St. Louis Post Dispatch*, on February 21, 1997, published a news story about Flinn facing court-martial. Flinn knew nothing of the pending action, nor did her commanding officer and most others on base. Flinn now realized she was facing a lengthy prison sentence. She hired a civilian attorney to work with her military lawyers, who released Flinn's side of the story to the press. Congressional hearings were called, and several lawmakers expressed the opinion that the Pentagon needed, in U.S. senator Trent Lott's words, to "get real" about fraternization. Zigo had long since moved out of Flinn's home, and the explosive case was working its way up to the secretary of the Air Force, Sheila Widnall. Flinn asked her superiors for an honorable discharge instead of go-

ing through a court-martial. The court-martial convened on May 20.

The prosecution came prepared with copious documentation, but Flinn's lawyers obtained a delay in the proceedings until Widnall decided on Flinn's discharge request. In testimony to the U.S. Congress, Air Force chief of staff Ronald R. Fogelman argued forcefully that the case was not about sex but rather about lying, disobeying orders, and conduct unbecoming an officer. Widnall denied the honorable discharge request. Flinn wanted to fight her case in the court-martial, convinced that with the overdrawn charges and Zigo's many lies, she would be exonerated. The consensus of her family and attorneys was that the cards would be stacked against her in a trial. After a tearful vigil, she took their advice and requested a general discharge, which was granted. Flinn's ordeal was over, but so was her career in the Air Force.

IMPACT

The U.S. military did not emerge unscathed from the controversy. The most immediate effect was upon the fortunes of General Joseph Ralston, who had been up for appointment as chairman of the Joint Chiefs of Staff at the time of Flinn's court-martial. On June 5, 1997, stories appeared in major newspapers about Ralston's reported affair with a civilian woman about thirteen years earlier. Ralston was separated from his wife prior to divorce at the time of the affair, and his lover was a civilian. The House of Representatives' Women's Caucus argued that confirming Ralston would confirm a double standard in the military. General Ralston withdrew his nomination and retired.

The case also called attention to military standards for personal behavior that were increasingly at odds with sociocultural attitudes outside the service. Adultery seldom is prosecuted, even in states

FLINN RESIGNS HER COMMISSION

U.S. Air Force pilot Kelly Flinn sent a letter of resignation to Air Force secretary Sheila Widnall just days before her court-martial was to begin on May 20, 1997. That letter, made public by Flinn, is excerpted here.

It is extremely difficult, if not impossible to put into words my love for the Air Force and devotion to the Air Force. It is with heartfelt agony and the deepest sadness I have ever felt that I submit my resignation from the Air Force. . . .

I did not turn to anyone for help when I should have. Instead, I decided to handle the threats of a detestable man, and live in fear of him and his possible actions. . . .

I have dedicated my life to becoming an Air Force pilot. I have endured comments, videos ridiculing my arrival at Minot AFB [Air Force Base], sexual molestation, and harassing comments, just to fly. I never wanted to be treated as something special, I just wanted the chance, as my counterparts have, to fly for the Air Force as a trained combat pilot. If there was anyway to undo all the wrongs, I would. Unfortunately, at this point, I can only learn from my mistakes and move forward with my life.

I would never wish my ordeal upon my worst enemy. Deep in my heart, I believe that no punishment the Air Force renders will every compare to the public humiliation I have suffered, the loss of my trust, and the loss of my innocence. Before this happened, I never dreamed that people like Marc Zigo existed. Perhaps that was my first mistake. Secondly, I myself, should have researched the legalities of the situation, instead of trusting his word. However, hindsight is 20/20. Looking back, I should have done many things differently. Lying was the worst possible action, yet I did not have the courage then to admit my faults and shortcomings. I now recognize them. I just wanted a chance to reconcile this situation and perhaps have the opportunity to redeem myself in the eyes of the Air Force. . . .

where it remains a crime. Widespread acceptance of marital separation and divorce also has blurred definitions of adultery by putting those waiting for a final divorce decree into a sort of limbo of marital status. Efforts like General Fogelman's to convince the public that the case was really about "good order and discipline" went awry. The phrase meant little to civilians. While command status—actual or potential—does impose certain responsibilities, the Air Force failed to make the case that Flinn's behavior posed a danger to the nation. The military did not change its rules afterward, but its inept handling of the case resulted in a public relations fiasco. The

gap between military and civilian views of sex and sexuality thus persisted, to surface again in the future over related issues.

—Emily Alward

FURTHER READING

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June 25, 1997

SWISS BANKS ADMIT TO HOLDING ACCOUNTS OF HOLOCAUST VICTIMS

Investigations revealed that Swiss banks contained hundreds of millions of dollars in cash and valuables of Holocaust victims who had hidden their assets from the Nazis. Swiss banks admitted to holding the accounts, which led to shock, outrage, and an international scandal that forced the banks and the Swiss government into reparations.

LOCALE: Switzerland

CATEGORIES: Banking and finance; atrocities and war crimes; international relations; corruption; public morals; social issues and reform; government

KEY FIGURES

Paul Volcker (b. 1927), chairman of the Federal Reserve System, 1979-1987, and chairman of Volcker Commission, 1996-2000

Christophe Meili (b. 1968), Swiss security guard at Union Banque Suisse

Stuart Eizenstat (b. 1943), U.S. undersecretary of commerce for international trade, 1993-2001

Arnold Koller (b. 1933), federal councilor, 1986-1999, and president of Switzerland, 1990, 1997

Thomas Borer (b. 1957), Swiss ambassador at large

SUMMARY OF EVENT

Switzerland was a neutral nation during World War II, so it was common practice for European Jews to open accounts with Swiss banks. In 1994, Elan Steinberg, the executive director of the World Jewish Congress (WJC), charged that Swiss banks still held between ten and twenty thousand dormant accounts containing the assets of Jewish victims of the Nazi Holocaust. Twenty thousand far exceeded

the number of accounts the banks had admitted to in the past.

On May 2, 1996, a memorandum of understanding announced by the World Jewish Restitution Organization, the WJC, and the Swiss Bankers Association (SBA) led to the formation of the Independent Committee of Eminent Persons (ICEP). Paul Volcker, the former chairman of the Federal Reserve System, was asked to form the commission to audit wartime accounts. The ICEP was instrumental in leading the banks finally to admit that thousands of accounts lay dormant in their vaults. On June 25, 1997, a claims resolution process was announced jointly by the SBA, the Swiss Federal Banking Commission, and the ICEP.

Thomas Borer, a Swiss diplomat and chairman of Switzerland's own investigating commission, established in December, 1996, announced that the Swiss government would release all information it had on unclaimed bank accounts belonging to Holocaust victims. The revelation brought Switzerland great embarrassment, and the United States issued swift condemnation. The U.S. Senate introduced a bill requiring the U.S. government to divest its \$300 million in investments in Swiss companies and to cease doing business with Switzerland until reparations were made. A commission headed by Stuart Eizenstat, the U.S. undersecretary of commerce for international trade, castigated Switzerland for not taking action in the case and also blamed the U.S. government for not insisting the Swiss take action.

The Eizenstat commission's May, 1997, report noted that the Swiss received \$400 million in gold (worth ten times as much by 1997 standards) from Germany during the war, gold that was deposited with Union Banque Suisse (Union Bank of Switzerland, or UBS) or sent to other countries to pay for war materials. The report denounced the Swiss for their complicity with Germany, denounced their attitudes toward victims of Nazi oppression during the war, and claimed that Switzerland's dealings in German gold prolonged the conflict. The Swiss argued, in turn, that they should be judged on their present actions in trying to compensate the victims and not for what they did or did not do before and during World War II.

Further information on the banking scandal had come to light on January 8, 1997, when Christophe Meili, working as a security guard at UBS, came across during his rounds two carts filled with "very old documents and books" that were scheduled for shredding, including two thick books, with "1945-1965" marked on their covers. Meili testified at a later hearing (May 6) before the U.S. Senate that he returned to the room because he remembered press reports concerning bank documents and records from World War II. He believed the items set for the shredder belonged in the national archives and that it would have been illegal had they been destroyed. As he found out the following day when he returned to the shredding room, most already had been destroyed. He also testified that he did not want harm to come to either the Jews or the Swiss, who certainly would be blamed for the illegal shredding. Meili brought what he could of the remaining documents to the Israeli Cultural Association, who handed them over to the police.

Meili was treated as a pariah in Switzerland. He was fired from his job and unable to find new employment. He was threatened by an anonymous caller who said he would kidnap his children and that he could collect the ransom money "from the Jews." Meili complained that the Swiss police would not investigate the case and asked for political asylum in the United States. The WJC offered him employment. Meili also has received awards from Jewish organizations as well as aid to help with his legal fees.

The ICEP, in its final report of December 6, 1999, found no proof that the banks were acting together to destroy account records nor was there proof of a concerted effort to use the funds from these dormant accounts for illicit purposes. The commission did conclude, however, that some individual banks were unethical in handling the dormant accounts.

A plan to give billions of Swiss francs to victims of the Holocaust as a humanitarian measure was presented before the Swiss parliament, but Borer stated that the continued public accusations against Switzerland hindered passage of the measure because many Swiss believed the country was being

treated unfairly. Switzerland cherished its strict neutrality during World War II, and allegations that it abetted Nazi dictator Adolf Hitler remained a critical concern for the country. The Swiss eventually agreed to some reparations from the government.

On February 26, the SBA announced the establishment of a \$67 million humanitarian fund by the banks, and on March 5, Switzerland's president, Arnold Koller, announced the government's Swiss Foundation for Solidarity (SFS) to help victims of poverty, disasters, and human tragedy, such as genocide. He proposed that Swiss banks contribute \$4.7 billion from their gold reserves, and the interest, several hundred million dollars per year, be used for aid, including for those persons (and their families) who survived the Holocaust. Koller's announcement marked an official acknowledgment that the banks held deposits of gold owned by Jewish account holders. The conservative opposition in the Swiss parliament opposed the plan, claiming that it acknowledged Swiss guilt. The government proposed raising the money by the sale of gold over a ten-year period so that the sale would not affect the price of the precious metal or harm the Swiss economy by undermining its currency. Furthermore, tax money would not be used.

Moshe Fogel of the Israeli Press Office said Jerusalem welcomed the funds. Avraham Burg, the head of the Jewish Agency for Israel, said it marked a victory for the moral stand the agency had taken in championing the reparations.

IMPACT

The Union Bank of Switzerland, Swiss Bank Corp., and Credit Suisse admitted to having thousands of dormant accounts from the time before and during World War II, accounts that totaled \$200 million. The Central Bank of Switzerland, which received most of the Nazi gold, did not participate in the banks' humanitarian fund. The humanitarian fund and SFS, the Swiss government foundation, helped repair some of the damage Switzerland incurred for denying its role in keeping the dormant accounts secret.

At the end of 1998, more than 100,000 Holocaust survivors in Eastern Europe received from five hun-

dred to twelve hundred dollars each. Payments were then made to survivors in Western Europe in February, 1999. An agreement was reached in March to reimburse \$1.25 billion to American and Israeli victims for their economic losses. The banks, however, refused to admit liability.

German companies also charged with exploiting Holocaust victims looked at the Swiss model to settle their own lawsuits. In July, 1998, Volkswagen, which had used slave labor during the war, agreed to a reparations plan. In 1999, the German government agreed to set up a fund similar to that of Switzerland to compensate victims exploited by German companies in the Nazi era.

—Frederick B. Chary

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many to Win World War II; Aug. 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration; Feb. 23, 1963: Play Accuses Pope Pius XII of Complicity in the Holocaust; May 23,

1981: Italian Justice Minister Resigns Because of Crime Connection; Aug. 6, 1982: Banco Ambrosiano Collapses Amid Criminal Accusations.

August 31, 1997

PRINCESS DIANA DIES IN A CAR CRASH

The death of Diana, princess of Wales, in a car crash in Paris led to international mourning, controversy, and scandal. The British royal family, especially Queen Elizabeth II, was severely criticized for its seemingly cold response to Diana's death. The crash also raised several questions, including the following: What circumstances placed Diana in the car with Dodi al-Fayed, the son of an Egyptian billionaire? Was the driver of Diana's and Fayed's car drunk? Was Diana's death an assassination? Did a cover-up hamper later investigations of the accident? What role did the paparazzi play in the crash?

LOCALE: Paris, France

CATEGORIES: Communications and media; law and the courts; publishing and journalism; royalty

KEY FIGURES

Diana, Princess of Wales (1961-1997), British princess and former wife of Prince Charles, heir to the British throne

Dodi al-Fayed (1955-1997), son of an Egyptian billionaire and Princess Diana's companion

Henri Paul (1956-1997), driver for Diana and Fayed, who crashed the car in which they were riding

Trevor Rees-Jones (b. 1968), Fayed's bodyguard

Mohamed al-Fayed (b. 1929), Dodi al-Fayed's father

Scott Baker (b. 1937), British coroner

SUMMARY OF EVENT

Diana, the princess of Wales, was an extremely popular international figure, beloved around the world for her philanthropy, and for her beauty. Many believe that she was the world's most photographed woman. This public fascination often put her at odds with the British royal family, which tried to observe royal protocol and procedures when in public, and with the press and paparazzi, who followed her incessantly.

Diana and her husband, Charles, prince of Wales, had divorced in 1996. The media followed Diana everywhere after the divorce. Being a humanitarian, she often was in the public spotlight, working on issues such as HIV-AIDS and unexploded land mines. The media was following her as well when she died in a car crash in Paris on August 31, 1997. The accident fueled a number of conspiracy theories, as many unusual circumstances and facts in the case remain unclear and unresolved.

In mid-1997, Diana was romantically linked to Dodi al-Fayed, who also died in the Paris crash. They had been seen together in public a number of times, and they even bought a ring together in Paris on the afternoon before the crash. Their relationship fueled rumors that they would become engaged the following day, September 1. Another rumor, later proven untrue, was that Diana was pregnant at the time of the crash and that Fayed was the father. Paparazzi followed Diana and Fayed everywhere, and reportedly harassed them to get photos of the famous couple.

Fayed's father, Mohamed al-Fayed, owned the Ritz Hotel in Place Vendôme Paris, where Diana and Fayed had stopped after having spent nine days on the elder Fayed's yacht. The Fayed family also owned an apartment on rue Arsène Houssaye, which is located near the Ritz Hotel and close to the Champs-Élysées. Diana and Fayed were planning to return to the apartment from the hotel. Henri Paul, the acting head of security for the hotel, was concerned about the number of paparazzi in front of the hotel, waiting for the couple to emerge. To elude the media, Paul planned for a decoy vehicle to leave from the front of the hotel. Diana and Fayed would leave the hotel from the rear entrance, with Paul serving as the chauffeur for their car, a Mercedes-Benz S280. Evidence would later show that Paul had been drinking alcohol at the hotel before the crash.

Diana, Fayed, Paul, and Trevor Rees-Jones, Fayed's bodyguard, departed the Ritz Hotel at 12:20 A.M. Fayed and Diana were seated in the rear of the Mercedes, while Paul and Rees-Jones were seated in the front. Upon leaving the hotel, Paul drove to an embankment road that runs beside the

Seine River to enter the Pont d'Alma tunnel. The posted speed limit for the tunnel was 50 kph (31 mph). The Mercedes then entered the tunnel about 12:23 A.M., at high speed. Paul lost control of the vehicle, causing it to veer left and strike the thirteenth pillar, which was not protected by a metal rail guard. The car was traveling at an estimated speed of about 118 kph (73 mph) before it struck the pillar.

Fayed and Paul died at the scene of the crash. Diana was critically injured but conscious. Photographers, who had followed the Mercedes into the underpass, were looming over the destroyed car. Pictures taken at the scene remain controversial, especially because Diana was alive after the crash. One of the photographers tried to help her out of the car but was unable to remove her. She reportedly uttered the words "oh my God" and later said "leave me alone" to the paparazzi when the emergency crew arrived at 12:32 A.M. A number of paparazzi were arrested when the police arrived; some of the photographers had been standing on the car taking pictures. Rees-Jones also was conscious and had suffered numerous facial wounds. He was the only survivor of the crash.

Diana was taken away from the scene by ambulance. To administer emergency treatment, the ambulance stopped for about one hour, only a few hundred meters from the Pitié-Salpêtrière Hospital in Paris. The emergency vehicle did not arrive at the hospital until 2:06 A.M., with the princess still alive. She died two hours later from fatal heart and lung injuries.

Conspiracy theories emerged quickly after the death of Princess Diana. Investigations into the driver's background showed that he had many bank accounts and had quietly accumulated extensive savings. He also was deemed negligent for driving drunk—his blood alcohol level was three times the legal limit—and he was



Officials at the scene of the car crash that killed Princess Diana and two others in Paris on August 31, 1997. (AP/Wide World Photos)



The coffin bearing the body of Princess Diana is taken into Westminster Abbey in London for funeral services. Standing watch are, from left and with backs turned, Prince Charles, Prince Harry, Earl Charles Spencer, Prince William, and Prince Philip. (AP/Wide World Photos)

1990's

speeding. Other theories alleged that Diana and Fayed were targeted for assassination because the British royal family did not want Fayed, a Muslim, to marry Diana. Even Fayed's father alleged that the husband of Queen Elizabeth II, Prince Philip, orchestrated his son's murder. Others contend that the British secret services and intelligence had Diana murdered to protect the royal family. Still others believe that Fayed was the target because his father had crossed others in failed business deals. All of these theories, along with many others, have been dismissed through subsequent investigations. Al-

though conspiracy theories continue to surround the crash, none yet have been supported by the facts of the case.

A number of detailed investigations, the first of which was conducted by French authorities, determined that the crash was an accident. A second investigation was initiated in 2004 by the coroner of the queen's household, Michael Burgess. The inquest was continued by London's Metropolitan Police and headed by Commissioner Lord Stevens, who looked into several conspiracy theories about the crash. London police published the results of its

investigation as the *Paget Report* on December 14, 2006. The report said there was no evidence of a conspiracy.

It is clear, however, that driver Paul had an excessive amount of alcohol in his system and was speeding at the time of the crash. Furthermore, investigations determined that none of the passengers in the car were wearing seatbelts when the Mercedes hit the pillar. According to investigation documents, all could have survived the crash had they been wearing their seatbelts.

Another inquest began on January 8, 2007, with discovery and continued in London's High Court on October 2. It was led by Coroner Scott Baker. On April 7, 2008, the inquest jury returned its verdict: Princess Diana and Fayed were "unlawfully killed" due to the gross negligence—and drunk driving—of driver Paul as well as the actions of the paparazzi. The jury of six women and five men also confirmed that the failure of Diana, Fayed, and Paul to wear seatbelts contributed to their deaths.

IMPACT

Princess Diana's death had immediate significance. Millions around the world mourned her death, watched her funeral on television, and witnessed an outpouring of donations. Bouquets of flowers by the hundreds of thousands were placed in front of Kensington Palace, Diana's home in London. Tens of thousands more bouquets were taken to her family's estate in Althorp.

The public clamored for Queen Elizabeth to comment on the loss of Diana, but the royal response was not fast enough. Many believed the queen was not expressing compassion. Elizabeth finally spoke about Diana on September 5, when she expressed the nation's shock at the loss and gave her personal tribute to the princess. The public mourning continued at her funeral on September 6, when an estimated crowd of more than three million gathered in the area around Westminster Abbey, and hundreds of millions of people around the world watched the funeral on television.

Princess Diana touched people near and far with her personal charm and humanitarianism. Many of her efforts continue through the Diana, Princess of

Wales Memorial Fund, which was initially started with money left by mourners at Kensington Palace and other locations. Diana's sons, Princes William and Harry, have assisted in this memorial effort, and they sponsored a concert on July 1, 2007, to mark the tenth anniversary of Diana's death. Some of the funds raised went to the memorial fund.

—Douglas A. Phillips

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September 22, 1997

SPORTSCASTER MARV ALBERT IS TRIED FOR SEXUAL ASSAULT

Veteran sportscaster Marv Albert was tried for assault and battery, including violent biting, and forcible sodomy against a woman with whom he had a long-term sexual relationship. His criminal trial turned into a scandal as intimate details of his unconventional sexual life, including rough sex and threesomes, became public knowledge.

LOCALE: Arlington, Virginia

CATEGORIES: Law and the courts; sex crimes; radio and television; popular culture

KEY FIGURES

Marv Albert (Marvin Philip Aufrichtig; b. 1941), television sportscaster

Vanessa Perhach (b. 1955), former hotel telephone operator

Roy Black (b. 1945), Albert's defense attorney

SUMMARY OF EVENT

In 1997, Marv Albert was the voice of New York sports, a role established over a period of more than three decades. His energetic and informed play-by-play calls, first in radio and later on television, as the voice of Madison Square Garden—most prominently in basketball (for the New York Knicks) and hockey (for the New York Rangers)—had defined him as one of the most influential sports announcers in the United States. He is especially known for his signature (and often imitated) catch-phrase “yessss.”

It was a peripatetic lifestyle that may have contributed to the allegations against Albert in the

spring of 1997. Vanessa Perhach, a forty-two-year-old former hotel telephone operator from Miami, Florida, had maintained an on-again, off-again sexual relationship with Albert for more than ten years (much of it through phone sex), during which Albert was married and then, after his 1992 divorce, engaged. According to Perhach's later testimony, she and Albert regularly met in different cities to engage in his preference for kinky sex, including threesomes (with a second man), rough sex, and his wearing of women's lingerie.

Albert, born Marvin Philip Aufrichtig, grew up in poverty in Brooklyn, New York, the son of a grocer. The young Albert had a passion for both New York and its sports franchises, called games in his bedroom for an imagined radio station, and got his humble start as a ball boy at the storied Madison Square Garden in Manhattan. As his career blossomed, he maintained close to a year-round commitment to sports broadcasting and established himself as something of a hip celebrity, appearing more than one hundred times on *The David Letterman Show* with his trademark sports-bloopers videos.

The specific charges against Albert involved a sexual liaison on February 12 at the Ritz-Carlton Hotel near Washington, D.C., after Albert had called a Knicks game in Landover, Maryland. According to Perhach, Albert had expected a third participant for sex that night at the hotel. After finding out that Perhach did not make the arrangements, he became extremely agitated and threw Perhach face down on the bed. In a frenzy, he then began to bite

her back (eighteen to twenty times, according to medical reports, one sufficiently deep enough to draw blood). Despite her repeated requests to stop, Albert insisted that rough sex was what she liked, and so continued. He allegedly sodomized her as well. Forcible sodomy and assault and battery are crimes punishable by life imprisonment.

DNA tests in August showed that the bite marks on Perhach's back were indeed made by Albert. At the criminal trial in northern Virginia, which began on September 22, 1997, Albert's attorney, Roy Black, a high-profile defense lawyer notable for securing the acquittal in 1991 of William Kennedy Smith, who had been tried for rape, argued that Perhach was a troubled woman who could not bear the idea of Albert ending their relationship (he was engaged to marry Heather Falkiner, a producer for the sports network ESPN).



Marv Albert's booking photograph from May 27, 1997. Albert was arrested by Arlington County (Virginia) police on assault and forcible sodomy charges. (AP/Wide World Photos)

Citing the film *Fatal Attraction*, Black portrayed Perhach as vindictive and desperate to destroy Albert. Virginia state shield laws prevented Black from introducing testimony that would have discussed Perhach's previous relationships (including with an abusive former husband) and evidence that Perhach had pursued sexual relationships with other celebrities. Black was able to suggest in court that Perhach had a six-week stay in a mental hospital in late 1996 after she attempted suicide. Also, Black argued that the sodomy between Albert and Perhach not only was consensual but also at her suggestion because she was not on birth control at the time.

After Perhach's emotional testimony on September 23 (during which Albert maintained a stoic demeanor, supported in court by his fiancée, his father, and his children), Black played an audiotape in which Perhach appeared to coach a Washington, D.C., taxi driver who had picked up Albert the night of the alleged attack to testify that Albert had been agitated and had vehemently requested the third participant. Although this damaged Perhach's credibility, the prosecution then introduced a surprise witness, another woman who testified that between 1993 and 1994, Albert had made similar requests for rough sex, had bitten her twice, and tried to forcibly sodomize her. The surprise witness's testimony proved devastating, as it established a pattern of behavior.

Black moved quickly in response. First, he petitioned (successfully) to have the more serious charge, forcible sodomy, dismissed (it was impossible to determine consent legally) and then advised Albert to plead guilty to the misdemeanor charge of assault and battery, thus ending what had become a carnival atmosphere in the media.

Albert was given a relatively light twelve-month suspended sentence, extensive counseling, and a guarantee that his record would be expunged if he refrained from similar sexual activities in that time. He also received no fine.

Albert, fifty-six years old and with his career and reputation in shambles, apologized during a brief posttrial statement, saying he never imagined Perhach was not a willing participant. Within hours,

Albert was fired by NBC, even after the network had stood by its broadcaster throughout the long summer after the grand jury brought the initial charges against him. He then resigned from his announcer position at Madison Square Garden.

Women's rights activists vehemently denounced Albert's light sentence, arguing that the lack of jail or prison time sent the wrong message: that once again, the American legal system sided with a male perpetrator, turning him into a victim, and instead allowed the female victim to be portrayed as the victimizer. However, the reality was far less dramatic. Although Perhach's relationship history was not permitted in court (Black later would say that decision had cost his defense nearly 90 percent of its material), the decision to move to a plea agreement was made because Black recognized the only way to counter the second woman's testimony would have been to put Albert on the stand. Doing so would have cleared the way for potentially damaging (and humiliating) questions by the prosecution. The plea agreement was Black's only legal option to avoid jail or prison time for his client.

IMPACT

It is difficult to shape Albert into a conventional cautionary figure. The same year he could have been imprisoned for life, he also was elected to the Basketball Hall of Fame for outstanding media contribution to the sport. Less than one year after his plea agreement—and with an expunged record—a contrite Albert was rehired by Madison Square Garden to call Knicks games on radio, where he remained until a dispute over the direction of the team led to his termination. When Madison Square Garden management initially rehired Albert, it cited not only his stellar credentials and loyal fan base but also his successful year of therapy. After the Garden, he joined the prestigious sports division of cable television network TNT. His sportscasting career continued unabated.

Feminist groups were outraged at the lack of condemnation against Albert after his conviction, citing a system that destroys the lives and careers of women but allows male perpetrators to return to

their careers unscathed. Albert quickly reestablished himself as one of basketball's most informed and charismatic broadcasters (indeed, media critics argued the notoriety only increased his value in a market driven by celebrity). In June, 2008, he was a television commentator for the postseason games of the National Basketball Association, calling the finals' series between the Los Angeles Lakers and Boston Celtics.

Little is known of what happened to Perhach after the trial. She intimated, through her attorney, that she might pursue a civil lawsuit against Albert, but none was ever filed.

In the long term, the Albert sex scandal reveals that such scandals in a media age do not, in fact, have long runs. Whatever impact the case had on Albert's career was a short one, and it was soon forgotten, or simply disregarded. For the tawdry celebrity trials that followed, the Albert trial became a template with the following characteristics: extravagant media scrutiny, the blurring of the line between tabloid news and respectable press coverage, a focus on a marginal celebrity whose eccentric private life was deemed suitable for public investigation, a clash of high-profile attorneys, and a lurid mix of sex and power. In the aftermath, the beloved scandals that are celebrity trials offer irrefutable evidence of a contemporary culture's inability to sustain either its curiosity or its outrage.

—Joseph Dewey

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with the salacious details of the private lives of celebrities.

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SEE ALSO: Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Feb. 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial; July 28, 1980: Magazine Reveals Baseball Star Steve Garvey's Marital Problems; July 26, 1991: Comedian Pee-wee Herman Is Arrested for Public Indecency; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Apr. 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct; July 1, 2003: Basketball Star Kobe Bryant Is Accused of Rape; Early Nov., 2003: Paris Hilton Sex-Tape Appears on the Web; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation; June 13, 2008: Singer R. Kelly Is Acquitted on Child Pornography Charges.

November 26, 1997

CANADIAN HEALTH COMMISSIONER RELEASES REPORT ON TAINTED BLOOD

During the 1980's, blood tainted with the human immunodeficiency virus, or HIV, and hepatitis C entered the Canadian blood supply. Justice Horace Krever led a commission in 1993 that began an inquiry into the tainted blood and the Canadian government's response to the emergency. The resulting document, the Krever Report, was released in 1997.

ALSO KNOWN AS: Health Management Associates scandal

LOCALE: Canada

CATEGORIES: Drugs; medicine and health care; government; law and the courts; business

KEY FIGURES

Horace Krever (fl. 1990's), Ontario Court of Appeals justice, 1986-1999, and chairman of the Krever Commission, 1993-1997

Roger Perrault (b. 1937), national director of the Canadian Red Cross Society, 1974-1991

John Furesz (fl. 1990's), director of Canada's Bureau of Biologics, 1974-1992, and member of the Canadian Blood Committee

SUMMARY OF EVENT

During the late 1970's and throughout the 1980's, Canada faced a massive outbreak of human immunodeficiency virus, or HIV, and hepatitis C cases among hemophiliacs and blood-transfusion recipients. In response, a Canadian House of Commons committee authorized an inquiry into the possible contamination of the blood supply and requested recommendations for policies to maintain a safe and efficient supply of blood.

Ontario Court of Appeals justice Horace Krever, one of the country's foremost experts on the confidentiality of health records, was appointed to lead the Royal Commission of Inquiry on the Blood System in Canada, or the Krever Commission. Public hearings began on November 22, 1993. The commission heard testimony from those infected and

from doctors, officials of the Canadian Red Cross Society (CRCS), and organizations responsible for blood collection and distribution. The hearings ended in December, 1995, after testimony from close to five hundred persons and a cost of millions of dollars.

The CRCS, founded in 1896, was responsible for the majority of blood and blood-components coordination, collection, and distribution. The Canadian government did not regulate the CRCS because of the organization's excellent reputation. The Canadian Blood Committee (CBC) was established in 1981 to financially manage the blood supply system throughout Canada. The blood system as a whole was uncoordinated and inefficient, with no clear line of authority, so that the agencies involved could not respond quickly to a widespread emergency. Until 1989, the federal Canadian government had no legal control over whole blood and its components.

During the 1970's, more than 200,000 Canadians received blood or blood products annually, including approximately twenty-three hundred hemophiliacs, those who have a blood-clotting disorder. By 1971, testing was available to detect hepatitis B, and the CRCS no longer collected blood from prisons, where the hepatitis rate was higher than in the general population. By 1974, the first cases of hepatitis C (originally called non-A and non-B hepatitis) were identified and found to be transmitted through blood transfusions. Hepatitis C can lie dormant for up to twenty-five years and cause liver cancer and cirrhosis. Effective tests were available by 1986, but the CRCS did not begin testing until 1990, and unscreened plasma was given to patients through 1992.

By March, 1983, the United States was screening all persons considered part of a higher-risk group for acquired immunodeficiency syndrome (AIDS), an autoimmune disease that develops from HIV. Persons no longer allowed to donate blood included gay men, Haitians, intravenous-drug users, and their sexual partners. The U.S. Food and Drug Administration (FDA), however, allowed the export of tainted plasma from prisons in Arkansas and Louisiana to Canada during the 1980's. By this time, the

FDA already had ruled that prisoners' plasma was too unsafe for the manufacture of blood products in the United States. Health Management Associates (HMA), the company that ran the Arkansas prisoners' plasma program from 1978 to 1994 and bought prisoners' plasma from Louisiana, purchased most of the tainted plasma from the Cummins Unit, a correctional facility in Arkansas. The Arkansas Department of Corrections sold the inmates' blood to HMA, which then sold it to North American Biologics, a subsidiary of Continental Pharma Cryosan, a blood broker in Montreal. Cummins was known to have used dirty needles and for failing to test donors for AIDS and hepatitis C. The FDA accused the prison of numerous violations during the early 1980's and ordered its closure, but HMA continued to sell inmates' blood to Connaught Laboratories, a Canadian company.

Even though potential donors were being screened in the United States in early 1983, Roger Perrault, national director of the CRCS, implemented a policy of asking members of higher-risk groups to not donate, but to refrain voluntarily. Especially in the face of a severe shortage of blood, it would be poor policy to question potential donors, who were being generous by donating. To question them showed distrust. In August, 1982, John Furesz, director of Canada's Bureau of Biologics, which was responsible for regulating blood products, asked the CRCS to report new cases of HIV and AIDS. The request was rejected because the CRCS believed that hemophiliacs were not at risk of HIV infection and that such risk was exaggerated and inconclusive.

The CRCS began screening Canadian blood donations for the HIV antibody in November, 1985. Potential donors were given health-related information and asked if they were in good health, but they were not asked about sexual activities or drug use until 1986. The Bureau of Biologics did not insist that blood donors be informed about AIDS symptoms or asked if they had symptoms of AIDS, nor were they asked if they were in a higher-risk group. The bureau also did not require that higher-risk groups be excluded from donating blood.

The Krever Commission released an interim re-

port on February 15, 1995, containing forty-three recommendations. The report called for a comprehensive, effective program to provide transfusion recipients with information about the risks of HIV. Other major recommendations included that hospitals notify all patients who had transfusions between 1978 and 1985 about the risk of developing AIDS, and to notify all patients who received blood or blood products between 1978 and 1990 about the risk of hepatitis C.

By the time the final report was released on November 26, 1997, many of the recommendations from the interim report had been enacted. The Krever Report found misconduct at every level. Among the findings were that the CBC failed to create a national blood policy and regulate donations; it also failed to provide quality blood products to hemophiliacs. The report found that the CRCS failed to oversee and provide resources for the blood system, to recognize HIV transmission by blood, and to implement donor screening, and that the CRCS underestimated the risk of HIV transmission.

IMPACT

The tainted blood scandal was the worst preventable public health disaster in Canadian history. The Krever Report of 1997 highlighted numerous problems with Canada's blood system, and Canadian governmental bodies began working to establish a new blood system to improve safety.

In September, 1998, the blood-related tasks of the CRCS were taken over by the newly formed Canadian Blood Services (CBS). CBS had the authority to oversee and integrate services and provide accountability. In addition, the federal government tightened regulations for improving manufacturing standards, reporting adverse drug reactions, and sharing information on transfusion risks. CBS also would provide national control over the blood system. Also in 1998, provincial and federal governments began authorizing compensation for those infected by tainted blood and blood products.

THE KREVER REPORT

The Krever Commission, which was formed to investigate the tainted Canadian blood supply, released its report on November 26, 1997. In that report, Chairman Horace Krever includes a statement he made on the first day of hearings in 1993, ensuring people that the purpose of the hearings was to find facts, and not to condemn.

On 22 November 1993, the first day of public hearings, in the course of my introductory comments about the Inquiry, I made the following statement about its purpose: It is not and it will not be a witch hunt. It is not concerned with criminal or civil liability. I shall make findings of fact. It will be for others, not for the commission, to decide what actions if any are warranted by those findings.

I shall not make recommendations about prosecution or civil liability. I shall not permit the hearings to be used for ulterior purposes, such as a preliminary inquiry, or Examination for Discovery, or in aid of existing or future criminal or civil litigation.

As I interpret the terms of reference, the focus of the Inquiry is to determine whether Canada's blood supply is as safe as it could be and whether the blood system is sound enough that no future tragedy will occur. For those purposes it is essential to determine what caused or contributed to the contamination of the blood system in Canada in the early 1980's.

We intend to get to the bottom of that issue, let there be no mistake about that.

Source: Library and Archives Canada, July, 2008.

In April, 2001, the Supreme Court of Canada ruled that the CRCS was negligent in managing the blood system. In November, 2002, the CRCS and four physicians, including Perrault and Furesz, were charged with criminal negligence. In May, 2005, the CRCS was fined five thousand dollars for its role in the tainted blood scandal, a small amount, but the maximum amount allowed for the charge of distributing a contaminated product. Six other criminal charges were dropped. In October, 2007, after an eighteen-month trial, all the physicians were acquitted of criminal negligence charges.

The cost in terms of human suffering and death was substantial. By 1985, about eight hundred hemophiliacs were infected with HIV. Approximately

1,148 cases of AIDS were attributed to transfusions received between 1978 and 1985, and 627 of these persons were dead by 1993. Since infected recipients and donors were not identified, located, and treated, the number of people actually infected was higher because it included family members infected through sexual and maternal transmission. Between 1986 and 1990, 28,600 people were infected with hepatitis C by blood transfusion, even though heat-treated products and AIDS screening tests were available. Eighty-six percent of the infections could have been prevented had adequate screening techniques been introduced in 1986, the year they first became available. Approximately 95 percent of the hemophiliacs who received blood products before 1990 contracted hepatitis C. The Krever Report estimated that as many as twenty thousand Canadians contracted AIDS and more than sixty thousand had been infected with hepatitis C.

With multiple layers of testing and screening, the blood supply by 2007 was considered safe. More funding boosted safeguards at laboratories and other health facilities and helped to increase the monitoring of international trends and other related health concerns.

—Virginia L. Salmon

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December 11, 1997

HUD SECRETARY HENRY CISNEROS IS INDICTED FOR LYING TO FEDERAL AGENTS

U.S. Housing and Urban Development secretary Henry Cisneros, a rising star in the Democratic Party and a successful businessman and respected community leader, broke the public trust when he was indicted for conspiracy, lying, and obstructing justice by trying to hide facts regarding money he provided to a former mistress. He was convicted but served no prison time. The scandal ended his political career but not his business career.

LOCALE: Washington, D.C.

CATEGORIES: Law and the courts; politics; corruption; government; sex

KEY FIGURES

Henry Cisneros (b. 1947), mayor of San Antonio, Texas, 1981-1989, and head of the U.S. Department of Housing and Urban Development, 1993-1996

Linda Jones Medlar (b. 1948), Cisneros's former campaign aide and former mistress

David M. Barrett (b. 1936 or 1937), White House independent counsel

SUMMARY OF EVENT

Henry Cisneros, the nominee for U.S. secretary of Housing and Urban Development (HUD) in late 1992, was under scrutiny by the Federal Bureau of Investigation (FBI) for misrepresenting facts about payments he made to his former campaign aide and mistress, Linda Jones Medlar. Cisneros never denied paying Medlar, and he even met with representatives of the transition team for president-elect Bill Clinton to discuss both his relationship with Medlar and his payments. However, what remained unclear to investigators was how much he paid her and for how long. What led to scandal was his failure to tell the truth to the FBI.

Cisneros, who was the first Latino mayor of a major U.S. city, had ended the affair with Medlar

near the end of 1989 and reconciled with his wife, who had filed for divorce. He made a verbal agreement with Medlar to pay her \$4,000 per month until she could find a job or until her daughter completed college. Cisneros admitted his payments were inconsistent and that he could no longer afford them once he became HUD secretary in January, 1993; he did continue to pay her some money for about one more year. In July, 1994, Medlar sued Cisneros for \$256,000 for breach of contract. She maintained in the suit that he promised to pay her for emotional distress and loss of livelihood following their affair and that he publicly disclosed private information about her without her knowledge and consent.

On September 12, Medlar appeared on the television show *Inside Edition* and claimed that Cisneros had lied to the FBI during its background check of the nominee. *Inside Edition* also broadcast excerpts from audiotapes Medlar recorded without Cisneros's knowledge. The tapes included statements made by Cisneros that contradicted what he told the FBI about the payments to Medlar. The U.S. Justice Department began its investigation in March, 1995, as U.S. attorney general Janet Reno requested an independent counsel to investigate the matter. David M. Barrett was appointed for that job in May. Soon after Barrett's appointment, Cisneros settled Medlar's 1994 lawsuit for \$49,000. Barrett then granted Medlar immunity from prosecution in exchange for her cooperation in building a case against Cisneros. In January, 1997, Cisneros resigned as HUD secretary, stating that he needed to be with his family.

Close to one year later, on December 11, Cisneros was indicted by a federal grand jury on eighteen counts of conspiracy, making false statements to the FBI, and obstructing justice. The indictment charged that Cisneros made frantic efforts prior to, during, and after his confirmation as HUD secretary to ensure that Medlar did not reveal the true nature of the love affair, which began in 1987, and the actual amount of money she received from him.

Cisneros denied the grand jury's allegation that his payments to Medlar amounted to hush money. He said the payments were humanitarian in nature. The grand jury also maintained that Medlar had threatened to publicly expose the affair and payoff.

In June, 1999, Cisneros's lawyers attacked Medlar's credibility. One of Medlar's former attorneys testified that Medlar had been lying, especially about more than thirty conversations with Cisneros that she had secretly taped between 1990 and 1994. Medlar claimed that she taped her conversations so that she would have a record of Cisneros's promises of financial assistance. When payments ceased, Medlar took the tapes to her lawyers. She also claimed her lawyers told her to edit the tapes to remove any portions that could suggest she was threatening Cisneros. In September, 1996, an analysis of the tapes verified that they were altered.

Medlar would soon be charged in a case involving bank fraud in Texas and was sentenced to three and a half years in prison. Nevertheless, prosecutors agreed to seek a reduced sentence for the bank fraud conviction in return for her full cooperation in the Cisneros case. The subsequent hearings focused on the admissibility of the tapes after Medlar reaffirmed that she edited several of them. Prosecutors argued that the tapes, which contained discussions by Cisneros of ways to mislead investigators, were critical to the case, and the court agreed. Had the tapes not been allowed as evidence, the prosecution would have had to rely on Medlar's testimony alone and on a complicated trail of financial records.

Cisneros pleaded guilty in September, 1999, to a single misdemeanor charge of lying to the FBI about the money. He had pleaded not guilty in January, 1998, to a felony charge of lying to the FBI about the payments. As part of a plea agreement, Cisneros admitted to lying to federal agents and paid a \$10,000 fine. However, he was spared a prison sentence or probation and thus was free to seek elected office if he so desired.

Difficult issues affected both sides of the case. Barrett had to convince a jury that Cisneros committed a crime. Doing so was complicated because Cisneros had earlier acknowledged both the affair and the payments; his crime was understating the

amount of money involved by lying to the FBI. Cisneros risked the embarrassment of having his private life made public. Both sides concluded that the plea agreement was the appropriate way to handle the case.

IMPACT

The payments controversy affected not only Cisneros's personal life but also his professional life, and his prosecution confirmed the consequences of lying to the FBI. First, the Cisneros scandal was one in a line of controversies involving President Clinton's cabinet. Others who were investigated by independent counsels include former agriculture secretary Mike Espy, commerce secretary Ronald H. Brown, interior secretary Bruce Babbitt, and labor secretary Alexis M. Herman.

Barrett would continue his investigation for several years after Cisneros was convicted, believing the Internal Revenue Service and the Department of Justice were blocking his inquiries. This investigation ended in early 2006 at a cost to taxpayers of about \$22 million.

Second, the aggressive nature of the FBI's investigation of Cisneros for lying to agents reflects the bureau's insistence on maintaining its integrity and on investigating perjurers, even those in high government office. Third, the indictment and conviction changed Cisneros's career plans. He had been a rising star in politics, but after the scandal, his plans did not include politics. He moved from San Antonio, severing deep family roots there, to Los Angeles to engage in new business ventures, but he reportedly returned to San Antonio. He was pardoned by President Clinton in 2001.

—Victoria Price

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January 17, 1998

PRESIDENT BILL CLINTON DENIES SEXUAL AFFAIR WITH A WHITE HOUSE INTERN

Allegations of having lied under oath about an inappropriate sexual relationship with White House intern Monica Lewinsky led to the impeachment of U.S. president Bill Clinton by the House of Representatives but his exoneration by the Senate.

ALSO KNOWN AS: Lewinsky affair; Zippergate; Monicagate

LOCALE: Washington, D.C.

CATEGORIES: Sex; government; politics; publishing and journalism

KEY FIGURES

Bill Clinton (b. 1946), president of the United States, 1993-2001

Monica Lewinsky (b. 1973), former White House intern

Kenneth Starr (b. 1946), White House independent counsel

Linda Tripp (b. 1949), long-time federal employee

Hillary Rodham Clinton (b. 1947), First Lady, 1993-2001, U.S. senator from New York, 2001-2009, and Secretary of State, 2009-

SUMMARY OF EVENT

Even before Bill Clinton was elected U.S. president in November, 1992, his campaign was troubled by rumors of improprieties. Opponents questioned his role in the failure of the Whitewater Development Corporation, a real estate firm, while he was governor of Arkansas, and he was accused of at least one extramarital affair, all claims that brought his character into question. First Lady Hillary Rodham Clinton, later U.S. senator from New York and a

Democratic presidential candidate, made it clear that she had forgiven her husband for the affair and considered the matter closed.

Clinton's administration progressed, but rumors continued to emerge, claiming repeated infidelities by the president. Arkansas state police officers reportedly had procured women for Clinton while he was governor and allegedly were fired if considered a political liability. Such rumors gained a certain believability in 1993 when news of the firing of several employees at the White House Travel Office was leaked to the press. Questions of financial improprieties also arose during this time, but White House independent counsel Kenneth Starr could not find evidence of wrongdoing by the president or First Lady.

However, the image of an administration riddled with scandal persisted, and it became an issue in the 1996 presidential election. Campaign contributions from persons connected with the People's Republic of China raised serious questions about foreign influence upon elections in the United States and led to reconsideration of the laws governing campaign contributions. Still, Clinton was reelected for a second term as president.

During Clinton's second term, questions of sexual misconduct came to the fore. Two women alleged that Clinton had made inappropriate sexual advances toward them while he was governor of Arkansas. However, neither allegation had been proven in court, and in the case of one woman, the statute of limitations had long since expired, making it impossible to bring the case to trial. All the same, Starr would come to consider the allegations reason to look more deeply into Clinton's sexual conduct.

Starr's investigations led him to Paula Jones, a former Arkansas state employee who had sued Clinton for sexual harassment in connection with an encounter in a hotel room in Little Rock, Arkansas. Her story was a textbook case of sexual harassment: She had been summoned to the room on the pretext that she needed to take care of some job-related business. However, when she arrived, Clinton (then governor) allegedly propositioned her and suggested that things could go badly for her if she did



Monica Lewinsky. (AP/Wide World Photos)

not acquiesce. She subsequently claimed that she was as surprised by the crudity of his advance as by the act itself and had expected a man as handsome and intelligent as Clinton to have better pick-up lines. Jones's suit was ultimately dismissed because she was unable to prove damages for refusing Clinton's request for sexual favors.

Linda Tripp, a staff member in the Pentagon's public affairs office and a former White House administrative assistant, was the next person to enter the developing scandal. In September, 1997, Tripp began to secretly record telephone conversations she had with Pentagon coworker Monica Lewinsky, a former White House intern. According to Tripp, Lewinsky (before being taped) told her about having had sex with the president. In the secretly recorded conversations, in which Lewinsky elaborates on her relations with the president, Lewinsky tells Tripp that she kept as a memento a blue dress with evidence (semen stains) that the relationship with Clinton had been a physical one. On January 7, 1998, Lewinsky declared in a signed affidavit for the Jones case that she had never had sex with the

president. Tripp learned of the affidavit and, believing Lewinsky lied, gave the tapes to Starr on January 12.

On January 17, Clinton was deposed in the Jones case and swore that he never had “sexual relations” with Lewinsky. Four days later, the *Los Angeles Times*, *The Washington Post*, and *ABC News* reported that Starr was investigating the president’s sexual ties to Lewinsky. In interviews with the press later that day, Clinton further denied extramarital relations. Months later, when confronted with evi-

dence from the Federal Bureau of Investigation that his DNA (deoxyribonucleic acid) matched the sample taken from Lewinsky’s dress, Clinton admitted to having had “inappropriate intimate contact” with Lewinsky but also equivocated about the precise meaning of the term “sexual relations.” Although technically his attempt to restrict the term to vaginal intercourse had some grounds, it did not match with the intuitive definition held by many people. He insisted as well that he did not lie in his January deposition.

BILL CLINTON’S CONFESSION

On August 17, 1998, following his grand jury testimony, U.S. president Bill Clinton spoke to the American people and admitted to his affair with White House intern Monica Lewinsky. He urged the nation to focus its attention on urgent matters of public concern.

This afternoon in this room, from this chair, I testified before the Office of Independent Counsel and the grand jury. I answered their questions truthfully, including questions about my private life, questions no American citizen would ever want to answer. Still, I must take complete responsibility for all my actions, both public and private. And that is why I am speaking to you tonight.

As you know, in a deposition in January, I was asked questions about my relationship with Monica Lewinsky. While my answers were legally accurate, I did not volunteer information. Indeed, I did have a relationship with Ms. Lewinsky that was not appropriate. In fact, it was wrong. It constituted a critical lapse in judgment and a personal failure on my part for which I am solely and completely responsible.

But I told the grand jury today and I say to you now that at no time did I ask anyone to lie, to hide or destroy evidence or to take any other unlawful action. I know that my public comments and my silence about this matter gave a false impression. I misled people, including even my wife. I deeply regret that. . . .

It is time to stop the pursuit of personal destruction and the prying into private lives and get on with our national life. Our country has been distracted by this matter for too long, and I take my responsibility for my part in all of this. That is all I can do. Now it is time—in fact, it is past time—to move on. We have important work to do—real opportunities to seize, real problems to solve, real security matters to face.

And so tonight, I ask you to turn away from the spectacle of the past seven months, to repair the fabric of our national discourse, and to return our attention to all the challenges and all the promise of the next American century.

Some considered the media’s continual focus on the precise nature of Clinton’s extramarital activities, rather than upon whether his denial of them in a sworn deposition constituted perjury and obstruction of justice, to be far more inappropriate than the acts themselves. By focusing so intensely upon sexual details, critics argued, the media was appealing to the prurient interest of its readership rather than to the very serious questions about rule of law.

On September 10, Starr delivered his report to the House of Representatives. The report was released to the public the following day. By December 19, the House passed articles of impeachment against President Clinton, making him only the second U.S. president to be impeached (Andrew Johnson was impeached over his conduct of Reconstruction; Richard Nixon resigned before articles of impeachment could be passed against him for his role in Watergate). Because this act followed a congressional election that had significantly shifted the composition of the House in favor of the Democrats, some commentators felt that it was a last-ditch effort by outgoing Republicans to attack a president they despised. Thus, it was in a heavily partisan atmosphere that the U.S. Senate’s impeachment trial began on January 7, 1999.

As provided by the U.S. Constitu-



Bill Clinton speaks after his impeachment by the House of Representatives on December 19, 1998. From left is Representative Richard Gephardt, Clinton, Vice President Al Gore, and First Lady Hillary Rodham Clinton. (AP/Wide World Photos)

tion, the trial was presided over by U.S. Supreme Court chief justice William H. Rehnquist. Thirteen members of Congress served as managers of the trial, the functional equivalent of prosecutors. They were led by Senator Henry Hyde of Illinois, who was notable for his insistence that the focus must be kept upon the questions of perjury and obstruction of justice and not on Clinton's extramarital affairs per se, which were better left a private matter between the president and First Lady. After nearly a month of testimony, on February 12, the Senate returned verdicts of not guilty on both counts.

IMPACT

Although Clinton was formally acquitted of the charges against him by the Senate and, thus, continued in office until the end of his term on January 20, 2001, he was subsequently cited for contempt of court by a federal district judge for his refusal to

fully cooperate in the Paula Jones case. As a result of his citation and fine, he was disbarred (stripped of his license to practice law) by the Arkansas Supreme Court, which led to his suspension from the bar of the U.S. Supreme Court.

Although many people believe the media had discredited itself by its excessive focus on the president's sexual conduct, even comparing reputable news outlets to supermarket tabloids, the question of honesty and moral character weighed heavily in the 2000 presidential election. Vice President Al Gore's personal connection to Clinton was a strike against him, while Texas governor George W. Bush's squeaky-clean image of prosaic devotion to his wife, Laura Bush, promised an administration that would not be riddled with sexual scandals.

Years later, as Hillary Clinton began her campaign for the 2008 presidential election, the shadow of the Lewinsky scandal hung over her candidacy.

More than a few people feared that having Hillary Clinton in the White House would mean four years of a womanizing Bill Clinton in the White House as well.

—Leigh Husband Kimmel

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Great Events from History

Modern Scandals

1904-2008

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Volume 3

1998-2008

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Carl L. Bankston III

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Great Events from History

Modern Scandals

1904-2008

April, 1998

SCOTTISH HISTORIAN IS CHARGED WITH PLAGIARISM

Scottish historian and biographer James A. Mackay was first accused of plagiarizing the works of others for his noted biography Alexander Graham Bell (1997). Further plagiarism charges were leveled against other works, including his biographies of John Paul Jones, Andrew Carnegie, William Wallace, and Mary, Queen of Scots. The long string of fraud allegations marred his reputation as a scholar and, in effect, ended his career as a writer.

LOCALE: Glasgow, Scotland

CATEGORIES: Cultural and intellectual history; hoaxes, frauds, and charlatanism; publishing and journalism; plagiarism; public morals; ethics

KEY FIGURES

James A. Mackay (1936-2007), Scottish historian and biographer

Robert V. Bruce (b. 1923), professor emeritus, Boston University

SUMMARY OF EVENT

James A. Mackay became a renowned historian and biographer through his studies of stamps and coins, his scholarship on poet Robert Burns, and his 1996 biography *Michael Collins: A Life*. In 1997, he published the biography *Alexander Graham Bell: A Life*, which had marketable success. Mackay then faced a stunning accusation from Robert V. Bruce, a professor emeritus at Boston University. In April, 1998, Bruce accused Mackay of plagiarizing his work and the work of others in writing the Bell biography.

Bruce detailed the questionable passages, some of which were multiple pages in length, which were taken from his biography *Bell: Alexander Graham Bell and the Conquest of Solitude* (1973). The passages in Mackay's book retained a remarkable similarity—some even identical. Bruce found 285 pages (of Mackay's 297) with lifted material. Fur-

thermore, he noted that Mackay, in the biography, acknowledged and thanked the Bell Collection archives of the National Geographic Society (NGS), archives that had been relocated to the Library of Congress during the mid-1970's. Mackay published his book more than twenty years after the Bell archives at the NGS was moved. More charges of plagiarism were leveled against Mackay, charges related to his other biographies.

While Bruce's accusation against Mackay was the opening salvo, another scholar, Graeme Morton, a lecturer in economic and social history at the University of Edinburgh in Scotland, wrote in a journal article that Mackay's biography *William Wallace: Brave Heart* (1995) was strikingly reminiscent of Sir James Fergusson's 1938 biography of the thirteenth century Scottish patriot William Wallace. Morton found lifted arguments, structure, and even entire paragraphs. Mackay's *William Wallace* was reprinted nonetheless.

Mackay's career began as an assistant keeper at the British Museum, and he also worked as a columnist for the *Financial Times*. He went on to research stamps and coins and produced *History of Scottish Postmarks, 1693-1978* (1978), a landmark work on Scottish stamps. He received the distinguished Saltire Award in 1992 for his work on Burns and had been a well-respected historian and scholar of Scottish history. He had received an honorary doctorate in literature from Glasgow University in 1993. His name accompanies more than two hundred books and ten thousand articles, and he edited *The Burns Chronicle* for several years. He published six biographies in three years and had plans for more. Prior to his notorious work on Bell, Mackay was known for his histories of Scottish figures, including Allan Pinkerton, Andrew Carnegie, and Sir Thomas Lipton.

In 1998, Mackay's biography on Bell was published in an American edition, and *The New Yorker* magazine and *The New York Times* praised the work in reviews. It was about this time that Bruce, whose

biography of Bell was a runner up for a Pulitzer Prize in 1974, first began to pay attention to Mackay's book, finding that Mackay had duplicated letters between Bell and his wife that were included in his 1973 biography, and that Mackay did so without attribution. This revelation was the main trigger in the scandal, leading Bruce to inspect more of Mackay's biography. What he found led him to contact Mackay's American publisher, John Wiley & Sons, to alert them to the plagiarism. To avoid being sued by Bruce, Wiley agreed to destroy all American editions of the book that were still with distributors and booksellers.

Another Mackay work is the formidable biography of Mary, Queen of Scots. That book, *In My End Is My Beginning* (1998), was found to be reminiscent—or, in some places, more like a carbon copy—of Antonia Fraser's monumental and best-selling work *Mary, Queen of Scots* (1969). Mackay's biography of John Paul Jones, *I Have Not Yet Begun to Fight: A Life of John Paul Jones*, was dissected upon its publication in 1999. Journalists and scholars investigated the book carefully, even comparing it to *John Paul Jones: A Sailor's Biography* (1959) by Samuel Eliot Morison. Once again, a pattern emerged. Entire passages matched Morison's words, and in those instances in which the words did not match, Mackay used similar sentence structure and made comparable use of sources.

Mackay was adamant throughout the string of accusations that he had not plagiarized. Instead, he argued, he had used similar sources but never consciously copied material from previous biographers. The only charge to which he acquiesced was his use of the letters between Bell and his wife, which Mackay had assumed were in the public domain. He later apologized to Bruce for using the letters.

IMPACT

Following the accusations of plagiarism, Mackay's British publisher, Mainstream, terminated all pending contracts with the author and did not seek any further work from him. His books on Bell and Jones, and on Mary, Queen of Scots, were removed from circulation in the United States by his Ameri-

can publishers. His work on Carnegie was removed from the shelves of British booksellers in 1999 after he was accused of plagiarizing parts of that work as well.

Also receiving greater scrutiny after the 1998 scandal was the work for which Mackay received great accolades and was awarded the Saltire Prize in 1993: the biography of Burns. Andrew Noble, a senior lecturer at the University of Strathclyde and coeditor of *The Canongate Burns* (2001), revealed that Mackay's biography of Burns contained similar passages from a little-known nineteenth century work, *The Life and Works of Robert Burns* (1852), edited by Robert Chambers. Given this new round of accusations, it seemed that Mackay would never write again, or get published. His name and reputation had been permanently marred. However, he still maintained some degree of credibility because of his earlier work on Burns and still was accepted as a foremost authority on the early Scottish poet.

—Meredith A. Holladay

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tin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

April 7, 1998

POP SINGER GEORGE MICHAEL IS ARRESTED FOR LEWD CONDUCT

In 1998, pop singer George Michael was arrested by an undercover Beverly Hills police officer for engaging in a lewd act in a public restroom. Michael, who paid a fine and did community service, incorporated the incident into a song and music video. His arresting officer sued him for slander because of the song and video, but lost his case. After the arrest, Michael also came out as gay.

LOCALE: Beverly Hills, California

CATEGORIES: Drugs; law and the courts; music and performing arts; popular culture; public morals; publishing and journalism; sex crimes

KEY FIGURES

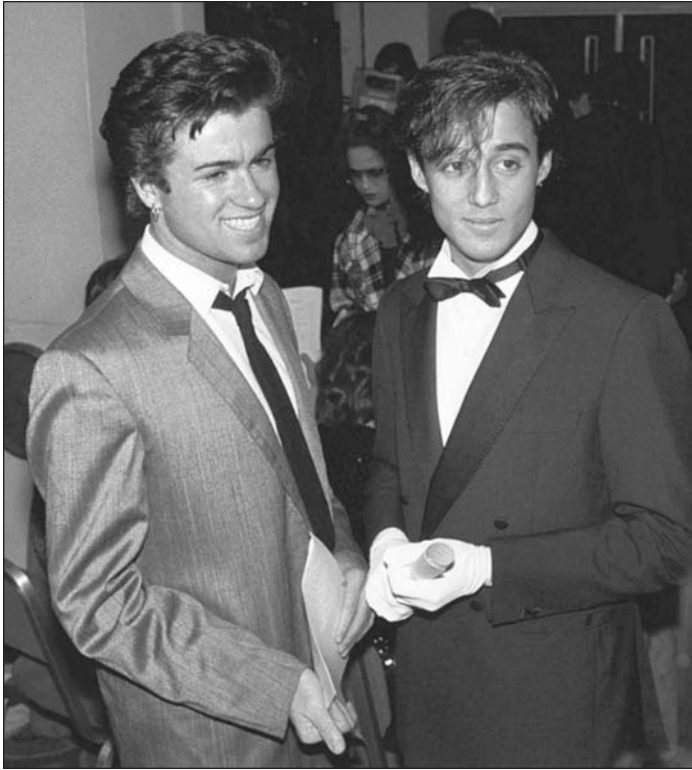
George Michael (Georgios Kyriacos Panayiotou; b. 1963), British pop singer
Marcelo Rodriguez (fl. 1990's), Beverly Hills police officer

SUMMARY OF EVENT

The 1980's brought the British pop duo Wham! out of its native Great Britain and into the forefront of the American music scene. Singing peppy tunes such as "Wake Me Up Before You Go Go" and sad

ballads such as "Careless Whisper," the duo, made up of George Michael and Andrew Ridgeley, attracted a fairly broad audience. Flashy singer Michael drew much press attention for his alleged relationships with a variety of celebrities, ranging from Whoopi Goldberg to Brooke Shields. However, Michael knew he was gay from a relatively young age and had been out to much of his family, including one sister, by the time he was nineteen years old.

By the end of 1986, Wham! disbanded, and Michael launched his own career. He had a number of hits, including "Faith" and "I Want Your Sex," and a hit duet with R&B singer Aretha Franklin called "I Knew You Were Waiting for Me." While he was touring in 1991, he met and fell in love with Anselmo Feleppa, a Brazilian fashion designer, who died in 1993 from AIDS-related complications. Michael's 1996 single "Jesus to a Child" and his album *Older*, from the same year, are both dedicated to Feleppa. Michael wrote *Older* under the influence of marijuana and developed a habit for the drug. In 1998, he claimed he was outing himself to his fans with *Older* and with "Jesus to a Child," and he had already been out to his family and friends for several years. One family member he was not out to was his mother, who died in 1997.



George Michael, left, with Wham! partner Andrew Ridgeley in 1984. (PA Photos/Landov)

Michael's career by this point had moved almost entirely to Britain, and he had little popularity with American fans. However, while in California in 1998, his sexuality became tabloid fodder. On April 7, he was followed into a park's public restroom by undercover Beverly Hills police officer Marcelo Rodriguez. Michael exposed himself and was arrested as he left the restroom for his car. The arrest was not a surprise to the media, and it failed as a major news story in either the United States or Great Britain.

The arrest did trigger some publicity, however, and Michael took quick steps to address the matter. He came out as gay while interviewed by Jim Moret on CNN's *NewsNight*. Michael had not intended to discuss his sexual orientation with the press, but he wanted to discuss the circumstances that led up to his arrest. In an MTV interview in November, Michael said that being oversexed was the issue, not his homosexuality. In later interviews, he said

he thought he had been set up by the Beverly Hills Police Department with help from the London paparazzi, but he could not prove his accusations. In 2005, he said that gay celebrities did what they could to desexualize themselves so as to appear nonthreatening to their fans. Michael said he felt no need to maintain such a low profile, and he admitted to enjoying public gay sex.

During his *NewsNight* interview, Michael said he had been embarrassed by his arrest, suggesting he had behaved in the same manner before. He was, in fact, involved in a monogamous relationship with Kenny Goss, an American clothing executive, at the time of his arrest. Michael told MTV the relationship was not open, but that Goss had forgiven him. However, he told other news sources that the relationship indeed was open. Years later, in 2007, he admitted that the actions that led to his arrest were unconsciously deliberate, that he wanted to get caught. He said it was difficult for him to be closeted publicly but out privately. He had kept his sexuality secret before 1998, largely for the sake of his mother, whom, he believed, would have suffered from worrying about his chances of HIV infection or of developing AIDS.

Michael pleaded no contest at his criminal trial for lewd conduct. He received a light fine (approximately eight hundred dollars) and was ordered to perform community service.

Michael pleaded no contest at his criminal trial for lewd conduct. He received a light fine (approximately eight hundred dollars) and was ordered to perform community service.

IMPACT

The consummate entertainer, Michael immediately capitalized on his arrest and conviction with his next single, "Outside," which mocked and condemned police persecution of public sex between men. The video for the single, released in November, 1998, depicts dancers in police uniforms kissing in a men's restroom transformed into a dance club.

In 1999, the scandal reemerged when the arresting police officer, Rodriguez, sued Michael, claim-

ing he was maligned by his video, song, and interviews with the media. Rodriguez said the video was intended to mock him specifically and that Michael had slandered him in interviews. He filed a ten-million-dollar civil suit in a California court, demanding compensation for emotional distress. The case was dismissed but reinstated on appeal. The court determined that because Rodriguez was a public servant, he was ineligible to recover monies for emotional damages. The media suggested, indirectly, that the suit was nothing more than an attempt to get a chunk of Michael's roughly \$100 million estate.

Michael's career was unaffected by the scandal. His greatest hits album *Twentyfive* debuted at the top of the British charts in November, 1998, just months after his arrest. Scandal is often an intrinsic part of celebrity life, and Michael's arrest was accepted in stride by his fans. Furthermore, his coming out as gay had no apparent negative effect on his career.

—Jessie Bishop Powell

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George Michael Is Arrested for Lewd Conduct

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May, 1998

POLICE CORRUPTION IS REVEALED IN LOS ANGELES'S RAMPART DIVISION

The Los Angeles Police Department was rocked by scandal when the investigation into the road-rage murder of black police officer Kevin Gaines by white officer Frank Lyga revealed a web of corrupt officers in an antigang unit called CRASH, many of whom were affiliated with a notorious street gang. The name of the LAPD division where the officers had worked, Rampart, is now synonymous with police corruption.

ALSO KNOWN AS: Rampart scandal

LOCALE: Los Angeles, California

CATEGORIES: Corruption; racism; murder and suicide; law and the courts; government; violence

KEY FIGURES

Kevin Gaines (1966-1997), LAPD officer
Frank Lyga (fl. 1990's), LAPD officer
David Anthony Mack (b. 1960), LAPD officer
Rafael Antonio Perez (b. 1967), LAPD officer
Bernard Parks (b. 1943), LAPD chief, 1997-2002
Suge Knight (b. 1965), owner of Death Row Records

SUMMARY OF EVENT

According to witness testimony, at approximately 4:00 P.M. on March 18, 1997, off-duty Los Angeles Police Department (LAPD) officer Kevin Gaines pulled his green sport utility vehicle (SUV) next to a Buick at a stop light. Behind the wheel of the Buick was off-duty LAPD officer Frank Lyga, who was dressed casually in jeans and a Hawaiian shirt, his long black hair pulled back in a pony tail. Gaines looked at Lyga in a threatening way; Lyga asked if Gaines needed assistance. Lyga sped away when the light turned green. Gaines sped after him and pulled out his handgun.

Pulling up to a stop light, Gaines threatened Lyga once again. Witnesses reported seeing Gaines extend his arm toward the window of his vehicle, as if

he was about to brandish a gun. Fearing for his life, Lyga fired two shots into the SUV and mortally wounded Gaines. A gunshot entered Gaines's armpit, but he managed to make a U-turn and pull into a convenience store parking lot. Lyga followed moments later.

Two California Highway Patrol (CHP) officers had been on a coffee break behind the store when they heard the gunshots. They drove their patrol cars around the building and saw Lyga pointing his handgun at Gaines, who was slumped forward in the front seat of his SUV. The officers ordered Lyga to drop his weapon. He shouted back that he was a police officer and showed his badge. Lyga revealed that he was an undercover narcotics officer who was just returning home from duty when the road-rage incident began.

Gaines died at the scene. By the time detectives from the LAPD's robbery-homicide division arrived, Gaines's identity was established. The shooting of a black police officer by a white police officer became a media sensation and brought cries of racism from the residents of Los Angeles, a metropolis that was recovering from the Rodney King beating and uprising of 1992. The shooting also caused a deep divide between black and white officers of the Rampart division, where Gaines was stationed.

Detective Russell Poole was assigned to the case. In the days following the shooting, he learned that two dozen off-duty black police officers canvassed the neighborhood around the shooting to look for witnesses to counter Lyga's testimony. Lyga's version of events, however, was supported by the evidence. In addition, witness statements corroborated Lyga's account. The LAPD discovered that Gaines had been involved in similar road-rage incidents prior to his fatal encounter with Lyga. It was also revealed that he was associated with the record label Death Row Records and its owner, convicted felon Suge Knight. Knight was a controversial figure, claiming ties to a Los Angeles street gang, the

Bloods, and hiring off-duty police officers, including Gaines, for his security detail. Also, at the time of his death, Gaines had been living with Knight's estranged wife.

By the spring of 1998, LAPD leadership began to question these associations with Death Row Records and Knight. To investigate, it established the Rampart Corruption Task Force in May. The task force confirmed that several Rampart officers, including Gaines, David Mack, and Rafael Perez, were on the payroll of Death Row Records. All three, among others, were soon implicated in a wide range of crimes. (In November, 1997, Mack had participated in one of the largest bank robberies in Los Angeles history. He was convicted and sentenced to fourteen years in prison.) With the creation of the task force, the scandal came to light.

Rampart officer Perez, who would turn out to be the major figure uncovering the widespread CRASH unit corruption, was arrested on August 25 for stealing six pounds of cocaine a few months earlier from the Rampart division property room. The cocaine had been booked into evidence following an arrest made by Lyga. In September, 1999, Perez, who admitted that he stole the cocaine in retaliation for Gaines's shooting, agreed to cooperate with investigators in exchange for leniency and provided extensive details into the misdeeds of the elite Community Resources Against Street Hoodlums unit, or CRASH.

The goal of the antigang CRASH unit was to arrest as many gang members as possible, to do so by any means necessary, and to gain convictions. Its corruption included unprovoked shootings by officers on unarmed civilians, planting evidence, false arrests, beatings, and false testimony. Perez claimed that 90 percent of CRASH officers framed innocent people and perjured themselves on the witness stand to gain convictions. He also claimed that his superiors, including at least one police lieutenant at Rampart, actively supported and even encouraged the misconduct.

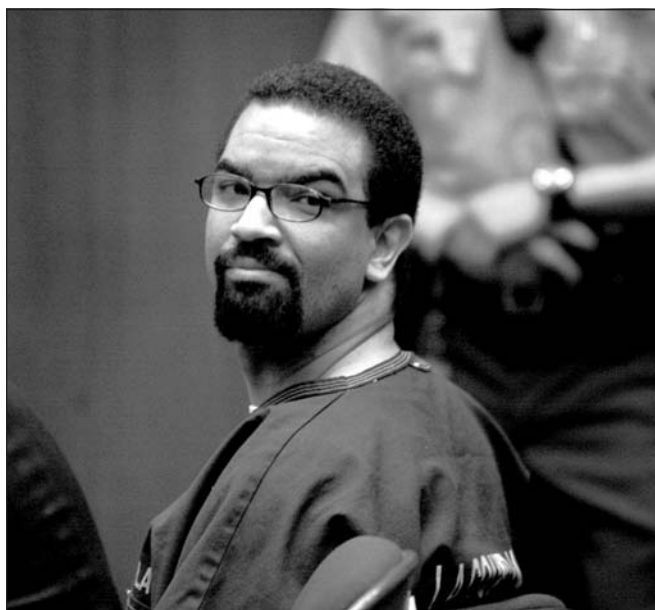
The investigation by the task force revealed widespread corruption within the rank and file

of the Rampart division. More than seventy officers from CRASH were implicated in the scandal, making Rampart one of the most widespread cases of police misconduct in American history.

IMPACT

The Rampart scandal forced the city of Los Angeles to answer to more than 140 lawsuits against the LAPD and the city itself. One case involved an unarmed gang member named Javier Ovando who had been shot by Rampart division officers Nino Durden and Perez and then framed for a crime he did not commit. Ovando, who had been paralyzed by the shooting, was awarded the largest Rampart-related judgment against the LAPD: more than fifteen million dollars. Also, more than one hundred cases in which persons were convicted with evidence obtained illegally by implicated Rampart officers or because of the testimony of these same officers were overturned by the courts.

Bernard Parks, who was in charge of the department's Internal Affairs division during the years of



Former LAPD officer Rafael Perez in court in 2001. Perez, a key informant in the Rampart corruption scandal, was released from prison after serving nearly three years of a five-year sentence for stealing cocaine from the Rampart division's evidence room in 1998. (AP/Wide World Photos)

misconduct and corruption at Rampart, was alleged to have obstructed justice in the investigation. Many claimed that Parks, who would become chief of police in August, 1997, had protected Gaines and other officers by suppressing reports and instructing investigators not to pursue their inquiries. In September, 1999, Parks formed a board of inquiry to look into the corruption. The board focused not only on corrupt officers but also the failures of management in handling the crisis. In March, 2000, Parks disbanded the CRASH unit, just days after the board released its final report.

On September, 19, 2000, the Los Angeles City Council voted 10-2 to accept a federal consent decree allowing the U.S. Department of Justice to oversee and monitor recommended reforms within the LAPD for a five-year period. On September 26, Detective Poole filed a federal civil rights lawsuit against the city of Los Angeles and Parks. Poole claimed in his suit that Parks shut down his efforts to fully investigate the corruption within the department and suppressed critical information. Parks was not rehired by Los Angeles mayor James Hahn. As a result, Hahn lost support with the African American community in Los Angeles.

In 2005, a wrongful death lawsuit was filed against several former LAPD officers for the March 9, 1997, murder of rap-music star Christopher Wallace, also known as Notorious B.I.G. Among the many acts of criminal misconduct uncovered by Detective Poole was a link between Wallace's murder and corrupt Rampart officers, most notably Perez and Mack. Poole learned that Perez and Mack arranged for the hit on Wallace at Knight's order. Furthermore, Poole found links between Death Row Records, CRASH-unit officers on Death Row Records' payroll, and the killing of another rap star—Tupac Shakur—six months prior to Wallace's murder.

—Jesus F. Gonzalez

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May 11, 1998

JOURNALIST STEPHEN GLASS IS EXPOSED AS A FRAUD

Stephen Glass, an up-and-coming reporter and associate editor with The New Republic magazine, was fired after Adam Penenberg, a Forbes.com reporter, found inconsistencies and factual errors in Glass's 1998 article "Hack Heaven." The story, about a large company that hired a teenage computer hacker as an information security consultant after being extorted by the hacker, turned out to be fabricated. After investigating the accusations, The New Republic editors found that Glass had partly or wholly fabricated many of his other published stories as well.

LOCALE: Washington, D.C.

CATEGORIES: Hoaxes, frauds, and charlatanism; publishing and journalism; communications and media; corruption

KEY FIGURES

Stephen Glass (b. 1972), reporter and associate editor of *The New Republic*

Charles Lane (fl. 1990's), executive editor of *The New Republic*

Adam Penenberg (b. 1962), reporter for Forbes.com

SUMMARY OF EVENT

Stephen Glass was born and raised in the Chicago suburb of Highland Park. He began his journalism career as the editor of his college newspaper, *The Daily Pennsylvanian*, at the University of Pennsylvania. After his graduation in 1995, he was hired as an editorial assistant at *The New Republic*, a well-known and respected national magazine of social and political commentary. He quickly rose through the ranks, eventually achieving the position of associate editor.

Glass was writing his own articles for the prestigious publication by the age of twenty-three. He became known for his eagerness to please and his industrious research habits. His stories, which were characterized by their intriguing characters and col-

orful anecdotes and quotations, began attracting widespread attention. While he wrote mainly for *The New Republic*, his work also appeared in other magazines, including *Rolling Stone*, *George*, and *Harper's*.

Glass's career quickly came to an end in 1998. His article "Hack Heaven," which was published in the May 18 edition of *The New Republic*, centered on a fifteen-year-old computer hacker named Ian Restil who had hacked into the computer system of a California software firm called Jukt Micronics. Glass wrote that Restil, who "looks like an even more adolescent version of Bill Gates," then extorted the company executives at a meeting at a Hyatt Hotel in Bethesda, Maryland. The company then hired the hacker as a computer security consultant. The article also detailed a convention of computer whizzes from the National Assembly of Hackers being held near the hotel where Restil and Jukt representatives met. Glass's article gained reader interest as another intriguing tale of a larger-than-life character.

Intrigued by Glass's story, which includes the names of official-sounding organizations such as the "Center for Interstate Online Investigations" and the "Computer Security Center" and mentions federal legislation called the "Uniform Computer Security Act," a reporter for Forbes Digital Tool (now Forbes.com) began researching "Hacker Heaven" for a follow-up article. The reporter, Adam Penenberg, could not verify any fact from Glass's article, leading him to question its truthfulness and prompting him to notify his editors about the matter. *Forbes* magazine editors then contacted Charles Lane, executive editor of *The New Republic*, and told him about Penenberg's findings. Penenberg's brief exposé, "Lies, Damn Lies and Fiction" (Forbes.com, May 11, 1998), an account of his findings, accused Glass of perpetrating a hoax, and the scandal was born.

Glass had faced earlier accusations of misrepresentation or fabrication, claims not uncommon in journalism, by various organizations, including the College Republican National Committee, the Amer-

ican Conservative Union, the Drug Abuse Resistance Education (D.A.R.E.) program, the Center for Science in the Public Interest, and Hofstra University. With each accusation *The New Republic* supported its reporter. The questions from *Forbes*, however, elicited a different response from Glass's editors.

Lane began investigating the accusations, and he ultimately revealed that Glass had fabricated the entire article and fabricated evidence, such as voice mail, e-mails from Restil, a Web site for Jukt Micronics, and a newsletter for the fictitious National Assembly of Hackers, in an attempt to thwart the investigation. Glass even had his brother pose as Jukt executive George Sims in a phone call. *The New Republic* then expanded its investigation to include all of the forty-one articles Glass had written for them since December, 1995, articles published under three different editors—Andrew Sullivan, Michael Kelly, and Lane.

The fabrications ranged from inserted quotations in legitimate stories to entire articles. Most articles proved to be a blend of fact and fiction. Some of the more colorful fabrications included a political memorabilia convention in which Monica Lewinsky items were available and a church dedicated to the worship of George H. W. Bush. Glass was able to escape the magazine's fact-checking process through the creation of elaborate notes, voice mails, e-mails, faxes, business cards, and other evidence. Glass's dishonesty also led many to question the truthfulness of his other work.

Glass was fired, bringing an end to a promising journalism career. He later published an article, "Canada's Pot Revolution," in the September, 2003, edition of *Rolling Stone*. D.A.R.E. sued Glass for libel for one of his articles on the organization, a case in which Glass settled. At the time the scandal broke, he was enrolled as a law student at Georgetown University, where he continued his studies. He earned his law degree, passed the New York State bar exam, but was not admitted to the bar. He became a national figure, arousing public curiosity about his motives and how he had been able to get away with the lies for so long.

GLASS'S FABRICATION

Writer Stephen Glass presented as fact the story of a fifteen-year-old computer whiz named Ian Restil, but the story was a fabrication. The New Republic magazine had published the article, "Hacker Heaven," in its May 18, 1998, issue, not knowing the story was a fake. The article's first paragraph includes the following:

Over and over again, the boy, who is wearing a frayed Cal Ripken Jr. T-shirt, is shouting his demands. Across the table, executives from a California software firm called Jukt Micronics are listening.

In 2003, Steve Kroft interviewed Glass for the CBS News program *60 Minutes*, and Glass was the subject of a major motion picture, *Shattered Glass* (2003), starring Hayden Christensen as Glass and Peter Sarsgaard as Lane. Glass also wrote a fictional account of his story, *The Fabulist* (2003), featuring a protagonist sharing his name.

IMPACT

In the immediate aftermath of the Glass scandal, many publications began to reevaluate their fact-checking policies and procedures. Until this time, fact checking worked well to catch honest mistakes but had not been equipped to deal with deliberate fabrications on such a large scale. The closer scrutiny led to the uncovering of similar scandals, most notoriously the 2003 case of *New York Times* reporter Jayson Blair, who was found to have plagiarized quotations and fabricated material in more than thirty-five articles he wrote for the paper. Journalists feared that these scandals could further distance editors and reporters, who already shared some professional animosity, and the profession feared that the scandal could further erode relations with a public already distrustful of journalists.

—Marcella Bush Trevino

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December 23, 1998

PROMINENT BELGIANS ARE SENTENCED IN AGUSTA-DASSAULT CORRUPTION SCANDAL

An inquiry into the 1991 assassination of Belgian Socialist Party politician André Cools showed that Cools had knowledge of suspicious dealings in the purchases of helicopters and fighter planes for the Belgian military. The Agusta and Dassault manufacturing companies had bribed a number of politicians and other ranking officials to get the contracts.

ALSO KNOWN AS: Agusta scandal

LOCALE: Liège, Belgium

CATEGORIES: Law and the courts; corruption; government; murder and suicide; organized crime and racketeering; business; politics

KEY FIGURES

André Cools (1927-1991), Belgian Socialist Party politician and former government minister, 1968-1985, 1988-1990

Willy Claes (b. 1938), Belgian foreign minister, 1992-1994, and secretary-general of NATO, 1994-1995

Serge Dassault (b. 1925), French businessman and politician

Raffaello Teti (fl. 1990's), Italian business executive

Véronique Ancia (fl. 1990's), Belgian magistrate

SUMMARY OF EVENT

On December 23, 1998, the Belgian court of cassation, Belgium's highest court, issued verdicts in the Agusta and Dassault case against several prominent Belgians. The verdicts were the result of the largest scandal in Belgium in modern times. The criminal activity originated in bribes paid by the Italian company Agusta and the French company Dassault to numerous Belgian politicians to obtain lucrative military manufacturing contracts. Over the course

of the scandal, one government minister had been assassinated, another committed suicide, others were forced to resign, and Belgian political parties were disgraced.

Despite its formidable international reputation as the headquarters of the European Union (EU) and the North American Treaty Organization (NATO), Belgium has had a tempestuous domestic history. Belgium is a single country made up of two distinct nationalities. The Dutch-speaking Flemish live largely in the north and the French-speaking Walloons live largely in the south. Rivalries between these two populations have often made for unstable, contentious domestic politics. Political parties, such as the Socialist Party, are divided along Dutch- and French-speaking lines. Over the course of the 1970's and 1980's, Belgian life had been marked by political corruption and organized crime.

On July 18, 1991, the prominent Walloon politician André Cools was assassinated in the industrial city of Liège, which had been tarred by a climate of crime and corruption. The killing of its leading politician, however, could not be overlooked. The sixty-four-year-old Cools had served as a minister in several governments, as head of the Walloon Socialist Party, and as one of the more powerful and controversial Liège politicians. Cools was shot in a parking lot near the apartment of his alleged mistress. Pursuant to article 56 of the Belgian constitution, the federal Parliament exercised its right of inquiry and launched an investigation into the murder. The inquiry was headed by Magistrate Véronique Ancia. In her investigation, Ancia uncovered widespread corruption of Belgian officials.

Of particular significance during the 1980's was the competition among the manufacturing firms Agusta (based in Milan, Italy), Aerospatiale (based in France), and MBK (of Germany). The three companies were vying for lucrative military helicopter contracts with the Belgian government. Likewise, the Dassault Electronique Aviation company of France was competing with an American company, Litton Industries, for contracts involving Belgian air-force fighter planes. The Belgian army had recommended purchase of Aerospatiale's helicopter, but on December 8, 1988, Defense Minister Guy

Coëme announced that the government would purchase forty-six military helicopters (eighteen for reconnaissance and twenty-eight antitank) from Agusta for 11.97 billion Belgian francs. Similarly, Dassault was awarded a 6.5-billion-franc contract to re-equip Belgian air force F-16 fighter planes with new electronic warfare systems. Cools was killed a few years after these contracts were awarded.

The first big break in the investigation into Cools's killing came with the February, 1993, arrest of Agusta trade representative Georges Cywie. With the statements of Cywie and other witnesses, Magistrate Ancia was able to put together a ten-thousand-page report detailing extensive bribes and kickbacks the Agusta and the Dassault companies had paid to several Socialist parties of Belgium and to Belgian politicians. It was alleged that Cools had been assassinated in connection with these kickbacks.

In July, 1994, three Belgian politicians under investigation in the scandal—Coëme, Guy Mathot, and Guy Spitaels—were compelled to resign from their government posts. The minister of foreign affairs and another government official resigned soon after. On March 5, 1995, a Belgian air force general who was being questioned about the Agusta and Dassault bribes committed suicide. On April 7, the Belgian parliament voted to suspend diplomatic immunity from criminal investigation and prosecution of the highest level suspect, Willy Claes, who had been minister of economic affairs during the 1980's and became general-secretary of the North Atlantic Treaty Organization (NATO) in 1994. Agusta's former chief executive, Raffaello Teti, who had met with Claes several times to discuss the military contracts, was arrested on October 18 on charges of fraud and corruption. Claes resigned as NATO general-secretary two days later.

The trial of the twelve suspects began in August, 1998, in the court of cassation in Brussels with a fifteen-judge panel. Chief prosecutor Eliane Lienkedael presented evidence that Claes had received payments of \$60,000 in 1988 and \$125,000 in 1992 directly to his personal bank accounts, although Claes alleged the payments had been re-

ceived from his wife's savings. On December 23, 1998, the court handed down its verdict, convicting all twelve defendants. The court affirmed that Agusta and Dassault had paid a total of 110 million Belgian francs (\$3.188 million U.S.) to the Socialist parties to acquire military contracts.

Claes was given a three-year suspended sentence for passive corruption and fined 60,000 Belgian francs and barred from politics for five years. Coëme and Spitaels both received two-year suspended sentences for passive corruption, were fined 60,000 francs, and also were barred from politics for five years. Serge Dassault, head of Dassault, was convicted of active criminal corruption and sentenced to two years (suspended) and fined 60,000 francs. The eight other defendants, who had been aides to the above-named politicians and Socialist Party officials, also were convicted of passive corruption and received similar sentences. The Socialist parties were fined millions of francs. In 2005, the European Convention on Human Rights affirmed the verdicts against the defendants.

In June, 1998, two Tunisian gangsters were convicted by a Tunisian court for the murder of Cools and sentenced to twenty years in prison. Investigators found that the hit men had been hired by a Liège mafioso for \$12,000 to assassinate Cools. In January, 2004, a Liège court sentenced two persons linked to Socialist minister Alain van der Biest to twenty years' imprisonment for complicity in the murder of Cools. Van der Biest had committed suicide while under investigation. Other defendants who were found to have assisted in the assassination plan received prison sentences ranging from five to twenty years.

IMPACT

The 1980's was a troubled decade for Belgian politics. The nation was plagued by corruption and organized crime, while internal rivalries between Walloon and Flemish parties prevented the efficient administration of justice. Charges against Belgian politicians quickly deteriorated into squabbles over bias based on nationality and over allegations that set one group against another. The Nivelles gang atrocities of the early 1980's, in which twenty-eight

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people were killed in a string of armed robberies by a well-organized gang with political associations, represented an escalating viciousness in Belgian public life.

The Agusta-Dassault scandal epitomized both the corruption of Belgian politics and a determination to restore order to the country. The cold-blooded assassination of Cools was too much for the country to ignore. In her closing summary of the prosecution case at trial, chief prosecutor Lienkedael condemned the pervasive corruption. Because private contributions to Belgian political parties had been legal until 1989, the case against the twelve defendants had not been an easy one. Only with evidence of money wired to Swiss bank accounts and payments for villas on the Riviera was the prosecution able to show that the payments were bribes, not gifts, and secure convictions for passive corruption. The resolve of the prosecution was echoed by Belgian voters who punished the Socialist Party at the polls and threatened its position in the ruling coalition.

—Howard Bromberg

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1987: Media Reports Spark Investigation of Australian Police Corruption; Feb. 28, 1995: Former Mexican President Carlos Salinas's Brother Is Arrested for Murder; Aug. 16, 1996: Belgian Media Reveal How Police Bungled Serial Murder Case; Nov. 3, 1996: Car Crash Reveals Depth of Government Corruption in Turkey; Jan., 1997: Pyramid Investment Schemes Cause Albanian Government to Fall; 2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering.

March 4, 1999

QUEBEC OFFERS SUPPORT FOR ABUSED DUPLESSIS ORPHANS

Beginning during the mid-1930's, thousands of children in the care of Roman Catholic orphanages were labeled mentally deficient and sent to psychiatric hospitals, where they suffered years of abuse and neglect. Adult survivors organized as the Duplessis Orphans' Committee and demanded an official investigation, apology, and compensation. In 1999, the Quebec government and Church officials separately created funds to support the orphans' efforts at rehabilitation, but both institutions refused to compensate the orphans individually for their suffering.

LOCALE: Quebec, Canada

CATEGORIES: Government; families and children; psychology and psychiatry; human rights; corruption; religion

KEY FIGURES

Lucien Bouchard (b. 1938), premier of Quebec, 1996-2001

Maurice Duplessis (1890-1959), premier of Quebec, 1936-1939 and 1944-1959

Jean-Claude Turcotte (b. 1936), Roman Catholic cardinal, archbishop of Montreal

Pierre Morissette (b. 1944), Roman Catholic bishop and president of the Assembly of Quebec Catholic Bishops

SUMMARY OF EVENT

In 1999, the premier of the Canadian province of Quebec, Lucien Bouchard, announced that his administration would establish a fund to provide social services to the surviving children of Duplessis, also known as the Duplessis orphans. Thousands of children in Quebec, in the state's care because they had been born out of wedlock or into poverty, were wrongly diagnosed and institutionalized in Catholic hospitals, raised in Church-run orphanages, and educated in Church schools.

The children were victims of a scheme devised under the administration of Premier Maurice Duplessis beginning during the mid-1930's to label the children as mentally disabled so that they could be moved into psychiatric hospitals. Duplessis's administration saved millions of dollars by shifting the cost of the children's care to the Church, and the Church, in turn, received twice as much federal funding for institutionalizing children who were classified as mental patients rather than as orphans. The children were released from care by 1964.

Religious orders received subsidies from the Canadian government for the care and education of children in need. Given that the subsidy for mental patients was more than double that for healthy children, the Duplessis government persuaded Catholic organizations to declare children mentally deficient or psychotic and move them to psychiatric institutions. Some orphanages and schools were converted suddenly to psychiatric hospitals, and the children were classed as mental patients literally overnight. The Church received more federal funds for running hospitals than for orphanages and schools, while Quebec province saved millions of dollars that would have gone toward childcare and education.

Investigations beginning during the early 1960's revealed that thousands of children had been diagnosed improperly and that the orphans were unprepared for life outside institutional settings. The orphans reported they were used as slave labor in hospitals and on local farms. Nuns and other hospital employees routinely placed them in straitjackets and subjected them to beatings and sexual abuse. They were not educated and many remained illiterate, and some had become unstable after years of living among true mental patients. They had no families or support systems outside the institutions, lacked basic skills for living in society, and received no job training. They did not have their original birth certificates and struggled to establish legal identities, and their medical records indicated they were mentally deficient or ill.

During the late 1990's, approximately three thousand survivors organized the group Duplessis Orphans' Committee, calling for an official investigation and compensation from the government of Quebec and the Church. The orphans also were seeking formal apologies. In March, 1997, Premier Bouchard said his government would examine the orphans' claims and respond within a month to their demands. A year passed without further word from Bouchard. His representatives later said Quebec might apologize, but there would be no compensation and the government could do nothing to correct the orphans' medical records.

On March 4, 1999, the Quebec government announced the establishment of a three-million-dollar



Maurice Duplessis in 1937. (Hulton Archive/Getty Images)

fund—about one thousand dollars per surviving orphan—to support survivors' efforts to correct their medical records, obtain their original birth certificates, and seek job training. Bouchard apologized for how they were treated but said Quebec would not conduct a public inquiry nor compensate individuals for their suffering. Also, the government did not intend to hold anyone legally responsible. Bouchard indicated Catholic nuns and others had taken on a thankless task in raising large numbers of unwanted children, and they should not be blamed if the results were not always ideal.

Unsurprisingly, the Duplessis Orphans rejected Bouchard's offer. They had not been informed in advance of his announcement, found his comments insulting, and took the limited plan for financial assistance as a further attempt to dismiss their claims. Speaking for Quebec's Liberal Party opposition, Madeline Boulanger suggested the Duplessis Or-

phans should instead be known as “the orphans of Lucien Bouchard.”

In September, 1999, Cardinal Jean-Claude Turcotte and Bishop Pierre Morissette, president of the Assembly of Quebec Catholic Bishops, publicly refused to apologize to the orphans or to compensate them. The Church, they said, would provide counseling and social support to the orphans. Turcotte indicated the Duplessis orphans should be thankful to have been housed during their childhoods, as they would have been homeless without the Church. Morissette added that the Church “has already given a lot” to the orphans “and continues to give generally.” In response to the official Church statement, the orphans called upon Catholics to stop tithing at church and instead give their money to Centraide, a charity serving the Montreal area.

In 2004, the Duplessis orphans came forward with new allegations that they had been given experimental drugs and shock treatments and were subjected to lobotomies. They called for the exhumation of orphans who had died in psychiatric institutions and were still buried in unmarked graves. Surviving orphans believed autopsies and forensic testing on these bodies would confirm many deaths resulted from medical experimentation.

IMPACT

Bouchard’s refusal to compensate individual orphans and his qualified apology made headlines in the United States, tarnishing Canada’s image in the national press. Bouchard’s response was considered inadequate and lacking in compassion, considering the Duplessis administration’s horrifying and deliberate mistreatment of thousands of children for its financial gain.

Following Bouchard’s resignation, Quebec premier Bernard Landry and his Parti Québécois established the National Program of Reconciliation with the Duplessis Orphans. On June 30, 2001, the Duplessis Orphans’ Committee, on behalf of the approximately fifteen hundred orphans who qualified for compensation, accepted the government’s newest apology and agreed to individual “fault-free” payments of ten thousand dollars plus one thousand dollars for each year spent in institutions. The totals

averaged twenty-five thousand dollars per person. On December 21, 2006, under Premier Jean Charest, the government announced it would increase the orphans’ compensation to twenty-six million dollars, provided the orphans waive any legal action against the Catholic Church. The Church, in turn, refused once again to apologize to the orphans.

Also in 2006, an estimated seventeen hundred people received twenty-five thousand dollars each in compensation under the National Reconciliation Program for Duplessis Orphans Who Were Residents of Certain Institutions. These survivors, called forgotten orphans, had not been declared mentally disabled but had suffered abuses similar to that of the Duplessis Orphans in nonpsychiatric institutions. In return for compensation, they agreed to make no further claims against Quebec or the Church.

The indifference of the Church to the suffering of children further damaged its already tarnished public image. The Church’s once-pervasive influence over life in Quebec had been fading for years. The shocking alliance of the government with Church authorities and the medical profession to use children as a means of revenue forever linked Bouchard with the memory of Duplessis’s administration, nicknamed La Grande Noirceur, or Great Darkness.

—Maureen Puffer-Rothenberg

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May, 1999

CIVIL RIGHTS LEADER JESSE JACKSON FATHERS A CHILD OUT OF WEDLOCK

Ashley Jackson was born to Jesse Jackson's staff assistant, Karin Stanford. Financial records show that Jesse Jackson had paid Stanford substantial amounts of money from his nonprofit Rainbow/PUSH Coalition prior to his admitting publicly in January, 2001, that he was Ashley's father. This news was particularly significant as Jesse Jackson had been a spiritual adviser to President Bill Clinton during the Monica Lewinsky scandal.

LOCALE: United States

CATEGORIES: Families and children; politics; sex; public morals; ethics

KEY FIGURES

Jesse Jackson (b. 1941), civil rights leader, Baptist minister, and Democratic candidate for U.S. president, 1984 and 1988

Karin Stanford (b. 1962), former director of the Rainbow/PUSH bureau in Washington, D.C., writer, and university professor

Ashley Jackson (b. 1999), Stanford and Jackson's daughter

SUMMARY OF EVENT

Jesse Jackson has been an important figure in the American Civil Rights movement and in American politics since the late 1960's. He was born in 1941 in segregated Greenville, South Carolina, to a seventeen-year-old single mother. His father was at the time married to another woman and had almost no involvement in his life. He was later adopted by his stepfather, Charles Henry Jackson, who adopted the young Jackson, and Jackson adopted his surname.

On January 18, 2001, Jackson, who at the time was fifty-nine years old, issued a statement in anticipation of a story by the tabloid the *National Enquirer* that he had fathered a child out of wedlock with Karin Stanford, who was twenty years younger. Their child, Ashley Jackson, was born in May, 1999.

Jackson had been a successful athlete and student at a segregated high school and received a football scholarship to the University of Illinois. He left Illinois after one year and transferred to North Carolina A&T. While completing his undergraduate

degree, he married Jacqueline Lavinia Davis, and they had five children.

Jackson attended seminary from 1964 to 1966 but left before completing a degree to pursue civil rights activism. He led the Southern Christian Leadership Conference (SCLC) project in Chicago known as Operation Breadbasket in 1966-1967. He was with Martin Luther King, Jr., on April 4, 1968, in Memphis, Tennessee, when King was assassinated. He remained with SCLC until 1971, at which time he formed Operation PUSH (People United to Save Humanity). King ran for the Democratic nomination for president in 1984 and 1988. He also founded, in 1984, the National Rainbow Coalition, which merged with Operation PUSH in 1996. He has also been engaged in diplomatic efforts.

During Bill Clinton's presidency, Jackson served as a political adviser and as a special envoy to Africa for the promotion of democracy. In 1998, when it was revealed that President Clinton had an inappropriate sexual relationship with former White House intern Monica Lewinsky, Jackson became publicly identified as a moral and spiritual adviser to Clinton.

Mainstream news organizations had heard rumors about Jackson having had an illegitimate child but either did not pursue the story or did not pursue the story with the intensity of the *National Enquirer*. Patricia Shipp of the *National Enquirer* defended the story, in a television interview on CNN, stating that "it's a legitimate news story, not only because he's head of Rainbow" Coalition but also because of "the woman [sic] of his child [who] worked under him." Moreover, Shipp said that Jackson "was at one time the spiritual adviser to the president of the United States." The *National Enquirer*, which also claimed that the story was not given to them by political opponents of Jackson, published a photograph of Jackson with Stanford, appearing with President Clinton on December 3, 1998—which was approximately five months before the child was born.

In his public statement, Jackson said that "this is no time for evasions, denials or alibis." He continued,

I fully accept responsibility, and I am truly sorry for my actions. As her mother does, I love this child very much and have assumed responsibility for her emotional and financial support since she was born. I was born of these circumstances, and I know the importance of growing up in a nurturing, supportive and protected environment, so I am determined to give my daughter and her mother the privacy they both deserve.

Jackson also said that he would be "taking some time off to revive my spirit and reconnect with my family." At the time, a spokesperson for Jackson said that the reverend would keep immediate commitments but would scale back on his activities.

The *New York Times* reported on January 20, 2001, that Jackson had been paying Stanford three thousand dollars per month to support Ashley and that Stanford had been given about thirty-five thousand dollars to help with expenses in moving from Washington, D.C., to Los Angeles. The news story said the Rainbow/PUSH Coalition had called the funds a "severance package." The *National Enquirer* first reported that the money had been paid through accounts of the Rainbow/PUSH Coalition, and that this information had been confirmed by staff members of Rainbow/PUSH. A *Washington Post* report on February 1, 2001, told of a source that said Jackson's Citizenship Education Fund approved a "draw" of forty thousand dollars against future consulting fees and also indicated that the money would be used to help purchase real estate. On February 2, 2001, a copy of the source's statement (in letter form) appeared in the *National Enquirer*.

Jackson had first met Stanford when she was an assistant professor of political science and African American studies at the University of Georgia. Jackson offered Stanford the job as the director of the Washington bureau of the Rainbow/PUSH Coalition. Stanford, who had degrees from California State University, Chico, the University of Southern California, and Howard University, published a book on Jackson's foreign policy impact, *Beyond the Boundaries: Reverend Jesse Jackson and International Affairs* (1997), which won the National

Conference of Black Political Scientists' Outstanding Book Award in 1998.

Stanford gave no interviews in January, 2001, but she did have a lengthy interview with Connie Chung, which was televised on ABC's *20/20* in August. In the interview, Stanford stated that her relationship with Jackson had become strained in the last year and that the frequency of his visits to see his child had decreased. In the first year of Ashley's life, Stanford said that Jackson saw Ashley frequently, but he only saw her once in the first seven months of 2001.

Stanford also confirmed that Jackson had been paying her several thousand dollars per month in child support and that she had taken Jackson to court to formalize the agreement. Stanford also stated in the interview that she did not immediately inform him that he was the father of her child, but after she did inform him, he decided not to run for U.S. president in 2000.

Stanford also stated that lawyers representing Jackson had asked her to sign a confidentiality agreement, but she did not sign the agreement. Stanford added that she did not regret having Ashley, even though her birth caused pain for others. The story faded from public attention after 2001.

IMPACT

Jackson's credibility as a political figure was undermined in the short term. Even if he had not fathered a child with Stanford, it is likely he would not have run for the presidency of the United States. He had limited visibility in 2001, but soon regained public prominence. Jackson spoke in London in 2003 to nearly one million people at an antiwar rally. He also continued to join protests and make public appearances at racially charged events.

Stanford worked with the Los Angeles bureau of Rainbow/PUSH, then as a consultant for a super-market chain with stores located mostly in city neighborhoods. She returned to college teaching and also wrote the book *Breaking the Silence: Inspirational Stories of Black Cancer Survivors* (2005).

—Michael Coulter

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May 7, 1999–March 2, 2001

ETHICS COUNSELOR EXONERATES CANADIAN PRIME MINISTER JEAN CHRÉTIEN

Despite three exonerations by the federal ethics counselor, Canadian prime minister Jean Chrétien continued to face allegations that he had improperly used his influence on behalf of a government-backed loan involving a potential conflict of interest. The issue of illicit gain was often overshadowed by credible evidence that he made misleading statements about his efforts on behalf of the loan.

ALSO KNOWN AS: Auberge Grand-Mère scandal; Shawinigate

LOCALE: Canada

CATEGORIES: Government; politics; ethics; corruption; banking and finance

KEY FIGURES

Jean Chrétien (b. 1934), prime minister of Canada, 1993–2003

Yvon Duhaime (fl. late twentieth century), member of the Liberal Party and Chrétien's close friend

Howard Wilson (fl. late twentieth century), Canadian government ethics counselor

Joe Clark (b. 1939), leader of the Conservative Party

François Beaudoin (fl. late twentieth century), president of the Business Development Bank of Canada

SUMMARY OF EVENT

In 1988, Jean Chrétien and two business associates purchased the Auberge Grand-Mère, a large hotel near Chrétien's hometown of Shawinigan, Quebec, Canada. The group also purchased the golf course adjacent to the hotel. In the elections of 1993, the Liberal Party, with Chrétien as its candidate for prime minister, issued a campaign platform that promised to "govern with integrity" and overcome "cynicism about public institutions."

After winning the election, Chrétien attempted to reorganize his private business affairs to avoid a

possible conflict of interest. He and his associates sold their shares in the hotel to his longtime friend and fellow Liberal, Yvon Duhaime. Shortly thereafter, the associates entered into an agreement to sell the golf course to Jonas Prince, a Toronto businessman. Unknown to Chrétien, however, Prince backed out of the deal, claiming that he had only agreed to a nonbinding option to purchase the property.

In deciding what to do with his various investments, Chrétien sought the advice of Howard Wilson, the federal ethics counselor responsible for upholding the code of conduct among federal officials in Canada. In accordance with Wilson's recommendations, Chrétien put all of his investments into a blind trust. Because the golf course had not been sold, his share of the property, which had an estimated value of \$275,000, was included as part of the trust. In 1996, Chrétien finally learned that he continued to be part owner of the golf club, and he informed Wilson about the matter.

About this time, Duhaime, the new owner of the Auberge Grand-Mère, wanted to expand and improve the building. He attempted to borrow \$2 million, but private institutions refused the loan, saying that it was too risky. Duhaime then asked his friend Chrétien for assistance to obtain a loan from the Business Development Bank of Canada (BDC), a federal government enterprise. Chrétien agreed, and on April, 1996, he telephoned BDC president François Beaudoin on behalf of Duhaime. Even after a second appeal by the prime minister, however, the BDC rejected the loan application as too risky. In early 1997, Duhaime applied to the BDC for a smaller loan of \$616,000, and he also applied for a grant of \$164,000 from the Canadian Human Resources Department (HRD). This time, after additional encouragement from Chrétien, both the loan and the grant were approved.

In early 1999, an investigative journalist working for the *National Post* learned that Duhaime had

obtained the BDC loan and the HRD grant. Many observers suspected that the federally supported aid was a conflict of interest. Because the expansion of the hotel increased the monetary value of the golf course shares, the loan indirectly, and to a minor extent, advanced the net worth of the prime minister. Leaders of rival political parties, including Reform leader Preston Manning and Progressive Conservative leader Joe Clark, called for a full investigation into the affair.

Ethics counselor Wilson conducted a relatively superficial inquiry. On May 7, he ruled that Chrétien had not violated any conflict-of-interest rules in regard to the Duhaime loan, although at this time Wilson did not know that Chrétien had personally intervened to help secure the loan. Chrétien's critics pointed out that Wilson reported to the prime minister alone. The next month, Reform leader Manning and another member of Parliament alleged that Chrétien had benefited from deals with businessman Claude Gauthier, who had purchased land next to the golf course. Chrétien threatened to sue the two men, but then dropped the threat, saying that he did not want to stifle debate. A few months later, Chrétien's shares in the golf course were finally sold to a prosperous Montreal investor.

Meanwhile, the financial situation of the Auberge Grand-Mère deteriorated significantly, and in April, 1999, BDC president Beaudoin recommended that the loan be recalled. Within a few weeks, Beaudoin's responsibilities were sharply reduced, and he resigned in September with an annual pension plus a severance payment of \$245,000. In December, however, the BDC repealed both the severance agreement and pension. Beaudoin initiated a wrongful-discharge lawsuit, alleging that he had been forced to resign and had lost his severance package because he had dared to question the Grand-Mère loan. BDC officials claimed that Beaudoin had been incompetent and violated bank policies.

Beaudoin's suit revealed the details of Chrétien's personal appeals to the BDC. While Chrétien admitted that he had helped Duhaime secure the mortgage, he argued that it was appropriate for a member of Parliament to help promote the eco-

nomie growth of his or her parliamentary riding. Wilson conducted a second inquiry into the matter, and on November 21, 2000, he ruled that Chrétien's telephone calls did not violate the federal ethics code.

Because federal elections were about to take place, however, the revelations were very embarrassing to both Chrétien and the Liberal Party. The leaders of the four major political parties insisted that there was a need for an independent inquiry, perhaps even a criminal investigation by the Royal Canadian Mounted Police (RCMP). The leaders suggested that Wilson, who had been appointed by the prime minister, might have a conflict of interest himself. The leader of the Canadian Alliance went so far as to call Chrétien a criminal. The New Democratic Party leader called Chrétien "morally bankrupt." The leader of the Bloc Québécois Party



Jean Chrétien casting his ballot in a 1995 election. (AP/Wide World Photos)

remarked that the bank loan “still smells like something.” Conservative leader Clark declared that Chrétien should apologize to Canadian citizens for his abuse of power.

In the parliamentary elections of November 27, despite the bad publicity about the Grand-Mère loan, the Liberal Party won the majority of seats, thereby making Chrétien the first prime minister in half a century to win three consecutive majorities. On February 19, 2001, the RCMP announced that there was no basis for a criminal investigation into the loan. Clark, nevertheless, vowed to continue asking questions about the loan, and the next day he accused Chrétien of making false statements in the House of Commons. As evidence, he produced a 1999 memo indicating that Chrétien’s former assistant had recommended the loan to the BDC, which appeared to contradict Chrétien’s earlier claim that his assistants had not played any role in the affair. The prime minister’s office explained that Chrétien had meant that his assistants had nothing to do with the approval of the loan. Accusing Clark of conducting a witch hunt, Chrétien declared, “He started as Joe Who and now he’s perhaps Joe McCarthy.”

On March 2, Wilson’s office cleared Chrétien for the third time. However, because Chrétien announced Wilson’s ruling in the House of Commons ninety minutes before Wilson released the report, the opposition asserted that the relationship between the prime minister and the ethics counselor was too cozy. Meanwhile, news reports about Beaudoin’s lawsuit kept the Shawinigate affair, as the scandal came to be called, in the news media. On March 23, Clark insisted on an independent investigation into the controversy and that Chrétien should step down as prime minister until the investigation’s conclusion. On March 26, Chrétien tried to limit criticism by agreeing to release all documents relating to the Grand-Mère affair, pending the consent of those persons involved in the loan.

IMPACT

In early 2002, Chrétien finally endorsed a bill that included an independent ethics commissioner who would report directly to the House of Commons

rather than to the prime minister. Although the House quickly passed the bill, it was stalled in the Senate.

The Shawinigate scandal continued to have a negative impact on Chrétien’s popularity, and it contributed to the Liberal Party leaders’ decision to replace him with his rival, Paul Martin. In Chrétien’s farewell address of November, 2003, the integrity agenda was not on his list of achievements. On December 12, the same day that Martin was sworn in as prime minister, Martin announced that one of his priorities was to obtain passage of the ethics bill, and he achieved this goal within a few months. If such legislation had been in place at the beginning of the Chrétien era, it is entirely possible that Shawinigate as well as other scandals might have been avoided.

Even after Chrétien left office, stories relating to the Shawinigate scandal continued to appear in Canadian newspapers. On February 6, 2004, Beaudoin won his lawsuit against the BDC and the judge ordered the restoration of his annual pension and severance payment. In addition, the financial situation of the Auberge Grand-Mère continued to deteriorate, forcing taxpayers to absorb a significant loss. The complex was badly damaged by fire in February, and Duhaime was charged with the crime.

—Thomas Tandy Lewis

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January 28, 2000

JOHN SPANO IS SENTENCED FOR FRAUDULENT PURCHASE OF ICE HOCKEY TEAM

Businessman John A. Spano began negotiations in 1996 to purchase the New York Islanders ice hockey team. He represented himself as the owner of a large company and as an inheritor of substantial wealth. When Spano failed to pay for the club he just bought, investigators found that his company was much smaller than claimed to be and that he had no inherited wealth. Spano was convicted of fraud and forgery.

LOCALE: Long Island, New York

CATEGORIES: Banking and finance; corruption; forgery; hoaxes, frauds, and charlatanism; law and the courts; sports

KEY FIGURES

John A. Spano, Jr. (b. 1964), owner of a Dallas equipment-leasing company

Gary Bettman (b. 1952), commissioner of the National Hockey League

John O. Pickett (fl. twenty-first century), owner of the New York Islanders

SUMMARY OF EVENT

The New York Islanders, one of the newest teams in the National Hockey League (NHL), served as a standout franchise in its first decade-plus. The team originated in 1972 and soon surpassed its fabled

neighbors, the New York Rangers, by winning a Stanley Cup in 1979. Unfortunately, the team’s on-ice success did not bring enough money into the coffers of owner Roy Boe. Suffering from financial woes associated with the startup of his hockey team and the expenses of his National Basketball Association team, Boe sold the Islanders to John O. Pickett, one of the team’s limited partners, in 1979.

By 1983, the Islanders had won three more Stanley Cups and seemed on the verge of establishing a dynasty. The team remained competitive for the rest of the decade, but Pickett kept the money from the team’s cable television contract rather than reinvest it in the club. The lack of money reduced the competitiveness of the Islanders as departing stars were replaced by less expensive players. The Islanders had their first losing season in 1988-1989. After the season, Pickett retired to Florida and turned over operation of the team to four people who had purchased minor stakes in the club. Chaos in the front office resulted in losses on the ice and a poor showing at the box office. Pickett put the team up for sale amid talk that the club would leave Long Island, New York.

At this point, John A. Spano appeared on the scene. The owner of the Bison Group, a Dallas equipment-leasing company, Spano had tried to purchase the hockey teams the Dallas Stars in 1995



John Spano holds up a team jersey after purchasing the New York Islanders hockey club in 1997. (Hulton Archive/Getty Images)

and the Florida Panthers in 1996. The deals collapsed partly due to financing difficulties. Nevertheless, NHL commissioner Gary Bettman called Spano, who bought the Islanders in February, 1997, a savior. Spano promised to keep the Islanders in Long Island and end Pickett's penny-pinching ways. Spano claimed to be worth \$230 million. A person later described by stunned colleagues as very engaging and likable, Spano charmed the public. Islanders fans began to dream of a winning season, or even another Stanley Cup. Pickett sold the team and its cable television rights to Spano for \$165 million.

Spano defaulted on his first payment for \$16.8 million to Pickett on April 7, 1997, when a wire transfer of the money failed to deposit the funds into Pickett's account. Spano then stopped payment on one check for \$16.8 million, bounced another for \$17 million, wired \$5,000 instead of \$5 million, and

then wired \$1,700 instead of \$17 million. Pickett's attorneys asked the NHL to take the team back from Spano on grounds of fraud. The media had a field day with the affair.

As his name was increasingly muddled, Spano vehemently denied that he lied, cheated, or stole anything. He continued to claim that he had the money to purchase the Islanders. Spano accused Pickett of undermining him in an attempt to get the team back and sell it at a higher price. Bettman forced Spano to return control of the team to Pickett on April 11, and the NHL voided Spano's purchase.

Bettman came under heavy attack for approving the sale of the Islanders to Spano. He claimed due diligence, arguing that six banks had checked on Spano's finances. The NHL hired the firm of Ernst & Young as well as Arnold Burns, a former deputy U.S. attorney general, to review bank procedures. Amid rumors of pending charges, Spano traveled to the Cayman Islands to meet with bank officials. He returned to the United States after three days. On July 23, he surrendered to U.S. authorities in Uniondale, Long Island, to face bank and wire fraud charges.

A U.S. Postal Service investigation revealed that Spano was accused of making fraudulent claims to obtain an \$80 million loan from Fleet Bank, a loan he used to buy the Islanders. He misrepresented his net worth. He only had about \$1.2 million in assets yet claimed in a statement of financial worth that he had \$107 million in a trust, \$52 million in a bank account, and \$39 million in a certificate of deposit. A trustee hired by Spano could not verify the existence of the trust, nor could he verify the existence of any money. The trustee said that Spano failed to provide him with information about the trust that would allow him to perform his duties with due diligence.

Furthermore, Spano forged signatures and letters to imply that he had the money to buy the Islanders. The prosecutor described the documents that Spano mailed to Pickett, the NHL, and Fleet Bank as nothing more than faxed "cut-and-paste jobs," which also included the misspelled names of foreign bank officials. The postal investigators looked at the letter to Pickett from Comerica Bank in Dallas that attested to Spano's net worth. They discovered that a

bank executive admitted that the sum was based upon unverified documents from Spano and that the banker had no personal knowledge of Spano's net worth. Spano forged another letter from Comerica Bank, certifying that the bank held enough funds in his account to cover the bounced \$17 million check. The bank executive who purportedly signed the letter denied any knowledge of that letter. The postal investigators described the letter as an obvious forgery. It had a fax machine mark virtually identical to the one used by Spano's Bison Group. A fax sent to Pickett from the brokerage firm of Donaldson, Lufkin & Jenrette that claimed Spano had U.S. Treasury bill holdings of \$27 million also had the Bison Group fax mark.

Spano also was accused of spending \$220,000 of the Islanders's money in undocumented expenses after fraudulently assuming ownership. Additionally, his equipment-leasing firm in Dallas was virtually bankrupt. He bounced a July 10, 1997, check for more than \$85,000 to pay property taxes on a \$2.5 million home in the University Park section of Dallas. When his attorney claimed in court that all of Spano's taxes and mortgage payments were current, the prosecutor produced the bounced check. The bad check showed that Spano's promises were empty, leading the judge to set the bail amount high at \$3 million.

On October 7, 1999, Spano pleaded guilty to federal charges of mail and wire fraud in Long Island and bank and wire fraud in Texas. He subsequently pleaded guilty to one count of bank fraud in Boston. All other charges and potential charges were dropped. His wife divorced him and sold their Dallas home. Spano moved into a condominium in Philadelphia and developed a drug addiction. When he tried to pay his rent with a bad credit card, bad checks, and bad wire transfers, his \$3 million bail was revoked for continued criminal conduct. Spano was sentenced on January 28, 2000, to six years and \$11.9 million in restitution. He left prison in 2004.

IMPACT

Pickett did not lose any money from the Spano affair. Indeed, in July, 1997, he regained control of the Islanders. He then sold the team and its cable televi-

sion rights to Howard Milstein for \$195 million. Milstein initially poured money into the franchise but, without victories, essentially gave up on the team by adopting an austere budget. In 2000, he sold the team to Charles Wang. The Fleet Bank executive who approved the \$80 million loan to Spano resigned in August, 1997. Pickett repaid the loan after it was restructured.

Wang, the newest majority owner of the Islanders, reinvigorated the team with an infusion of money. The Islanders won more points in the 2001-2002 season than they had earned in any of the previous eighteen seasons. The victories sent ticket sales and fan interest skyrocketing, and the Islanders became one of the premier clubs in professional hockey in the United States.

—Caryn E. Neumann

FURTHER READING

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May 2, 2000

NEW YORK MAYOR RUDY GIULIANI'S EXTRAMARITAL AFFAIR IS REVEALED

Rudy Giuliani was married to Donna Hanover when he began an extramarital affair with Judith Nathan. The media's exposure of the affair set off a firestorm of coverage by New York City's tabloid press and television stations. After a public and very contentious divorce, Giuliani married Nathan.

LOCALE: New York, New York

CATEGORIES: Politics; public morals; sex; families and children

KEY FIGURES

Rudy Giuliani (b. 1944), mayor of New York, 1994-2001

Judith Nathan Giuliani (b. 1954), pharmaceutical sales manager and Giuliani's third wife

Donna Hanover Giuliani (b. 1950), actor and television news anchor-reporter, who was Giuliani's second wife

Cristyne Lategano (fl. twenty-first century), Giuliani's press secretary

SUMMARY OF EVENT

During four weeks in early 2000, New York mayor Rudy Giuliani experienced a stunning reversal of fortune. In mid-April, he was the Republican candidate for a vacant U.S. Senate seat; was promised financial help from people across the country who disliked his opponent, Hillary Rodham Clinton; and was supported by many New Yorkers. Less than one month later, he was fighting cancer, his marital difficulties were headline news, his reputation for morality was shattered, and he abandoned any hope of election to the Senate.

Giuliani's announcement on April 27 that he was suffering from prostate cancer brought forth an outpouring of get-well wishes. The public was unaware of, and newspapers chose not to comment on, his most recent sexual adventure until a *New York*

Daily News gossip columnist on May 2 noted that Giuliani and a friend (not identified) frequently dined together. The next day the *New York Post* published three pictures of the mayor and his friend that it had been holding back, identifying the woman as Judith Nathan. When questioned, Giuliani said Nathan was "a very good friend," stimulating the two tabloids, New York City television stations, and national scandal magazines to tell their readers how good a friend.

Giuliani had been so open about the relationship it seemed as though he wanted to be caught. Newspapers now reported how frequently the two had dined together in posh New York restaurants, noted how often Giuliani was accompanied by Nathan rather than his wife at public events, and described his practice of arriving, escorted by two carloads of New York City police officers, for summer weekends at Nathan's condominium in the Hamptons. Reporters had known about his behavior, but never mentioned it until the *Daily News* gossip columnist broke the silence.

Follow-up stories disclosed an extensive pattern of womanizing that did not fit Giuliani's carefully cultivated reputation as defender of public morality, including condemning profane or licentious museum exhibits. When living alone in Washington, D.C., and estranged from his first wife, Giuliani had been actively dating other women. Even before his 1982 divorce, Giuliani and television reporter Donna Hanover began living together.

Giuliani and Hanover married in 1984. The two had an openly warm and mutually supportive relationship, and Hanover played a major role in Giuliani's mayoral campaigns in 1989 and 1993. The closeness ended in 1995 when Giuliani began to spend most of his time with his press secretary, Cristyne Lategano. In its August, 1997, issue, *Vanity Fair* magazine asserted the two were intimate, but both denied the accusation. Hanover concen-

trated on her increasingly successful career as an actor, anchor on television news, and host of television cooking programs. She rarely accompanied Giuliani at public or social occasions and asked to be addressed by her professional name, Donna Hanover, rather than Mrs. Giuliani or Donna Giuliani.

On May 10, 2000, Giuliani called a morning press conference that was covered live by New York City television news stations. He announced his decision to separate from Hanover and hoped to reach a formal agreement with her. He praised Nathan, a registered nurse and sales representative for a drug company, for the support she had given him, which he expected would be even more valuable as he fought his own cancer.

Giuliani had not told his wife he intended to publicly call for a separation. Hanover learned of his plans when a friend phoned and told her to turn on her television. She was furious and arranged a press conference of her own for that afternoon. Standing in front of Gracie Mansion, the official mayoral residence, with tears in her eyes, she stated that she had tried to keep the marriage together but that Giuliani had not cooperated. Hanover asserted she had been unable to take part in his political life for years because of his relationship with one of his staff members—a reference to Lategano that newspapers gleefully explained to their readers. Now, she would reluctantly discuss a legal separation with her husband.

Defiantly, Giuliani issued a press release on May 12 that informed the media where he and Nathan planned to dine that evening. After dinner, Giuliani escorted her back to her apartment, ten blocks from the restaurant. They were followed by photojournalists and television camera operators.

New York State's Republican leaders grew increasing

concerned and impatient as the media circus over Giuliani's sex life continued. They expected the contest between Giuliani, who cleaned up New York City, and the controversial former first lady of the United States, Hillary Rodham Clinton, to generate voter excitement that would help their candidates for state office. Republican leaders urged Giuliani to end his garish behavior and concentrate on preparing for the U.S. Senate election less than six months away.

Giuliani vacillated. Doctors assured him he would recover sufficiently in a month or two to return to active campaigning. However, he could not be sure how badly his chances of election had been damaged by his public reputation as an immoral adulterer. On May 19, less than four weeks after his shocking announcement that he had cancer, Giuliani withdrew his Senate candidacy, claiming he needed to concentrate on his health in the coming months.

Giuliani filed for divorce in October. Acrimonious public battles broke out between spokespersons for both parties. Hanover continued to live in Gracie Mansion and secured a court order barring her estranged husband from entering the house or meet-



Donna Hanover Giuliani and Rudy Giuliani in 1994. (Hulton Archive/Getty Images)

ing his children before the divorce became final. The case dragged on until June, 2002, six months after the end of Giuliani's term as mayor. The court awarded Hanover full custody of their two children and \$6.8 million.

Giuliani and Nathan were married in Gracie Mansion by Mayor Michael Bloomberg on May 24, 2003. This was the third marriage for both Giuliani and Nathan. Hanover, after her divorce from Giuliani, reunited with her high school sweetheart, whom she had not seen for twenty years. The two were married in 2003, her third marriage as well.

IMPACT

After the nasty public breakup of his marriage and the venomous rancor of the divorce proceedings, pundits predicted that Giuliani's political career was over because of the divorce scandal. However, everything changed on September 11, 2001. Giuliani's calm demeanor in response to the destruction of the World Trade Center and the murder of close to three thousand people turned him into a hero whose peccadilloes were forgiven. However, term limits set by the city charter prevented him from running for reelection. After leaving office, Giuliani opened a security consulting firm whose profits, along with hefty speaking fees, made him a multimillionaire.

In 2006, Giuliani began exploring the possibility of running for president of the United States. He formally announced his candidacy for the Republican nomination in February, 2007. September polls indicated he was the front runner, but by the time Florida voted on January 29, 2008, the competition had narrowed to an exciting two-person contest between John McCain and Mitt Romney. Giuliani withdrew from the race the next day.

—Milton Berman

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May 9, 2000

FORMER LOUISIANA GOVERNOR EDWIN EDWARDS IS CONVICTED ON CORRUPTION CHARGES

The administration of Edwin Edwards, the three-term governor of Louisiana, was marred by allegations of corruption for decades. In 2001, Edwards was sentenced to ten years in federal prison for corrupt practices, including extortion and money laundering, related to the issuance of contracts and licenses for riverboat casino gambling.

LOCALE: Baton Rouge, Louisiana

CATEGORIES: Corruption; law and the courts; politics; government

KEY FIGURES

Edwin Edwards (b. 1927), former governor of Louisiana, 1972-1980, 1984-1988, 1992-1996

Edward J. DeBartolo, Jr. (b. 1946), owner of the San Francisco 49ers football team and bidder for a Louisiana riverboat casino development project

Frank Polozola (b. 1942), U.S. District Court judge

SUMMARY OF EVENT

On May 9, 2000, former Louisiana governor Edwin Edwards was found guilty of racketeering, extortion, conspiracy to commit extortion, wire and mail fraud, and money laundering, among other crimes. On January 8, 2001, U.S. District Court judge Frank Polozola sentenced him to 120 months in prison, fined him \$250,000, and ordered him to forfeit \$1.8 million.

Five others were charged as coconspirators: Edwards's son and law partner, Stephen; Andrew Martin, Edwards's executive assistant during his fourth term as governor; Cecil Brown, a longtime friend and courier of information and cash for Edwards; Bobby Johnson, a Baton Rouge, Louisiana, contractor with ties to Edwards; Louisiana state senator Greg Tarver; and Ecotry Fuller, a member of the casino license board for Louisiana. While

Tarver and Fuller were found not guilty, the others received sentences of between five and seven years and fines between \$50,000 and \$60,000.

Edwards was first elected to the Crowley City Council, then as a state representative and a member of the U.S. Congress. He was a popular governor who first served from 1972 to 1980. He was constitutionally banned from seeking a third consecutive term, so he waited four years before handily winning an election to serve a third term beginning in 1984. In his third term as governor, the state had faced high unemployment and ran a significant operating deficit. The state fell further into debt and was seeking much-needed revenue.

From the early days of his political career, Edwards was accused of corruption and taking payoffs from those doing business with the state. He rarely took on the accusations directly, responding instead to his critics with sharp one-liners. For example, a gift of close to \$20,000 in value from a South Korean lobbyist was simply dismissed by him as a gift to his wife.

Edwards proposed legalized-gambling options while in office, but those options did not develop until his successor, Charles "Buddy" Roemer, took office and worked with the state legislature for the approval of riverboat-casino gambling. In no time, Edwards was back as governor for a fourth term, surprising many. He, too, would play a major part in the development of gambling in the state. Louisiana would soon approve the licensing of fifteen riverboat casinos that would create jobs and generate revenue. As the contracts and licenses were being awarded, it became clear to many that those contracts were going to bidders who had some sort of business relationship with Edwards, whose final term as governor ended in early 1996.

Among those riverboat bidders was Edward DeBartolo, Jr., part owner of the San Francisco 49ers football team and son of the successful shopping-mall developer Edward DeBartolo, Sr. In

1996, DeBartolo Entertainment was in the process of bidding for the fifteenth, and final, riverboat casino license. Though Edwards was out of office at the end of 1996, he still had many powerful friends in government. The former governor used his connections to give DeBartolo confidential information from the meetings of the Louisiana Gaming Control Board.

In early March, 1997, the night before DeBartolo made his presentation for a riverboat casino and shopping-mall complex on the Red River in Bossier City, Edwards and DeBartolo met at the Baton Rouge Radisson Hotel bar. Edwards requested 1 percent of DeBartolo's casino profits and \$400,000 for assisting in procuring the license. Edwards also implied that DeBartolo would have trouble getting the contract unless he complied with his request. DeBartolo agreed to Edwards's terms in that meeting.

Soon after that meeting at the Radisson, a Federal Bureau of Investigation (FBI) wiretap caught Edwards on the phone with Ralph Perlman, a member of the Gaming Control Board. Edwards asked Perlman if the vote regarding DeBartolo's contract would be encouraging. Perlman replied in the affirmative. In mid-March, Edwards again met with DeBartolo, this time to retrieve a briefcase containing \$400,000 in \$100 bills. The next day, the partnership of DeBartolo Entertainment and Hollywood Casino Corporation was awarded the final riverboat-casino license on a 6-0 vote. In the end, however, DeBartolo would never receive the license.

The FBI began wiretapping Edwards's phones and placing microphones in his law office to gather substantial evidence related to other possible pay-offs. While Edwards was somewhat cryptic and careful with comments he made over the phone, microphones revealed he was more carefree when discussing business dealings in his law office.

On October 6, 1998, DeBartolo pleaded guilty to the charge of failing to report that Edwards had extorted him for the casino license. DeBartolo cooperated with authorities and received two years probation and agreed to pay \$1 million in penalties. However, DeBartolo lost considerably more than

cash: He lost the casino license and controlling ownership of the San Francisco 49ers, which went to his sister.

Edwards, his son Stephen, and four associates were indicted on November 7 by a federal grand jury for a racketeering conspiracy to extort money from prospective businesses seeking to open riverboat casinos in Louisiana. The licenses were lucrative, and Edwards knew those interested would go to extremes to get one.

Robert Guidry, a former riverboat casino owner, testified at the former governor's trial that he paid \$100,000 per month to Edwards, his son, Stephen, and an Edwards aide. During the trial, Edwards questioned the legality of the deal by claiming he was not in office as governor when he allegedly received those payments. The cornerstone of Edwards's defense in the case was that all payments were legal payments made for his lobbying and consultation expertise. However, Guidry testified that Edwards's work, while governor, in reassigning key members of the state police gaming division was essential to Guidry receiving his renewed gambling license. Without the gambling license, Guidry's riverboat contract was worthless. Guidry admitted to making payments to Edwards totaling \$1.5 million by dropping amounts as much as \$100,000 in cash in clandestine areas, including trash bins, in Baton Rouge from March, 1996, through April, 1997.

Multiple permits were needed to successfully operate a riverboat casino, adding to the temptation to subvert the law to get those lucrative permits. To set up a riverboat casino, a company would have to win one of the available permits to build and dock its boat. Additionally, a company would have to receive an operating license from the state police. In one instance, Edwards suggested to one company, Players Casino in Lake Charles, that they would need his help in getting approval from the state police. In turn, the company purchased \$200,000 worth of goods from an Edwards-owned company.

Because the U.S. attorney had failed to convict Edwards on corruption charges during the mid-1980's, few people were absolutely confident of getting a conviction in this case, even though some

of his coconspirators cooperated with prosecutors by testifying. All three had accepted plea bargain deals with federal authorities and were forthcoming with details when they took the witness stand at trial. Edwards and his son and associates were found guilty on May 9, 2000. Edwin Edwards unsuccessfully appealed his conviction, an appeal based largely on his claim that the testimony of key trial witnesses was questionable.

While still attempting to appeal his case, Edwards began serving his term at the Federal Medical Center in Fort Worth, Texas, on October 21, 2002. He later transferred to Oakdale Federal Prison in Oakdale, Louisiana. This low-security prison houses other high-profile inmates, including Enron's Andrew Fastow, Worldcom's Bernard Ebbers, and former Alabama governor Don Siegelman.

IMPACT

For a state with significant wealth in terms of natural resources, many critics lament the political corruption that has impeded the state's progress. Louisiana remains a poor state with an inadequate educational system and unstable revenue. Concern about corrupt politics has kept many businesses from establishing themselves in the state, businesses that would provide jobs, income to the state from sales taxes, and a hint of stability in a politically unstable state. Edwards's unethical and illegal dealings only made matters worse, and they did nothing more for the state than reinforce its reputation as a haven for corrupt politicians and government officials.

—John C. Kilburn, Jr.

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September, 2000

AMERICAN SCIENTISTS ARE ACCUSED OF STARTING A MEASLES EPIDEMIC IN THE AMAZON

Patrick Tierney claimed that two renowned researchers, anthropologist Napoleon A. Chagnon and geneticist James V. Neel, started or exacerbated a measles epidemic among the indigenous Yanomami people of the Amazon in 1968. Conflicting accounts of what actually happened call into question some of Tierney's accusations, which were made in his book Darkness in El Dorado (2000).

LOCALE: Southern Venezuela

CATEGORIES: Publishing and journalism; medicine and health care; science and technology

KEY FIGURES

Napoleon A. Chagnon (b. 1938), American anthropologist and professor emeritus, University of California, Santa Barbara
James V. Neel (1915-2000), American geneticist
Patrick Tierney (fl. early twenty-first century), visiting scholar at the Center for Latin American Studies, University of Pittsburgh

SUMMARY OF EVENT

Patrick Tierney claims in his book *Darkness in El Dorado* (2000) that American scientists Napoleon A. Chagnon and James V. Neel administered a measles vaccine to the Yanomami people of South America in 1968, leading to or exacerbating a measles outbreak among the population and causing thousands of deaths. Others believe, however, that the vaccine actually prevented the spread of measles. Confusion exists about whether such an outbreak of measles even occurred. Estimates of the dead range from zero to thousands. Questions also remain about whether measles had been present among the Yanomami prior to the vaccination efforts.

The Yanomami, a remote tribe of indigenous, or Indian, peoples, inhabit areas of Brazil and Vene-

zuela. They make up the largest indigenous group in South America, with an estimated population of twenty-two to twenty-seven thousand. They live in about three hundred villages that are spread out over a vast 70,000 square miles. The Yanomami are primarily hunters and farmers who live in relatively isolated areas and practice their traditional lifestyle. They comprise four Indian subdivisions, each with its own language: the Sanema of the northern sector, the Ninam of the southeastern sector, the Yanomam of the southeastern part of the Yanomami area, and the Yanomamo of the southwestern part of Yanomami area.

Chagnon and Neel spent many years working among the Yanomami. They filmed rituals and everyday life, collected genealogies, and took blood samples from the mid-1960's until the late 1990's. The government of Venezuela had banned (or revoked) Chagnon's visa to travel to the lands of the Yanomami but Chagnon managed to travel into the country by listing himself as part of a group that was traveling under Neel.

The measles vaccine scandal was initiated when Tierney accused Chagnon and Neel of questionable ethical practices in administering to the Yanomami a dangerous measles vaccine that contained a live virus—the Edmonston B. Neel used the vaccine without the permission of Venezuelan medical authorities. Neel was interested in discovering how the previously unexposed Yanomami would react to the measles vaccine. Even though a better vaccine was available, the older version, Edmonston B, was used. Edmonston B was more onerous to administer, as it was necessary (as advised by the World Health Organization, the WHO, in 1965) to give a gamma globulin shot prior to the vaccine to help control side effects.

Tierney maintains that hundreds if not thousands of Yanomami died as a result of the use of the Edmonston B vaccine. A group of researchers from the University of Michigan and University of Cali-

fornia, Santa Barbara, found that Edmonston B was safe and had been approved by the U.S. Food and Drug Administration and the WHO. Furthermore, this same research contends that the measles outbreak had already been in evidence for one year prior to the vaccine being administered. The former director of the U.S. Centers for Disease Control, William H. Foege, said that Edmonston B, while strong and sometimes causing severe reactions that mimicked a light case of measles, would not cause the large number of deaths claimed by Tierney.

Furthermore, Tierney claimed that Neel and Chagnon did not have proper consent to use the vaccine. However, researchers from Michigan and Santa Barbara argue that the Venezuelan medical officials had approved the use. Keith Wardlaw, a visiting Christian missionary present at the time in question, maintains that while Neel had nothing to do with the outbreak and was attempting to provide vaccines to the Yanomami to prevent the spread of measles, he nevertheless was refused permission to administer the vaccine by the Society for the Protection of Indians, a Venezuelan government agency. Furthermore, Wardlaw, who with his family had been with the Yanomami Indians during the measles outbreak, actually believed his young daughter had unknowingly introduced measles to the Yanomami.

In addition, evidence shows that the 1968 outbreak was not the first among the Yanomami. Thomas Headland, a noted anthropologist, asserted that at least four measles outbreaks occurred among the Yanomami prior to the time that Chagnon and Neel arrived in the area in 1968.

Another of Tierney's assertions was that Neel did nothing to assist the Yanomami during the measles epidemic. Susan Lindee, a historian at the University of Pennsylvania who had access to Neel's field notes, found that Neel provided antibiotics to the inhabitants of the Yanomami villages he visited. The researchers from Michigan and Santa Barbara also found that Neel provided medical assistance to the Yanomami and may have saved lives through his efforts. Wardlaw supports these claims.

The alleged misconduct reported by Tierney was first brought to light by two professors of anthropol-

ogy in September, 2000. Terence Turner and Leslie Sponsel, after reading the manuscript of Tierney's soon-to-be-published *Darkness in El Dorado*, sent an e-mail message to the American Anthropological Association (AAA) to warn the organization about possible repercussions if the allegations in the book indeed were true. They also urged the AAA to conduct a formal investigation into the work. Their e-mail was leaked to the press within days. In a subsequent letter, Turner and Sponsel stated that they had not taken a position on whether the book's assertions about Neel or Chagnon were true or false. They claimed that the sole purpose of their original e-mail was to warn the AAA. Neither had done work on the Yanomami, nor had they ever written about Chagnon or Neel. Tierney, to his credit, had done field research with an indigenous population, the Kayapo of central Brazil, but not with the Yanomami. Furthermore, he has written about the ethics of working with indigenous populations.

In defense of Neel and Chagnon and countering the claims of Turner and Sponsel, the codeveloper of the Edmonston B vaccine, Samuel L. Katz, said that the same vaccine administered to the Yanomami was given to close to nineteen million children and infants around the world, including the United States, South America, Nigeria, and Burkina Faso, between 1963 and 1975 without major health problems. He insisted that the use of the Edmonston B vaccine could not have started or even exacerbated a measles epidemic.

IMPACT

Most of Tierney's allegations, and certainly the allegation that Chagnon and Neel were responsible for a massive measles epidemic that caused thousands of deaths among the Yanomami, were refuted by various groups that included the AAA, by witnesses who were present at the time in question, and by other researchers. On November 13, 2000, the provost's office at the University of Michigan, after spending hundreds of hours investigating the matter, issued a statement in support of Chagnon and Neel and against the claims made by Tierney in *Darkness in El Dorado*. Also, the office claimed that Turner and Sponsel had known about Tierney's

work on the book years before sending their e-mail message to the AAA. In turn, Sponsel and Turner denied the claims made by the provost's office.

In February of 2001, the AAA convened a task force of professionals and academics who had direct knowledge of the activities in question. In its three-hundred-page report of May 18, 2002, the task force found that although Chagnon often was unethical in his research—including not obtaining proper consent from the government of Venezuela and the Yanomami for his studies—most of the allegations made against him and Neel by Tierney could not be corroborated. However, the report was rescinded by the AAA in June, 2005, for being unfair, flawed, and neglectful of Tierney's rights to due process.

The Yanomami people have changed in many ways as a result of contact with the modern world. One Yanomami tradition that has not changed, however, is the belief that bodily matter should not be kept after an individual dies. Now advocating for their rights, the Yanomami, through their representatives, have requested the return of the blood samples taken by Chagnon and Neel. (The donors had not been told that their blood would be kept indefinitely.) While researchers have promised to return the samples (or destroy them—an alternate request), the Yanomami still wait and wonder. In the meantime, the scandal led to further academic debate on the ethics of research with indigenous peoples.

—Judy L. Porter

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September 19, 2000

EX-GAY LEADER JOHN PAULK IS PHOTOGRAPHED LEAVING A GAY BAR

John Paulk, chairman of the board for the conservative, Christian, “ex-gay” movement group Exodus International, was photographed leaving a Washington, D.C., gay bar in the fall of 2000. A former drag queen, Paulk married a woman after his experiences with Exodus and became its spokesperson. He also was a spokesperson for the conservative group Focus on the Family. Paulk claimed to have stopped at the bar to use the restroom, but not many believed him. He lost his position as Exodus board chairman.

LOCALE: Washington, D.C.

CATEGORIES: Publishing and journalism; public morals; sex; politics; social issues and reform

KEY FIGURES

John Paulk (b. 1963), Exodus International board chairman, 1995-2000, and author

Daryl Herrschaft (fl. early twenty-first century), bar patron who first spotted Paulk inside Mr. P’s, a gay bar

Wayne Besen (b. c. 1971), journalist and gay activist

James Dobson (b. 1936), chairman of Focus on the Family

Anne Paulk (fl. early twenty-first century), Exodus member, author, and spouse of John Paulk

SUMMARY OF EVENT

In the year 2000, gay rights campaigning had reached into the legislatures of many U.S. states. For example, Vermont legalized gay civil unions that year, setting a favorable climate for gays and lesbians. Much of the controversy over gay rights had settled into debates about the morality of gay marriage. Conservative backlash against the movement remained strong, with right wing fundamentalist Christians leading the groups opposed to homosexuality.

Vermont’s civil unions earned nationwide backlash, as voters in other states initiated constitutional amendments against same-gender marriage. Other groups, in particular, the Evangelical group Focus on the Family, hoped to “end” the practice of homosexuality altogether. With its claimed Christian focus on condemning the perceived sin, rather than the perceived sinner, the group hoped to convert gays and lesbians to heterosexuality. Focus on the Family’s subgroup, Exodus International (Exodus), carried particular weight in what was called homosexual “conversions.”

To that end, Exodus had two real stars. Board chairman and spokesperson John Paulk and his wife, Anne Paulk, claimed to be former gays who were now married with three children. John Paulk went on regular speaking tours to promote Exodus, with the hope of drawing other gays and lesbians to conversion. The couple wrote a book, *Love Won Out* (1998), and were featured on the cover of *Newsweek* magazine in 1998.

The “ex-gay” movement, as it is best known, became a source of much controversy. Opponents claimed it was a discriminatory farce. Gay rights activists argued that conversion groups produced more same-gender partnerships than traditional heterosexual ones, and that the groups caused irreversible emotional trauma. It came as no surprise then, that after Paulk went into a well-known gay bar in Washington, D.C., in 2000 and was exposed for doing so, the stage would be set for a noisy showdown between gay rights supporters and the activists of the ex-gay movement.

On September 19, Paulk was in Washington, D.C., participating in one of his many speaking tours for Exodus. While on his own time, he paid a visit to Mr. P’s, a gay bar. Mr. P’s, named for its location on P Street, existed in stark contrast to the other buildings on the block. Where those other buildings were brightly lit and modern looking, Mr. P’s was stubbornly dark and concealing. The bar



Anne and John Paulk in 1998. (Hulton Archive/Getty Images)

had a policy against photographs being taken indoors, presumably to protect its clientele. While Paulk sat and chatted for forty minutes in the bar, he was recognized by another customer, Daryl Herrschaft, who also was a member of the gay rights lobbying organization Human Rights Campaign (HRC).

Cannily aware of what Paulk's presence in the bar could do to Exodus's reputation, Herrschaft contacted another HRC member, Wayne Besen, a journalist and gay activist. Besen rushed to the bar, camera in hand. In the dramatic showdown that followed, Besen was ejected from the bar for violating its policy against photography, but not before he had captured a fleeing Paulk on film outside the bar. From other customers, Besen learned Paulk had been flirting and using an alias.

Besen later published an exposé on Paulk that focused on his hypocrisy and the dangers of the ex-gay movement. Initially, Paulk claimed he had only stepped into the bar to use the restroom, but began chatting and stayed inside. To his credit, Paulk never pretended to have been on a conversion mission. However, given the length of his stay, the restroom excuse was quickly dismissed in both the popular press and among Paulk's colleagues who knew better.

James Dobson, chairman of Focus on the Family, confronted Paulk after the published exposé and demanded a full explanation for his apparently aberrant behavior. Paulk initially denied any homosexual inclinations, insisting he had both the support of Focus on the Family and his own wife. However, his explanation still did not hold up to scrutiny. Too many witnesses in the bar had seen him buy drinks for other men, heard him claim to be gay, and heard him use an alias from his own drag queen days. Finally, Paulk confessed that the pressures of the limelight made him want to escape, so he had been toying with the idea of again having sex with men. He quickly added that he was grateful to have been caught, feeling that God was protecting him from his own aberrant desires.

Focus on the Family removed him as Exodus's chairman of the board and sent a chaperone with him to speaking engagements. Although it was committed to supporting him, the group expressed its disappointment in what it considered a lapse in judgment, particularly as he lied about his motives until the truth was extracted from him. The group tried to downplay the incident, claiming that thousands had "escaped" homosexuality and that these successes should be considered more important than Paulk's aberrant behavior.

IMPACT

Paulk's lapse, however, effectively derailed the antigay and ex-gay movements at the height of their popularity. Although gay conversion groups, ex-gay ministries, and Exodus continued to exist, they no longer flourished. The scandal was used by gay rights supporters as an example that the ex-gay movement was harmful, and ultimately ineffective.

Exodus's choice in leadership came under heavy criticism from both sides, and the media gleefully picked apart Paulk and his hypocrisy.

For his part, Paulk continued in a lower leadership role with Focus on the Family, acting as the manager of homosexuality and gender issues until his resignation in 2003. He went on to become a chef and moved, with Anne, to Oregon, far from Washington, D.C.

Besen, in contrast, made a career out of Paulk's downfall. Always concerned with gay rights and already a vocal opponent of ex-gay ministries, Besen escalated the case against the ex-gay movement even after the hubbub over Paulk's lapse died down. Besen became executive director of the group Truth Wins OUT, which exposes hypocrisy within the ex-gay and antigay movements, started a weekly column on his own Web site, and published a book, *Anything but Straight*, in 2003. Furthermore, Besen educates parents thinking of sending their gay and lesbian children into conversion programs by demonstrating the psychological harm done by such programs.

—Jessie Bishop Powell

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September 26, 2000

GYMNAST ANDREEA RĂDUCAN LOSES HER OLYMPIC GOLD MEDAL BECAUSE OF DRUGS

Sixteen-year-old Romanian gymnast Andreea Răducan was stripped of her gold medal in the women's individual all-around competition at the 2000 Summer Olympics in Sydney, Australia, after testing positive for the banned stimulant pseudoephedrine. The substance is a common ingredient in cold medicines, which she had been given by a team physician the night before her competition.

LOCALE: Sydney, New South Wales, Australia
CATEGORIES: Drugs; medicine and health care; sports

KEY FIGURES

Andreea Răducan (b. 1983), Romanian gymnast
Ioachim Oană (fl. early twenty-first century),
Romanian Olympic team physician
Ion Tiriac (b. 1939), president of the Romanian
Olympic Committee

SUMMARY OF EVENT

Andreea Răducan was born in Barlad, Romania, in 1983. She showed promise in gymnastics from an early age and was a top gymnast on the Romanian national team by the late 1990's. She lived and trained at the national training center in Deva. She became known for her high energy, skills, dance ability, and artistry, receiving comparisons to legendary Romanian gymnast Nadia Comaneci.

Răducan's specialties were the floor exercise, vault, and balance beam. She won the gold medal for the floor exercise finals and placed fifth in the individual all-around finals at the 1999 World Championships, and she was one of the top gymnasts in the world leading up to the 2000 Summer Olympic Games in Sydney, Australia.

At the 2000 Games, Răducan helped the Romanian women's gymnastics team earn the gold medal in the team competition, the first gold medal for Ro-

mania since the 1984 Summer Olympics in Los Angeles. Her scores in the team competition also qualified her for the individual all-around, floor exercise, and vault finals. She finished the preliminary round of the all-around finals with the second highest total score, just behind gold-medal favorite Svetlana Khorkina of Russia. Răducan went on to win the individual all-around gold medal in the controversial final round of the competition.

Halfway through the event, the vaulting apparatus was found to have been set to an incorrect height, a mistake that led a number of competitors to "crash"; however, there were few injuries. Khorkina had been among those who vaulted at the incorrect height and crashed. Răducan also vaulted at the incorrect height, but she completed the vault without serious error. Those who had competed at the incorrect height had the option of vaulting again, but Răducan chose not to do so. She became the first Romanian gymnast to win the Olympic individual all-around title since Comaneci at the 1976 Olympics. Romanian teammates Simona Amanar and Maria Olaru took the silver and bronze medals, respectively.

On September 26, a few days after the all-around competition, the Romanian team was notified that Răducan had tested positive for the stimulant pseudoephedrine, which was on the International Olympic Committee's (IOC) list of banned substances. She was stripped of her gold medal in the individual all-around event but was allowed to compete in the event finals, where she won the silver medal on the vault but faltered on her usually solid floor exercise to finish seventh of eight competitors. Răducan, her coaches, and Romanian Olympic Committee president Ion Tiriac protested the IOC's withdrawal of her gold medal, claiming that the pseudoephedrine had been in two tablets of Nurofen, a commonly available, over-the-counter cold medicine given to her by Romanian team phy-

sician Ioachim Oană to treat her fever and cough. The IOC rejected the protests, stating that although they believed Răducan did not knowingly ingest the substance and did not receive a performance benefit, they must enforce rules violations regardless of the circumstances.

As a result of the IOC decision, the individual all-around gold medal was awarded to second-place finisher Simona Amanar, who accepted it on behalf of Romania but qualified her acceptance by stating that Răducan was the rightful winner. Third-place finisher Olaru received the silver medal and fourth-place finisher Liu Xuan of China received the bronze medal. Răducan was allowed to keep her gold medal from the team competition and her sil-



Andreea Răducan at a 2000 Summer Olympics news conference in Sydney, two days after losing her gold medal in the women's all-around gymnastics competition. (AP/Wide World Photos)

Gymnast Răducan Loses Her Olympic Gold Medal

ver medal from the vault competition because she had not been tested for drugs after the team event and had passed a drug test after the event finals.

The decision to strip Răducan's medal created a wave of public sympathy for the young, petite Răducan, who did not meet the profile of an intentional doping violator. The same day her medal was stripped, Răducan and the Romanian Gymnastics Federation appealed the IOC's decision to the Court of Arbitration for Sport (CAS), the sporting world's highest court of appeal, based in Lausanne, Switzerland. An ad hoc CAS group, meeting in Sydney, ruled on September 28 that Răducan was innocent of any wrongdoing and that she had not gained a competitive advantage from the pseudoephedrine. However, it rejected her appeal to reinstate her gold medal for the individual all-around event. The court agreed with the IOC's rationale that regardless of the emotions or circumstances of the case, the Olympic antidoping code must be upheld in fairness to all athletes. Romanian team physician Oană was expelled from his job for the remainder of the Sydney Games and also was banned from the 2002 Winter Games in Salt Lake City and the 2004 Summer Games in Athens.

Răducan remained a popular figure to many both inside and outside gymnastics. The International Gymnastics Federation (IGF) also exonerated her of any wrongdoing and imposed no further sanctions, stating that the loss of her medal was punishment enough. She continued to train with and compete for the Romanian team and won five medals at the 2001 World Championships before retiring from the sport in 2002. After her retirement, she became a sports announcer, television-show host, and model and studied for a master's degree in journalism at the University of Bucharest. Oană kept his medical license but, in addition to his Olympic sanctions, received a four-year ban from the European championships and all IGF-sponsored events.

IMPACT

The withdrawal of Răducan's gold medal attracted worldwide media attention and highlighted the tougher IOC position on violations of its antidoping code. Despite the public's sympathy for Răducan,

many people believed nonetheless that preserving the fairness and integrity of the Games is more important for the integrity of the Olympics than any individual case.

At the time Răducan lost her medal, the IOC had been facing increasing public pressure to crack down on doping violators and uphold the Olympic movement's commitment to drug-free sport, a commitment that led to the more stringent antidoping policies. The uniqueness of Răducan's case, her proclaimed innocence, and her sympathetic nature would test the IOC's determination to enforce those policies. Its decision to follow its own rule and automatically disqualify an athlete regardless of the circumstances of the charges sent a message that accidental violations would not be tolerated, or defensible.

Oană's suspension also sent the message that team physicians and other medical personnel working with athletes must know the ingredients of any and all medications they prescribe or otherwise supply, and that all persons affiliated with a team, not just athletes, could face sanctions for their carelessness.

—*Marcella Bush Trevino*

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November 5, 2000

JAPANESE AMATEUR ARCHAEOLOGIST'S "DISCOVERIES" ARE PROVEN FAKES

Amateur archaeologist Shinichi Fujimura, who had been credited with numerous major finds, was exposed as a fraud when the Japanese newspaper Mainichi Shimbun published photographs of him burying finds he claimed to have discovered. This incident called into question the validity of his earlier work and caused a major scandal in Japan. Fujimura later admitted to fabricating all of his findings.

ALSO KNOWN AS: Japanese paleolithic hoax

LOCALE: Tokyo, Japan

CATEGORIES: Forgery; hoaxes, frauds, and charlatanism; publishing and journalism; education; public morals; cultural and intellectual history

KEY FIGURES

Shinichi Fujimura (b. 1950), amateur archaeologist
Toshiki Takeoka (fl. early twenty-first century),
 archaeologist at Kyoritsu Women's University,
 Tokyo

Charles Keally (fl. early twenty-first century),
 American archaeologist at Sophia University,
 Tokyo

Toshiaki Kamata (fl. early twenty-first century),
 chairman of the Tohoku Paleolithic Institute

SUMMARY OF EVENT

On November 5, 2000, the Japanese were stunned by accusations of fraud involving one of Japan's most trusted and admired amateur archaeologists, Shinichi Fujimura. By the age of fifty, Fujimura was a leading amateur archaeologist, even though he had only a high school diploma and no formal training. He was nicknamed the Hand of God and God's Hand for his uncanny ability to find ancient artifacts.

The shy, humble father of two was working at an electronic-gadget manufacturing company in 1972

when he became interested in Japan's prehistory. Fujimura taught himself archaeology and, in 1981, had a major discovery when he found stoneware dating back 40 millennia. This discovery pushed Japan's ancient history back by 10 millennia. Fujimura's career and reputation took off, and he consistently found older artifacts as he worked on more than 180 other sites nationwide over a period of twenty years. He studied objects from the oldest of Japan's Paleolithic, or Stone Age, which dates back 600 to 1,200 millennia. The stone implements, or tools, Fujimura discovered date back 500, 600, and 700 millennia. Each discovery broke archaeological records and seemed to prove that the earliest habitation of Japan occurred 600 millennia ago and not 30 to 35 millennia ago as previously determined by the archaeological evidence.

In 1992, Fujimura made a major discovery in the Zazaragi ruins in the Miyagi Prefecture, which was the first unanimously confirmed early-middle Paleolithic site in Japan. Fujimura's finds at this site led to new avenues of research and were considered spectacular. Also in 1992, Fujimura and two trained archaeologists established the Tohoku Paleolithic Institute, a nonprofit organization in Tagajo, near Sendai, northeast of Tokyo. The institute supported the excavations of Paleolithic sites in Japan. Fujimura served as deputy director, or vice chairman. Toshiaki Kamata, an established archaeologist, served as the director.

Fujimura's findings were supported by many well-respected scientists, including anthropologists and archaeologists. Privately, some professionals expressed doubt about the age of the discoveries, but only a few expressed their doubts publicly. As early as 1985, two prominent archaeologists, the American Charles Keally from Sophia University in Tokyo and Toshiki Takeoka, a lecturer at Kyoritsu Women's University, also in Tokyo, claimed that the artifacts from one site were incorrectly

dated. Their criticisms were ignored and Keally was essentially told by other archaeologists to remain quiet about his doubts. Takeoka was forced to tone down a paper in 1997 by the editors of *Paleolithic Archaeology* when he questioned Fujimura's professionalism. Takeoka's paper was edited so that the most critical sections were removed. The editors believed these sections alluded to rumors of planted artifacts.

Because of his concerns, Takeoka encouraged journalists to watch Fujimura. Reporters had been tracking Fujimura for six months when they caught him planting artifacts, first in September, 2000, at the Soshinfudozaka ruins in Shintotsukawa, Hokkaido. The photographs, however, were not clear enough to present as evidence.

At the Kamitakamori ruins in Tsukidate, Miyagi Prefecture—about 186 miles northeast of Tokyo—Fujimura and his team announced the discovery of holes that may have held pillars or columns supporting dwellings, as well as stones believed to be more than 600 millennia old—one of the oldest indications of human habitation in Japan. On October 22, local journalists with hidden video cameras filmed Fujimura at one of the sites at dawn burying something that he had removed from his pocket. Hours later he "discovered" an artifact at the same place.

On November 5, the newspaper *Mainichi Shimbun* published three still images from the video that showed Fujimura burying the artifacts he later dug up and claimed as authentic and newly discovered. The paper published the images only after confirming the facts with Fujimura himself. In a press conference that same day, Fujimura admitted to planting many Stone Age artifacts but insisted that he had only done so at the Soshinfudozaka and Kamitakamori ruins and that all of his other finds were legitimate. He claimed that he had been tempted by the devil and by the need for the continued admiration of the archaeological community.

News of the scandal spread quickly and shocked the archaeologists who worked with Fujimura. Many defended the validity of his earlier finds, especially those who had excavated with him.

Kamata admitted that Fujimura's actions were foolish, but he also insisted that the deception involved only the two most recent sites. Fujimura resigned from Tohoku Paleolithic Institute and Kamata, as his boss, accepted full blame on behalf of the institute. Fujimura, who had been admitted to the Japanese Archaeology Association (JAA) in 1984, was expelled in 2000 after the scandal was revealed.

Shortly after the November 5 revelation, Fujimura was hospitalized after suffering an emotional breakdown. He spent the next several years in a psychiatric hospital, and all of his communication with the outside world was mediated by his doctor and lawyer. Because of his initial unavailability, it was not until May, 2001, that JAA representatives could begin five sessions of interrogation with Fujimura. Meanwhile, local governments were reexcavating the sites of his major finds. By October, with proof by others that he had faked the excavations at more than thirty sites, Fujimura admitted that all of his work was fabricated. The forgeries included sites that accounted for most of the archaeological record in Japan for the earliest period of the Paleolithic era. Fujimura wanted fame and felt pressured to continue making spectacular finds. The archaeological community was stunned and dismayed, as many of the sites were thought to be among the world's oldest human habitations.

In its report issued in May, 2002, the JAA's special investigative committee announced that none of the stone tools Fujimura identified as belonging to the Paleolithic period had academic value. Former chairman Kamata resigned from the Tohoku Paleolithic Institute, indicating that the reputation of the institute was irreparably damaged. The institute was dissolved in 2004. Fujimura eventually left the psychiatric institute, changed his name, and remarried. In 2007, he was reportedly living in a small town on the Pacific coast of Japan.

For more than twenty years, Fujimura's work was taught to children and featured in textbooks. He was a hero because his discoveries helped prove Japan's cultural uniqueness. Because archaeology is extremely popular in Japan and has been a source of great pride, the people not only felt betrayed by his fraud but also embarrassed.

IMPACT

Fujimura's method of deception was very effective, and it was difficult to detect a planted artifact unless someone was specifically looking for that item. No obvious signs of forgery existed because the planted tools were ancient, locations were favorable, and because the stone implements were dated by the stratum (layer of rock or soil) in which they were found, it was extremely difficult to differentiate between planted and real finds. Also, unusual archaeological discoveries were common, so archaeologists accepted Fujimura's sensational findings.

Fujimura also was very good at planting forgeries, often during the early morning hours but even with other people, including professionals and the press, watching him excavate. Because he was trusted and respected, any inconsistencies were explained away, ignored, or simply not noticed.

After the scandal, Fujimura critic Keally highlighted flaws in Japanese archaeology. He argued that findings were revealed at press conferences and circulated among the public and profession quickly but with little critical review or scholarly debate. Critic Takeoka said that the study of archaeology in Japan was not scholarly but rather based on the desire for incredible discoveries. Senior scholars, he said, are not challenged in Japan; to directly criticize another's work is considered a personal and professional insult.

The Fujimura scandal led the Japanese scientific community to call for major changes in how findings are announced to colleagues and the general public. Scientists also called for more time on analysis before claims were made, and for greater collaboration with foreign scientists, which would encourage more debate and raise the standards of scientific scholarship in Japan.

Japanese archaeologists and other prominent scientists, many of whom had based years of research on Fujimura's findings, found all of their work questioned, and the field itself was forced to reconsider how discoveries were verified. Trust eroded between the public and academia, as well as be-

Archaeologist's "Discoveries" Are Proven Fakes

tween colleagues, and the international reputation of Japanese archaeology suffered because of the scandal.

—Virginia L. Salmon

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December, 2000

SEXUAL ABUSE OF CHILDREN IN FRANCE LEADS TO THE OUTREAU AFFAIR

The Outreau affair was a child sex-abuse scandal that became a legal scandal. After social services alerted French prosecutors to suspected child sexual abuse, Thierry and Myriam Delay were tried for abusing their four children. The Delays admitted guilt and also implicated neighbors, creating fears of a pedophile network. Years later, cases against most of the accused, who had been incarcerated for up to thirty months while awaiting trial, were dismissed on appeal. The scandal led to major legal reform in France.

LOCALE: Outreau, France**CATEGORIES:** Law and the courts; families and children; social issues and reform; sex crimes; public morals**KEY FIGURES**

Myriam Delay (Myriam Badaoui; b. 1967), defendant

Thierry Delay (b. 1964), defendant

David Delplanque (b. 1973), defendant

Aurelie Grenon (b. 1980), defendant

Fabrice Burgaud (b. 1971), magistrate

SUMMARY OF EVENT

The discovery and investigation of a suspected pedophile and sex-abuse ring by authorities in Outreau, France, in December, 2000, filled the French public with horror and rage over allegations of the sexual abuse of children. Public condemnation soon shifted from the accused to the French justice system itself, in which many of the defendants were imprisoned for long stretches of time and tried based on little evidence and admittedly false accusations. The child sex-abuse scandal and the reported injustices that occurred during the investigation and trial came to be known as the Outreau affair and brought France's long-standing judicial system under scrutiny.

The Outreau child sex-abuse case began when social-service workers and teachers became concerned over the sexualized behaviors of Thierry and Myriam Delay's four children. Suspecting sexual abuse, social services staff contacted law enforcement about their observations. The Delay children were taken from their parents, placed in foster care, and questioned. The children told investigators that they were forced to perform sexual acts and watch pornographic films, and that they were molested and raped by their parents as well as some of their neighbors. Between 2001 and 2003, the children's testimonies as well as Myriam Delay's own allegations against others in the Outreau community led to an increase in the number of accused.

As the investigations came to a close, eighteen people had been charged with rape, torture, and the perpetration of barbaric acts against eighteen children, ages three to twelve, in a period of five years. Although pornographic material and sex toys had been confiscated from the Delay residence, the presence of physical evidence of child sex-abuse remained scarce. The majority of evidence gathered for the trial included, primarily, the psychological evaluations and testimonies of the children allegedly involved. The children were once again removed from the custody of their parents during the investigation and trial, and the accused were ordered to pretrial detention. One of the accused committed suicide by drug overdose after enduring over one year of pretrial incarceration. A total of seventeen adults were scheduled to go to trial over the sex-abuse allegations.

Under a firestorm of media coverage, the Outreau trial began in May, 2004, under the direction of a young magistrate, Fabrice Burgaud. In addition to the shocking stories of abuse detailed by the children, more evidence against the seventeen accused surfaced during Myriam Delay's testimony. She confessed that she and her husband,

Thierry Delay, sexually abused their children from 1995 to 2000. She also implicated her neighbors as participants in the abuse, and she explained that her own sexual victimization as a child influenced her decision to abuse her own children. The Delay's neighbors, David Delplanque and Aurelie Grenon, also confessed that they had sexually abused the Delay children.

Three critical developments changed the mood of the trial in November, 2004. First, Myriam Delay and Grenon retracted their statements about the criminal involvement of the other defendants. Second, Myriam Delay and Grenon were found to have fabricated parts of their testimonies. Third, the children's stories began to conflict with their own prior statements. Furthermore, the Delay children's stories were viewed with even more uncertainty because they also showed signs of psychological and emotional distress. Skepticism over the entire trial followed these revelations.

Nevertheless, Thierry and Myriam Delay were convicted of child abuse and rape and were sentenced to twenty and fifteen years, respectively, in prison. Delplanque and Grenon also were convicted of child abuse and rape and were sentenced to six and four years, respectively. Of the remaining thirteen defendants, seven were acquitted and released from pretrial detention while the remaining six were found guilty of child abuse. Great uncertainty over their guilt circulated until the accused appealed their convictions.

The Outreau appeals trial began on December 1, 2005, and lasted one day only. All six defendants were cleared of the charges against them. One leading reason the charges were dismissed was Myriam Delay's confession of falsely implicating her neighbors. Another

reason was the weak physical and psychological evidence of sexual abuse coupled with the contradictory accounts of the children.

IMPACT

In the short term, the closure of the Outreau appeals trial marked the end of the five-year-long Outreau affair. However, in addition to affecting the children emotionally and physically, the scandal left a lasting scar on the acquitted, the public, and the French judicial system, which lost the public's confidence. Demands for legal reform followed the appeals trial.

Through detailed news coverage, the public soon learned about the pretrial mistreatment of the defen-



Defendants Thierry and Myriam Delay in court in June, 2004, in Saint-Omer, France. (Hulton Archive/Getty Images)

dants, including coerced confessions and personal losses. The media also revealed that the accused had been detained for long periods of time, some up to thirty months, before trial, were denied access to their children, and lost their jobs, marriages, and reputations. One of the defendants committed suicide prior to the trial. Outrage flared over France's pretrial detention procedures, which mandated that accused persons can remain in pretrial incarceration for up to five years. Magistrate Burgaud's inexperience as a trial judge was cited as a factor in why the case was poorly handled. Other factors were the contradictory roles and limitations placed on magistrates by the French justice system.

After the appeals ruling, French president Jacques Chirac, Prime Minister Dominique de Villepin, and Justice Minister Pascal Clément made an unprecedented apology to the wrongfully accused and promised judicial reform. In January, 2006, the French parliament ordered an investigation into the ineffective, embarrassing, and damaging legal proceedings of the case, considered a "judicial disaster" by Chirac and a "judiciary shipwreck" by others.

—Sheena Garitta

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SEE ALSO: Mar. 2, 1906: Psychoanalyst Ernest Jones Is Accused of Molesting Mentally Disabled Children; Aug. 12, 1983-July 27, 1990: McMartin Preschool Is Embroiled in Child-Abuse Case; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; Aug. 16, 1996: Belgian Media Reveal How Police Bungled Serial Murder Case; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Jan. 30, 2001: Liverpool Children's Hospital Collects Body Parts Without Authorization; Dec. 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation.

2001

CLEARSTREAM FINANCIAL CLEARINGHOUSE IS ACCUSED OF FRAUD AND MONEY LAUNDERING

*The Luxembourg-based financial clearinghouse Clearstream International faced public scrutiny for suspicious financial practices after the publication of the muckraking book *Révélation* by Denis Robert and Ernest Backes. The authors accused the company of money laundering, tax evasion, managing unpublished bank accounts, and dealings with organized crime. The scandal revealed the lack of regulation and policing of financial institutions and their practices.*

LOCALE: Luxembourg

CATEGORIES: Corruption; banking and finance; business; publishing and journalism; hoaxes, frauds, and charlatanism

KEY FIGURES

Denis Robert (b. 1958), French investigative reporter

Ernest Backes (b. 1946), German author and former computer engineer and executive at Cedel

Régis Hempel (fl. early twenty-first century), former computer programmer at Clearstream

SUMMARY OF EVENT

Clearstream International was established in Luxembourg in January, 2000, through a merger of Cedel International and Deutsche Börse Clearing (DBC). Cedel was founded in 1971 to arrange transfers of U.S. dollars, or Eurodollars, deposited in banks outside the United States. DBC also performed money transfers but was not limited to Eurodollars. The founding of Clearstream combined the two companies into a single financial clearinghouse owned by the Deutsche Börse Group, based in Frankfurt, Germany.

Financial clearing is a banking industry service that facilitates the transfer of funds from one bank to another. This procedure is a matter of recording credits and debits. When bank A transfers a sum of

money to bank B, the following occurs: Bank A instructs a clearinghouse, such as Clearstream, to debit its account for the sum of money agreed upon by the two banks and to credit bank B's account with the agreed-upon sum of money. This system is considered secure and quick and is used throughout the world. It is an essential element of financial transactions involving large sums of money and especially for transactions between banks operating in different currencies.

In addition to recording transfers of money, Clearstream and other financial clearinghouses maintain information on the financial position of banks in relation to other banks. This information is calculated each time a clearinghouse credits and debits accounts in the transfer of monies from one bank to another.

As early as March, 2000, the French government had issued a parliamentary report that addressed the difficulties of regulating financial activities and of preventing money laundering and other criminal activity in the realm of money transfers within Europe. The third section of the report dealt exclusively with Clearstream. On February 21, 2001, the tribunal of Luxembourg opened an investigation into possible financial manipulation by Clearstream. The tribunal found no evidence of systematic manipulation, although it did find evidence of accounting manipulation and tax evasion. No action was taken and the case was dropped on November 30, 2004, because a statute of limitations prevented prosecution.

In 2001, Denis Robert, an investigative reporter, and Ernest Backes, a former Cedel executive until he was fired in May, 1983, published *Révélation*. The book reveals Clearstream's alleged role in the underground economy and claims the company's practices were unethical, even illegal. According to Robert and Backes, Clearstream was one of the major institutions that laundered money for banks and shell companies and for organized-crime groups.

Robert and Backes also claim that Clearstream played an important role in tax-evasion practices.

Furthermore, the book presents a detailed account of Clearstream's development of an automated system to provide unpublished accounts to banks and other clients. These claims were corroborated by Régis Hempel, a Clearstream computer programmer at the time the accounts were created. This system permitted the transfer of money without any public record or knowledge. The secret transfer of money facilitated both money laundering and tax evasion. Cedel had opened hundreds of unpublished accounts during the 1980's and 1990's.

Backes had been fired from Cedel allegedly because of an argument he had with an English banker who was a friend of the chief executive officer of Cedel. However, once the Banco Ambrosiano scandal broke during the early 1980's, Backes was convinced that he had been fired because of his knowledge of transactions between Cedel and Banco Ambrosiano. (Banco Ambrosiano, one of the major Italian banks, was implicated for money laundering funds obtained from drug and arms trafficking for organized crime and in channeling Vatican funds to revolutionary groups. The bank collapsed in 1982.)

Backes had worked with Gérard Soisson, who was the manager of Cedel and had the authority to open unpublished or secret accounts or decline them. Soisson was found dead on the island of Corsica while on vacation in July of 1983, just a few months after Backes's dismissal from Cedel.

After being fired from Cedel, Backes remained in Luxembourg to work in the stock market and eventually as manager of a butcher's cooperative. During this time, he still had friends at Cedel and began collecting the information that he and Robert would include in their book. They found that Soisson had used some discretion in granting unpublished accounts, and Backes discovered that after Soisson's death, the number of unpublished accounts at Cedel increased dramatically. Backes further discovered that Cedel had opened unpublished accounts for private companies. Backes and Robert claimed that Cedel/Clearstream had violated acceptable practices by opening secret ac-

counts not only for banks but also for commercial and industrial companies. Robert later published a second book *La Boîte Noire* (2002), which explored issue of the unpublished accounts, or "black boxes," in greater detail.

*Révélation*⁵ brought to light other corrupt activities of Cedel and Cedel/Clearstream. One case involved the sale of six frigates to Taiwan by the French company Thomson-CSF. Joël Bûcher, an employee of the bank Société Générale, who said he left the bank after twenty years because of the money laundering that was a common practice, revealed the firm used Clearstream to launder money and keep bribes secret in the transaction.

Robert and Backes's book also led to an enormous number of lawsuits and investigations. Clearstream, and other financial institutions and individuals mentioned in the book, filed ten lawsuits for libel and defamation against Backes and Robert and the book's publisher, Arènes, in Luxembourg, France, Belgium, and Switzerland. In total, more than fifty lawsuits were filed against Robert alone. In 2003, a French court refused to award Clearstream 500,000 euros for claimed damages in its defamation case against Robert.

On June 10, 2008, a tribunal found against Robert and imposed a fine of 12,500 euros for defamation. The same day, Clearstream filed a lawsuit demanding 100,000 euros from Robert in a Luxembourg court, and the Paris bourse (stock market) recommended that he be sentenced for unlawful receipt of bank documents and dishonest reporting. Robert filed an appeal but refused to speak publicly about Clearstream or speak to the media.

IMPACT

The Clearstream scandal resulted in no major reforms in the regulation of clearinghouses and their practices, but the scandal had a significant impact on the public's awareness of clearinghouses and their function in the world of international finance. The transfer of large sums of money between countries and companies using different currencies would be almost impossible if not for the recording of transactions rather than the physical transfer of funds.

The scandal also revealed the lack of regulation and policing of financial institutions and their practices and the reluctance of courts around the world to interfere with the activities of these institutions. Also, the vast number of parliamentary commissions, judicial investigations, and trials convened as part of the Clearstream scandal show the complexity of the problem, given that the financial institutions involved do not operate in a single country nor under any one jurisdiction.

—Shawncey Webb

FURTHER READING

Coenen, Tracy. *Essentials of Corporate Fraud*. Hoboken, N.J.: John Wiley & Sons, 2008. An introductory guide to the white-collar crime of corporate fraud, written by a forensic, or investigative, accountant.

Loader, David. *Clearing, Settlement, and Custody*. Woburn, Mass.: Butterworth-Heinemann, 2002. A good explanation of how the finance-clearing industry functions and its critical importance to the global financial market.

Norman, Peter. *Plumbers and Visionaries: Securi-*

ties Settlement and Europe's Financial Market. New York: John Wiley & Sons, 2008. Discusses the Clearstream scandal and the work of Denis Robert. A comprehensive history of European finance clearing, how it started, and how it has changed.

SEE ALSO: Nov., 1929: Banque Oustric et Cie Failure Prompts French Inquiry; Jan. 8, 1934-Jan. 17, 1936: Stavisky's Fraudulent Schemes Rock French Government; May 28, 1970: Irish Politicians Are Tried for Conspiring to Import Weapons; Aug. 6, 1982: Banco Ambrosiano Collapses Amid Criminal Accusations; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud; June 25, 1997: Swiss Banks Admit to Holding Accounts of Holocaust Victims; Dec. 23, 1998: Prominent Belgians Are Sentenced in Agusta-Dassault Corruption Scandal; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; Sept. 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices.

January 30, 2001

LIVERPOOL CHILDREN'S HOSPITAL COLLECTS BODY PARTS WITHOUT AUTHORIZATION

In 1992, following the death of a child at Alder Hey, a children's hospital in Liverpool, England, investigators looked into child mortality at the facility. This led to revelations about the treatment of dead children's bodies at Alder Hey and other National Health Service hospitals. In early 2001, investigators submitted their report on the matter, showing that hospitals were taking and keeping the organs and other body parts of thousands of dead children, and fetuses, without parental consent.

ALSO KNOWN AS: Alder Hey inquiry

LOCALE: Liverpool, England

CATEGORIES: Medicine and health care; government; families and children; public morals; corruption

KEY FIGURES

Dick van Velzen (b. 1950), Dutch professor of pathology at Alder Hey, 1988-1995

Alan Milburn (b. 1958), British secretary of state for health, 1999-2003

Michael Redfern (b. 1949), queen's counsel and medical law expert

Liam Donaldson (b. 1949), chief medical officer, British Department of Health

SUMMARY OF EVENT

Alder Hey children's hospital, near Liverpool, is one of the most respected children's hospitals in England and one of the largest children's hospitals in Western Europe. With two other leading children's hospitals, Great Ormond Street Hospital for Children in London and the Birmingham Children's Hospital, Alder Hey was caught up in a scandal that developed through the 1990's and was finally exposed to the public on January 30, 2001, with the publication of *The Report of the Royal Liverpool Children's Inquiry*, best known as the Redfern Report. The hospitals had been keeping the organs and body parts of deceased children, and fetuses, without the full consent of the parents of the deceased.

The scandal came to light indirectly. In 1996, Helen Rickard, the mother of Samantha Rickard, an infant who had died while undergoing open heart surgery at Bristol Royal Infirmary (BRI) in 1991, asked for the medical records of her daughter. She had heard of the unusually high number of deaths of children at BRI while undergoing heart surgery. These figures became known through new audit procedures instituted by the British National Health Service (NHS). Upon receiving the records, Rickard discovered a letter from the pathologist who had carried out Samantha's postmortem, stating that he had retained her heart. Shocked, she asked for its return.

Concern about BRI's poor performance and the news of the retention of the infant's heart led to the formation of a parents' action group. In February, 1999, group members called a press conference to inform the public about the retained heart. With other medical concerns about BRI, the press conference led the British government to form a public inquiry into the matter. In September, one of the witnesses

at the inquiry testified under oath that Alder Hey routinely kept a large number of stored hearts of children who had undergone postmortems, and that it had been doing so since about 1948.

This fairly sensational news led to a public uproar, and the Labour government, under Health Minister Alan Milburn, promptly set up another inquiry to be chaired by Michael Redfern, a leading medical barrister (attorney) and the queen's counsel in the north of England. He was to be assisted by Jean Keeling, a consultant pediatric pathologist at the Royal Hospital for Sick Children in Edinburgh, Scotland, and a noted medical author, and Elizabeth

THE REDFERN REPORT

The Redfern Report on the organs scandal at Alder Hey children's hospital was released on January 30, 2001. It included the following section, "Handling the News of Organ Retention from September, 1999," which condemns all involved in the scandal.

Alder Hey and the University [of Liverpool] should have retained a paediatric pathologist to head a team to catalogue the retained organs and fragments in September 1999. This exercise would have revealed the impossibility of accounting accurately for all the organs retained because of poor record keeping and unrecorded research access to the organs. Neither Alder Hey nor the University will ever be able accurately to tell parents what happened to every organ of every child who died between 1988 and 1995. The University has never accepted its responsibility in the matter and has left Alder Hey to make a sequence of mistakes. These include four or five attempts to provide parents with accurate information relating to organ retention, not learning from and compounding mistakes made in each previous attempt. The cerebellum collection and the eye collection should have been identified and revealed earlier by both Alder Hey and the University.

Alder Hey failed to make sufficient provision for face to face communication of the news of organ retention to parents. They failed to provide suitable advice, counselling and support necessary to affected families. Even though Alder Hey were [sic] faced with a unique situation in terms of the amount and condition of organs at Myrtle Street, there was a lack of proper management which resulted in the dripfeeding of information to parents and the provision of information which was frequently inaccurate. No proper attempt at cataloguing was carried out until June 2000. The result was that each piece of news given to parents had the cumulative effect of exacerbating their reaction. From the outset they should have retained a Consultant Psychologist to assist in devising the best method for approaching parents affected.

Powell, chief officer of the Liverpool Community Health Council. They were given broad terms of reference and were instructed to one, inquire into the extent of the organ retention of children who had undergone postmortem examination and to what extent this had been done legally, and two, inquire into the roles of supervisory agents and any “such other issue relating to the above matters.” In particular, the panel was to look into illegalities relating to the Human Tissue Act of 1961.

The panel was asked to report back by March, 2000, but the evidence was so extensive that the due date was extended to the end of the year. The panel’s Redfern Report totaled six hundred pages. The health minister was shown a copy on January 26, 2001, and it was released to the public on January 30. Government officials expected such a furor after the report’s release that police surrounded Alder Hey hospital. Relatives of the deceased children gathered at the Adelphi Hotel in central Liverpool.

The report was incredibly damning, and its chief focus was a former professor of pathology at Alder Hey who had worked under a contract from the University of Liverpool. The pathologist was Dutchman Dick van Velzen, who had worked at the hospital from 1988 to 1995. The inquiry found that from his initial interview he had lied about his credentials and his activities. The report cited twenty areas of malpractice during his seven years at Alder Hey. The hospital had retained some body parts before he arrived, but the practice mushroomed after his arrival, and, in some cases, it involved retention even without parental consent (or contrary to parental refusal).

The report criticized others as well, especially the management teams of Alder Hey and the University of Liverpool. Independent assessors had told management teams at the hospitals about inadequate staffing of the pathology departments, but they were ignored. However, it was primarily the sheer lack of supervision that accounted for the growth of the malpractice cases, plus the failure of professional colleagues to raise the alarm. A particular coroner, Roy Barter, was singled out for his poor record-keeping. The report also attacked the management’s paternalism: Parents found they had very little say as to what happened to their dead chil-

dren. It was assumed the medical team knew best, and that there existed a general policy of “assumed consent.” Even when the scandal was breaking, management responded slowly to parents’ concerns, and management was late in informing families and in returning body parts to those who requested them.

The inquiry also looked at the wider practice within the National Health Service and found evidence of some 104,000 children’s body parts, organs, and fetuses being stored at more than two hundred facilities. The problem was thus much more extensive than the actions of one pathologist at one hospital. Furthermore, nearly one-half million tissue samples were also being held by hospitals. At Alder Hey, storage space had run out, and a nearby hospital was being used to store the overflow. Alder Hey and the Birmingham Children’s Hospital also gave thymus glands to a pharmaceutical company in return for research funds.

Concurrent with the inquiry was the investigation of Liam Donaldson, the government’s chief medical officer, who was instructed to report on organ retention at the national level, to look at the consent procedures in place, and to make recommendations for their improvement. Donaldson’s findings were published as *Human Bodies, Human Choices: The Law on Human Organs and Tissue in England and Wales—A Consultation Report*, on July 1, 2002. The report found that the system of “assumed consent” should be replaced by a much more fully explicit statement of consent. He also found that more than fifty thousand organs, body parts, and fetuses were held by pathology services throughout Great Britain, a figure that reinforced the numbers in the Redfern Report.

After the inquiry, four members of the hospital staff, including the chief executive, were immediately suspended. The inquiry turned over its evidence to both the General Medical Council (GMC) for England and Wales and police. The GMC eventually banned van Velzen from practicing in Great Britain, but local police and the Crown Prosecution Service could not put together a strong enough case to warrant a criminal action against the pathologist, leading to further public outrage.

IMPACT

Health secretary Milburn accepted the report in full when it was debated in an emergency session of the British parliament. He promised a special commission to oversee the return of all organs and tissues to the families involved, if so requested. He would begin a review of the coroner's system and also of the accountability and management systems where universities and National Health Trusts worked together. Finally, he promised full support for all families at the time of their bereavement.

Early in 2003, the Alder Hey families received just over five thousand pounds (about ten thousand U.S. dollars) each in an out-of-court settlement totaling five million pounds (about twenty million U.S. dollars). By 2004, about two thousand families had filed suit against the National Health Service in the British High Court. That same year, all unidentified bodies were buried, over a short time, at Allerton Cemetery in Liverpool.

The greatest impact of the scandal was the re-vamping of the whole system of obtaining consent for the retention of body parts. Initially, health and medical officials feared that parental refusal would drastically reduce the needed supply of parts for medical research, but this has proven not to be the case. The procedures for aborted and miscarried fetuses also have been regularized to some extent, though many critics say that insufficient regard for human dignity still exists. Institutional mentalities tend always to be paternalistic, even indifferent, in such cases.

—David Barratt

FURTHER READING

Cowley, Christopher. *Medical Ethics, Ordinary Concepts, and Ordinary Lives*. New York: Pal-

grave Macmillan, 2008. Argues that the best starting point for discussions of medical ethics is "the actual words and deeds of ordinary people in ordinary disagreements." Includes a chapter on the Alder Hey scandal and inquiry and another on the postmortem.

The Times (London), January 30-31, 2001. A full investigative report of the inquiry's findings and subsequent Parliamentary debate on the matter.

Weir, Robert F., Robert Olick, and Jeffrey Murray. *The Stored Tissue Issue: Biomedical Research, Ethics, and Law in the Era of Genomic Medicine*. New York: Oxford University Press, 2004. Examines the Alder Hey inquiry in the context of concurrent developments in genetic science, law, and medical ethics. Argues that the inquiry had a major role in these developments.

SEE ALSO: Mar. 2, 1906: Psychoanalyst Ernest Jones Is Accused of Molesting Mentally Disabled Children; Feb. 23, 1943: Irish Orphan School Fire Kills Thirty-five Girls; 1956-1962: Prescription Thalidomide Causes Widespread Birth Disorders; July 25, 1972: Newspaper Breaks Story of Abuses in Tuskegee Syphilis Study; Aug. 12, 1983-July 27, 1990: McMartin Preschool Is Embroiled in Child-Abuse Case; Sept. 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud; Aug. 16, 1996: Belgian Media Reveal How Police Bungled Serial Murder Case; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Dec., 2000: Sexual Abuse of Children in France Leads to the Outreau Affair; Feb. 17, 2002: Rotting Human Bodies Are Found at Georgia Crematory.

February 18, 2001

CIA AGENT ROBERT HANSSEN IS ARRESTED FOR SPYING FOR THE RUSSIANS

As one of the most effective spies in U.S. history, FBI agent Robert Hanssen sold secrets to the Soviet Union and Russia for more than twenty years. His espionage led to one of the most damaging cases of the breaching of national security in the history of the United States. Hanssen was sentenced to life imprisonment, avoiding the death penalty for treason, by pleading guilty to fifteen counts of espionage and conspiracy.

LOCALE: Vienna, Virginia

CATEGORIES: Espionage; government; organized crime and racketeering; corruption; law and the courts

KEY FIGURES

Robert Hanssen (b. 1944), FBI counterintelligence agent and spy for the Soviet Union and Russia
Louis Freeh (b. 1950), FBI director, 1993-2001
Victor Cherkashin (b. 1932), Soviet KGB intelligence officer, 1952-1991

SUMMARY OF EVENT

Robert Hanssen, a counterintelligence officer with the Federal Bureau of Investigation (FBI) stationed in Washington, D.C., had access to large amounts of secret federal government information that he willingly sold to the Soviets and Russians. Hanssen approached the Soviets with the offer to give them U.S. secrets by writing a note and dropping it into the vehicle of a member of the Soviet embassy in Washington, D.C.

Victor Cherkashin became the Soviet case officer and handled communications with Hanssen until he retired. Hanssen, whose job with the FBI was to track spies working in the United States under diplomatic cover, kept his identity a secret from the Soviets to lessen his chances of being caught. He also asked for very little money and did not

spend in an extravagant manner. He dictated all of his tradecraft to the Soviets and was extremely careful.

In November, 2000, an unknown person clandestinely smuggled a file to FBI headquarters in Washington, D.C., from Moscow. The file contained information regarding the suspected mole, or embedded double agent, within U.S. intelligence. Included in the file was a list of the six thousand pages that this mole had turned over to the Russians. FBI investigators began to collect all documents that had been passed to the Russians and then searched for clues that would lead them to a suspect. The actual name of the mole was never used in the file, though there was some discussion regarding the mole's promotions and assignments, with dates. There also was a tape recording of a telephone conversation between the mole and a KGB officer. The FBI counterintelligence agents listened to the tape and recognized the voice as that of Hanssen.

A former KGB agent who turned defector also turned over another critical piece of evidence to the FBI: a plastic bag. Hanssen had used plastic trash bags to cover up the documents he passed to Russian intelligence. The FBI was able to pull two usable fingerprints from the bag, both of which matched Hanssen's fingerprints. Agent Hanssen was then placed under surveillance.

The FBI stationed Hanssen at its headquarters to work in the new Information Resources Division. His office was bugged and his telephones were tapped. He was being followed when he drove by Foxstone Park, his dead-drop site in nearby Vienna, Virginia, looking for a signal from his Russian handlers. By the end of January, 2001, the FBI had searched through Hanssen's Ford Taurus. They discovered chalk used for signaling, tape, garbage bags, and classified documents, which were related to ongoing FBI counterintelligence operations. A few days later, agents searched Hanssen's office,



Robert Hanssen. (AP/Wide World Photos)

where they found communications between Hanssen and Soviet-Russian intelligence.

Hanssen began to suspect that his new position was useless and that he was under surveillance. He claimed his car was bugged and that he could hear burst transmissions in his vehicle. He also wrote his final letter to Russian intelligence. In the letter he stated that he was breaking off contact for now but would contact the Russians again in one year.

On Sunday, February 18, 2001, the FBI arrest team was assembled and ready. They followed Hanssen as he drove a friend to Dulles Airport and then headed for Foxstone Park. On the way, he pulled into the parking lot of a shopping plaza and added a few more documents to his package for the drop. The FBI team relayed details of its surveillance to headquarters. Hanssen then drove to Foxstone Park, parked his car, entered the woods, and slipped the package underneath a bridge. He headed back to his car and was confronted by the FBI team, which arrested him.

FBI agents informed Hanssen's wife, Bonnie, that her husband had been arrested for espionage. Upon being questioned, she revealed that Hanssen first sold secrets to the Soviets as early as 1979. The FBI believed 1985 was the year he first contacted the Soviets.

Hanssen's arrest was announced on February 20 by FBI director Louis Freeh. Reporters discovered that Hanssen was arrested while making another document drop. Freeh briefly discussed the file the FBI received from the Russians. He added that Hanssen's espionage was a severe breach of national security. However, Freeh did not reveal the extent of the case, including that Hanssen had spied for the Soviets—and later the Russians—over a period of more than twenty years.

IMPACT

Hanssen's exploits had extremely grave consequences for U.S. security, but it is unlikely that the extent of his espionage will ever be known. What is known is that he had given the Soviets and Russians close to six thousand pages of documents and more than twenty computer disks of highly sensitive, classified information from the FBI, the CIA, the Pentagon, and perhaps most damaging, the National Security Agency. He compromised numerous intelligence sources who were embedded in Russia and U.S. intelligence efforts as a whole. He revealed the names of Russians who were working as double agents for the United States (many of whom were executed upon returning home to the Soviet Union). He informed the Russians of attempts by the United States to recruit double agents and disclosed U.S. counterintelligence techniques, which may have allowed the Russians to operate more effectively in the United States and evade surveillance or capture.

Hanssen's arrest was particularly damaging to the U.S. intelligence community as well because it revealed that even a trusted FBI agent could deceive superiors and continue spying without being detected. The FBI was now faced with damage control and a public relations nightmare. The Hanssen case came just a few years after that of agent Aldrich Ames of the U.S. Central Intelligence Agency, who

was arrested for selling secrets, also to the Soviet Union. FBI director Freeh resigned because of the fallout from the Hanssen case, and the FBI also faced independent investigations about the breach of security.

—Michael W. Cheek

FURTHER READING

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Havill, Adrian. *The Spy Who Stayed Out in the Cold: The Secret Life of FBI Double Agent Robert Hanssen*. New York: St. Martin's Press, 2001. A psychological study of Hanssen that also provides some background on his life before the FBI. Includes a bibliography.

Vise, David A. *The Bureau and the Mole: The Unmasking of Robert Philip Hanssen, the Most Dangerous Double Agent in FBI History*. New York: Atlantic Monthly Press, 2002. An account by a reporter for *The Washington Post*. Includes

Washington Intern Chandra Levy Disappears

copies of e-mails and notes written by Hanssen and an appendix that summarizes the secrets he sold.

West, Nigel. *Historical Dictionary of Cold War Counterintelligence*. Lanham, Md.: Scarecrow Press, 2007. Provides a detailed history of not only the Hanssen espionage case but also Cold War-era spy cases in general. Focuses on the compromised security of the CIA.

Wise, David. *Spy: The Inside Story of How the FBI's Robert Hanssen Betrayed America*. New York: Random House, 2002. Study by a noted expert on intelligence services, written with the help of a psychiatrist who interviewed Hanssen following his arrest.

SEE ALSO: Jan. 21, 1950: Alger Hiss Is Convicted of Perjury; Sept. 12, 1962: British Civil Servant Is Arrested for Spying; Mar. 4, 1966: Munsinger Sex and Spy Scandal Rocks Canada; Aug. 19, 1985: West German Counterintelligence Chief Defects to East Germany; Mar. 2, 2003: U.S. National Security Agency Is Found to Have Spied on U.N. Officials.

April 30, 2001

WASHINGTON INTERN CHANDRA LEVY DISAPPEARS

Chandra Levy, an intern with the Federal Bureau of Prisons, disappeared just days before she was to return home to California. U.S. Congress member Gary Condit later admitted to having had a sexual relationship with Levy while she was in Washington, D.C., but he was never officially named a suspect in her disappearance. Levy's body was found in a park close to her D.C. apartment, one year after she disappeared. Condit's political career was ruined by the scandal.

LOCALE: Washington, D.C.

CATEGORIES: Murder and suicide; politics; law and the courts; public morals; sex

KEY FIGURES

Chandra Levy (1977-2001), Federal Bureau of Prisons intern and graduate student
Gary Condit (b. 1948), U.S. representative from California, 1989-2003
Susan Levy (fl. early twenty-first century), Chandra Levy's mother
Linda Zamsky (fl. early twenty-first century), Chandra Levy's aunt

SUMMARY OF EVENT

Chandra Levy had been nearing the end of her time as an intern with the Federal Bureau of Prisons in Washington, D.C. Levy, a University of Southern California graduate student in public administra-

tion, was last seen alive on April 30, 2001, doing errands, and her last e-mail correspondence with her family was made the next day. She was scheduled to return home to her family in Modesto, California, but she never made it there.

Levy's family soon reported her missing, and investigators began a search of her Washington, D.C., apartment. In addition to finding her identification there, they found that she had been packed to permanently leave the apartment. They also discovered that she, or someone in her apartment, had used her computer to search the Web for Rock Creek Park, located four miles from her apartment. (This park would play a part in the scandal as the case evolved.) Investigators immediately searched the park but found no body.

Investigators continued to search for Levy through the next several weeks. Levy's aunt, Linda Zamsky, told investigators in July that her niece had confided in her and told her that she had been having an affair with U.S. representative Gary Condit, who represented Levy's hometown of Modesto. Within a day and more than two months after the former intern's disappearance, Condit finally admitted to having an affair with Levy. Condit, who was married and had two children, was twenty-nine years older than Levy. Although Condit never was officially considered a suspect in Levy's disappearance and murder, the media focused on him nonetheless. Levy's parents, Susan and Robert Levy, also remained suspicious of Condit throughout the investigation. They also hired a public relations company to handle press inquiries, and they made several appearances on television to appeal for help in finding their daughter.

One person of interest to authorities had been Ingmar Guandique, a young Salvadoran immigrant who was convicted of assaulting two women at



The Modesto Bee outside the home of the parents of Chandra Levy on July 11, 2001. The local newspaper had extensive coverage of Levy's disappearance and the ensuing scandal involving Modesto-area Congress member Gary Condit. (AP/Wide World Photos)

Rock Creek Park in Washington, D.C. He was questioned by police but never charged in the disappearance of Levy. However, Guandique's victims, who survived their attacks, noted that he had approached them from behind while they were jogging and listening to their portable miniature radios, a method of attack that would later resonate in the Levy case.

Just over one year later, on May 22, 2002, parts of Levy's decomposed body were found in Rock Creek Park. A man walking his dog came upon a human skull that was later determined to be Levy's through matching dental records. Her remains were scattered, and investigators concluded she had been murdered at the park on May 1, 2001. Even though the area had been searched one year earlier, experts argued that they missed the body the first time because it was located in a desolate spot. The park, at more than 1,700 acres, is large. Unfortunately, her remains were so decomposed that medical examiners found it difficult to determine exactly how she died. They named her death a homicide in the weeks following the discovery of her remains.

Condit lost credibility during the scandal and

was not reelected. He left Congress in January, 2003, and with his family bought several Baskin-Robbins ice-cream franchise stores after relocating to Arizona. Even that venture ended in controversy, as the Condit's were sued over management issues and their franchise license was revoked. Condit was interviewed in January, 2008, and expressed sadness about Levy's death, but he also appeared to have moved on from the scandal.

IMPACT

The Levy-Condit scandal resonated for several reasons, including the following: Levy was having an affair with a U.S. politician, and that politician represented her hometown. She disappeared without a trace of foul play. Her body was found in a park not far from her apartment—and Condit's apartment. Condit was secretive about the affair until finally admitting the relationship two months after Levy's disappearance, but he did so only after being pressured to come forward. The affair reminded the public of the affair between President Bill Clinton and another former intern, Monica Lewinsky, from a few years earlier.

The Levy-Condit scandal resonated for another reason: its sensationalism and the intense media attention it received. The story riveted the nation for months and subsided only after another story became the number-one news item: the terrorist attacks of September 11, 2001. After this date, media coverage of Levy's disappearance rapidly declined, but it resurfaced somewhat when her body was found a few months later.

Levy's murder remains unsolved. Her family established a Web site in her memory, hoping as well that someone might come forward with information on how Levy was killed, and by whom. In addition, Susan Levy continued her work as an advocate for victim's rights, assisting other parents who have lost their children, and has received awards for her efforts. In particular, she has lobbied for the rights of victims in cases that remain cold, or unsolved. She remained steadfast in her criticism of Condit, claiming the congressman had something to do with her daughter's disappearance and murder.

—Gina Robertiello

FURTHER READING

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Seelye, Katherine Q. "Police Say Intern was Slain, but They Do Not Know How." *The New York Times*, May 29, 2002. Article explains the circumstances surrounding the discovery of Chandra Levy's skeletal remains at Rock Creek Park. Because of the condition of the remains, experts were not able to confirm how she was killed, or how she died.

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Weiss, Mike. "Still No Answers." *San Francisco Chronicle*, May 22, 2007. Updated review of the Levy case, determining that there are still no answers regarding who committed the crime. Susan Levy was interviewed for the article, which notes that she meets every year with the Washington, D.C., police chief.

SEE ALSO: Oct. 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall;

July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock; July 20, 1983: Congress Members Censured in House-Page Sex Scandal; Mar., 1990: Menendez Brothers Are Arrested for Murdering Their Parents; Jan. 17, 1998: President Bill Clin-

ton Denies Sexual Affair with a White House Intern; Dec. 5, 2002: Senator Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign; Sept. 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page.

June 18, 2001

AWARD-WINNING HISTORIAN JOSEPH J. ELLIS IS ACCUSED OF LYING

The Boston Globe reported that American historian Joseph J. Ellis had frequently lied to his students and others about serving in the Vietnam War. Ellis also lied about, or greatly exaggerated, his participation in other major events of the 1960's, including the peace and Civil Rights movements. The Ellis scandal sparked a heated debate about ethical issues of personal and professional integrity for academics.

LOCALE: South Hadley, Massachusetts

CATEGORIES: Hoaxes, frauds, and charlatanism; publishing and journalism; cultural and intellectual history; education; ethics

KEY FIGURES

Joseph J. Ellis (b. 1943), American historian
Walter V. Robinson (b. 1949), *Boston Globe* reporter

Joanne V. Creighton (b. 1942), president of Mount Holyoke College

SUMMARY OF EVENT

By mid-2001, Joseph J. Ellis must have felt a quiet satisfaction after twenty-nine years as a respected historian, teaching at Mount Holyoke College. A fifty-seven-year-old Yale University-educated professor of history at a prestigious women's college in central Massachusetts, Ellis was among the best-known and most respected faculty members on campus. He had risen rapidly at Mount Holyoke. By

1978, within six years of his arrival, he was chairman of the history department, and by 1980 he was dean of the college faculty. For eight months in 1984, he was the interim college president.

Ellis's scholarship and teaching credentials also were outstanding. His biography of Thomas Jefferson, the latest of his eight books on early American history, had just won the Pulitzer Prize. His teaching, as measured by course evaluations, ranked consistently among the finest in the college. However, his claim to have seen combat in the Vietnam War apparently aroused suspicion. Alerted by an anonymous tip, *Boston Globe* investigative reporter Walter V. Robinson began to check the authenticity of some of Ellis's stories, recounted not only in class but also in interviews with reporters. The award of a Pulitzer Prize to Ellis convinced Robinson to complete and publish the results of his investigation on the celebrated scholar.

Robinson's article, "Professor's Past in Doubt: Discrepancies Surface in Claim of Vietnam Duty," broke on page one of the *Boston Globe* on June 18, 2001. The article stated that over a period of close to twenty years, Ellis had persistently lied about his wartime experiences to his classes at Mount Holyoke. The charges stunned Ellis's students and colleagues. Most agreed that he was a gifted storyteller. His lecture style was dynamic and was enriched by humor and personal anecdotes. He seemed to empathize with the people and topics he was discussing. Course evaluations described him

as displaying a close personal relationship with his subject, leaving a kind of “you-are-there” impression with his audience. However, at some point Ellis crossed the line. In his Vietnam in American Society course, he began to claim by the early 1980’s that he had taken part in combat operations and top-level planning in Vietnam.

As detailed in the *Boston Globe* article, Ellis claimed that he had parachuted into Vietnam in 1965 as a young platoon leader with the fabled 101st Airborne Division. He claimed also to have led a mop-up operation in the vicinity of My Lai in March, 1968, shortly before the massacre in that Vietnamese village. Finally, he claimed that he had served in Saigon (later Ho Chi Minh City) on the headquarters staff of General William Westmoreland, commander of U.S. forces in Vietnam. The *Boston Globe* reporter found no evidence to support these assertions but much to contradict them. Records show that in 1965, the year Ellis said he was a paratrooper in Vietnam, he was a graduate student at Yale University, where he remained until 1969.

Ellis had graduated from the College of William and Mary in 1965 with a Reserve Officers’ Training Corps (ROTC) commission but had deferred active military duty until the completion of a doctorate in history from Yale. He did serve in the military from August, 1969, until June, 1972, but within the United States, teaching military history at the U.S. Military Academy at West Point, New York, his entire tour of duty. Following his honorable discharge in 1972, Ellis began his teaching career at Mount Holyoke College.

Ellis told other tall tales over the years. He claimed, for example, that in 1964, prior to his military service and while still an undergraduate at William and Mary, he had trained activists in the Civil Rights movement. Once again, the *Boston Globe* could find nothing to corroborate Ellis’s claim. In addition, Ellis said that he had returned deeply disillusioned from Vietnam, and after his honorable discharge he had led antiwar protests. No one who knew him at the time could remember any active interest by him in the peace movement.

The revelations of the *Boston Globe* stunned Ellis’s students and colleagues, as well as many oth-

ers elsewhere who knew Ellis as a brilliant scholar. He admitted his guilt and asked for forgiveness. He later called his actions “stupid and wrong” but referred only to “personal shortcomings” as an explanation of his conduct.

Initially, the president of Mount Holyoke College, Joanne V. Creighton, defended Ellis as honorable and questioned whether the *Boston Globe*’s exposé had served the public interest. However, as criticism intensified from media editorials and national professional groups, Creighton appointed a faculty committee to examine the issue. The verdict did not favor Ellis. In announcing the decision, Creighton cited Ellis’s repeated serious breaches of faculty responsibility to the truth. She then suspended him without pay for one academic year, ordered that he no longer teach the Vietnam course, and stripped him of his endowed chair, which was a special badge of distinction for a professor. Ellis accepted the punishment.

IMPACT

Reaction to the Ellis scandal was mixed. While many students and faculty at Mount Holyoke objected to the severity of the penalties, others, mainly off campus, believed that he had been treated too leniently. A few regarded Ellis’s offenses as so severe as to bar him from teaching. An official of the American Historical Association (AHA) argued that Ellis’s behavior was a flagrant violation of the AHA code of ethics. He stated that the intellectual integrity of the classroom must never be compromised, just as historical scholarship must never be distorted or falsified. An exhaustive search of Ellis’s voluminous publications found no evidence that his scholarship had been tainted by his delinquencies in the classroom. There the matter rested.

In looking at why Ellis lied to his students, it is possible to infer that he intended to make the sad lessons of Vietnam more urgent and memorable. There was general agreement that his “first-person” descriptions gave a vivid immediacy to his lectures. Perhaps Ellis was guilt-ridden because he had remained safely at home while others were serving and dying in Vietnam.

A more complex explanation was that Ellis had

come to half-believe the lies he had so often repeated. According to this view he had sought to reinvent himself by fashioning an alternate identity in a fantasy world. Ellis may have developed the illusion that he had personally participated in what were arguably the three central events of American society during the 1960's: the Vietnam War, the peace movement, and the Civil Rights movement.

Finally, Ellis himself weighed in as to why he had lied so blatantly. He confided to an interviewer in 2004 that he had grown up in a dysfunctional home with an alcoholic father. He said that this was probably why he had been plagued all his life by a sense of insecurity and self-doubt. He attributed much of his compulsion to overachieve to a lack of self-confidence combined with a constant craving for approval. Ellis's self-assessment is intriguing although it did not fully explain why he so casually risked self-destruction over fabrications so easily disproved.

While the Ellis scandal did, for a time, engender serious discussion about intellectual honesty and dishonesty in college classrooms, it soon became clear that many academics made a practical distinction between dishonesty or deception in the classroom and the much more stringent standards that applied to academic publications. Ellis's defenders argued that despite his classroom tales, he did not break any law.

In 2002, Ellis resumed teaching at Mount Holyoke, and in 2005 he regained the endowed chair he had lost in 2001. His biography of George Washington, written during his year under suspension, secured his reputation as among the most talented biographers and historians of his generation.

—Donald Sullivan

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Hoffer, Peter C. *Past Imperfect: Facts, Fictions, Fraud—American History from Bancroft and Parkman to Ambrose, Bellesiles, Ellis, and Goodwin*. New York: PublicAffairs, 2004. In the wake of the Ellis scandal, Hoffer checked Ellis's publications for evidence of plagiarism or serious distortions but found no evidence that Ellis went beyond his sources.

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Wiener, Jon. *Historians in Trouble: Plagiarism, Fraud, and Politics in the Ivory Tower*. New York: New Press, 2005. A detailed analysis of court documents and other evidence in the fraud scandals of historians. Includes the chapter, "Lying to Students About Vietnam: The Mythic Past of Joseph Ellis."

SEE ALSO: June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Nov. 13, 1969: American Massacre of Vietnamese Civilians at My Lai Is Revealed; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Dec. 3, 1989: Martin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed; Apr., 1998: Scottish Historian Is Charged with Plagiarism; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

June 30, 2001

KOREAN RELIGIOUS TEACHER JUNG MYUNG SEOK IS CHARGED WITH RAPE

Jung Myung Seok, a Korean religious teacher whose doctrines reportedly present him as a savior completing the work of Jesus Christ, was sought by Korean police for rape in 2001 after several of his women followers alleged that they were sexually assaulted. Jung was sought by Interpol as well, and in 2007, he was captured by Chinese police and extradited to South Korea.

LOCALES: South Korea; Japan; Taiwan; China

CATEGORIES: Sex crimes; law and the courts; religion; hoaxes, frauds, and charlatanism

KEY FIGURE

Jung Myung Seok (b. 1945), South Korean religious leader

SUMMARY OF EVENT

South Korean religious teacher and self-proclaimed Messiah Jung Myung Seok became the center of controversy in 2001 after being charged with sexually assaulting and raping an unknown number of female followers. Allegations of the spiritual leader's use of religious authority and teachings to abuse the trust and loyalty of his female followers to rape them captured the Eastern world's attention and stirred demands for justice.

Jung's church involvement began when he was a child and intensified during the 1970's, when he became a member of the Unification Church, a Christian sect headed by Messiah figure the Reverend Sun Myung Moon. During the 1980's, Jung left Moon's congregation with several of his own followers and created his own religious sect based on the Unification Church's teachings. Jung's church was named Jesus Morning Star, or JMS (also an acronym for Jung's name), in reference to a New Testament passage from Revelation (2:24-29), which details Jesus' rule over his followers and the rewards given to those who followed him. The JMS

religious following also has been known as Setsuri (providence), the International Christian Association (ICA), and the Christian Gospel Mission (CGM). Jung claimed to be the Messiah and referred to his religious movement as the Second Coming of Christ. He asserted to his followers that he was a messenger of God and that their salvation could be obtained only through him.

Jung's following quickly spread throughout South Korea, Japan, and Taiwan. Members of the growing JMS congregation came to include people employed in state and federal organizations, law enforcement agencies, and the military, but the majority of JMS members were young university students. During the early 1990's, JMS members began recruiting intensely from universities in South Korea, Taiwan, and Japan. The group's recruitment strategy consisted of holding membership drives on college campuses to solicit students' participation in their extracurricular activities, such as sports and social clubs. Students were encouraged by JMS members to sign up for these activities without being informed about the religious nature of the clubs. Through these activities, JMS members were able to gain the trust of prospective members and draw them into Jung's following. JMS members also used university students' background and personality profiles in their recruiting processes to more effectively attract them to the church. Many of the students targeted were highly intelligent and expected to become very successful in their careers. New JMS members were encouraged and required to induct other students into the following and to give sizeable monetary donations to the church to further the JMS mission and to increase their status within the cult.

In June, 1999, the Seoul Broadcasting Service in South Korea aired the first public accusations of sexual assault and rape against Jung. Hundreds of female followers came forward to describe how

Jung used his self-proclaimed identity as the Messiah to seduce and assault women in the cult. The women explained how prospective female members were often sought out by senior members and handpicked from photographs by Jung. Women within the cult were expected to tend to Jung's needs as servants, to keep him company, and to wear makeup and dress nicely. The women explained that most of the assaults would begin in the form of a health check or bath. Jung would order them to undress and take a bath with him to undergo a spiritual cleansing or healing process that entailed Jung washing their genitals to relieve them of sin and pain. These baths were performed privately with one female member or with several female

members at once, and frequently resulted in sexual intercourse with Jung. Many of the women regarded their inclusion in these activities as a blessing and privilege and as a means of achieving a higher rank in the cult. To gain control over his female followers, Jung emphasized that the only way they could atone for their sins was through sexual intercourse with him, the Messiah, and were threatened with damnation if they spoke about having sex with him.

The women also explained how Jung maintained strict control over the marriages of JMS members. Members were allowed to marry other members only and marriages between members were reviewed by Jung for approval. Many prospective brides were required to see Jung for an interview and were frequently forced to have sex with him before they were allowed to marry. Marriages could be performed only by Jung in a mass wedding ceremony, and JMS newlyweds were urged to have children to increase the church's following. The shocking accounts given by JMS victims on the broadcasting network shocked South Korea and led to demands that Jung be held accountable. As the broadcast aired, however, many JMS followers held protests outside the television station in support of Jung.

Jung fled South Korea following the allegations. Dismissing fears of retaliation and spiritual damnation, JMS victims pressed charges against Jung. On June 30, 2001, Korean police officially charged Jung with fraud, rape, and embezzlement (regarding JMS donations and funds) and initiated an international manhunt with Interpol (the International Criminal Police Organization). In 2003, he was detained for visa violations in Hong Kong but fled to China to avoid being extradited to South Korea after being released on bail.

While the search for Jung continued for several years, Japanese police raided several suspected JMS offices. During 2005-2006, Japanese police investigated a forty-four-year-old South Korean woman about an im-



Jung Myung Seok, wearing mask, is extradited to South Korea in early 2008. He was arrested in China in May, 2007, after evading arrest for six years. (AP/Wide World Photos)

migrations violation and her suspected involvement with JMS and helping Jung remain a fugitive. The woman, a senior JMS member, reportedly entered Japan in March, 2000, under false pretenses by claiming that she was working as a design planner for a printing company when she was actually conducting business for the cult. The woman also collected JMS members' donations to cover Jung's accommodations and traveling expenses while he was evading capture, and she was responsible for soliciting and sending young women (prospective followers and members) overseas to Jung to have sex with him.

Jung's fugitive status came to an end in May, 2007, after being captured by Chinese police. He was extradited to Seoul in February, 2008, after Chinese police officials confirmed his identity and completed their interrogation. Jung's arrival at a Seoul airport was met by South Korean police and hundreds of JMS followers protesting his arrest. Jung maintained that he was innocent of all charges. On August 12, he was found guilty of rape and sentenced to six years in prison.

IMPACT

The JMS sex scandal provided insight into the inner workings of secretive religious sects and alerted the public to the underlying activities and missions of Jung's church. Despite the knowledge of the rape allegations against Jung, many JMS members remained in the cult and continued to induct new members.

The criminal investigation into the charges against Jung was met with resistance from many JMS followers. In addition to petitions and protests, certain followers infiltrated the criminal justice and legal systems in South Korea by gaining employment in government agencies, and they have been discovered filtering classified information about Jung's case to the church, destroying evidence, and compromising the chance for an untainted and fair

trial. The rape charges brought against Jung spotlighted the potential danger for religious fraud, the abuse of power, and the sexual manipulation of members in religious cults.

—Sheena Garitta

FURTHER READING

Buswell, Robert E., and Timothy S. Lee. *Christianity in Korea*. Honolulu: University of Hawaii Press, 2006. A comprehensive study of the practice of Christianity in Korea. Good for background material that contextualizes Jung's cult.

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Herskovitz, Jan. "South Korean Religious Sect Leader Jailed for Rape." *Reuters*, August 12, 2008. A news service wire report of Jung's conviction and sentencing for multiple counts of rape.

SEE ALSO: May 20, 1974: French Cardinal Daniélou Dies in a Prostitute's House; Oct. 31, 1975: Buddhist Teacher Orders His Students to Remove Their Clothes; Aug. 12, 1983-July 27, 1990: McMartin Preschool Is Embroiled in Child-Abuse Case; Oct. 23, 1985: Guru Bhagwan Shree Rajneesh Is Indicted for Immigration Fraud; Apr. 22, 1986: Faith Healer Peter Popoff Is Exposed as a Fraud; May 6, 1992: Irish Bishop Eamonn Casey's Romantic Affair Leads to His Resignation.

August 27, 2001

LITTLE LEAGUE BASEBALL STAR DANNY ALMONTE IS FOUND TO BE OVERAGE

Danny Almonte gained fame for exceptional pitching in the 2001 Little League Baseball World Series. Sports reporters soon discovered that he was fourteen years old, two years over the age limit for players. His team was stripped of its records for the season. Both the team's founder and Almonte's father were banned from Little League for life.

LOCALE: Williamsport, Pennsylvania

CATEGORIES: Hoaxes, frauds, and charlatanism; sports; families and children; publishing and journalism

KEY FIGURES

Danny Almonte (b. 1987), Dominican-born Little League baseball player

Rolando Paulino (fl. early twenty-first century), founder of the Rolando Paulino All Stars

Felipe Almonte (fl. early twenty-first century), Almonte's father

Sonia Rojas Breton (fl. early twenty-first century), Almonte's mother

Ian Thomsen (fl. early twenty-first century), *Sports Illustrated* writer

Luis Fernando Llosa (fl. early twenty-first century), *Sports Illustrated* writer

SUMMARY OF EVENT

Pitcher Danny Almonte, a native of the Dominican Republic, and his team, the Rolando Paulino All Stars (also known as the Baby Bronx Bombers), captured the attention of fans and the media after their participation in the 2001 Little League Baseball World Series (LLWS). The team garnered this attention not because it won the LLWS but because of scandal. The Japanese team, Tokyo-Kitasuna, won the series but was kept from the spotlight after rumors began to surface about Almonte's true age.

Reporters pressed Rolando Paulino, the founder

and president of the Bronx team, to settle the rumors. He supplied a copy of Almonte's official birth certificate, which had been filed in the Dominican Republic. The certificate indicated that Almonte was born April 7, 1989, which would have made him twelve years old during the 2001 season. Two *Sports Illustrated* writers, Ian Thomsen and Luis Fernando Llosa, tried to verify the authenticity of the birth certificate but found that there were two "official" certificates in the Dominican Republic. The documents were uncovered by a Dominican reporter.

Almonte, the Bronx team's star player, was an excellent left-handed pitcher who led his team to the LLWS semifinals in South Williamsport, Pennsylvania, for the 2001 season. Almonte's fastballs were clocked at around 70 miles per hour. His team finished third in the series after a 2-0 victory over the team from State College, Pennsylvania; it was a game in which Almonte struck out sixteen. In total, Almonte struck out forty-six batters in Williamsburg.

Almonte seemed mentally sharper than his peers, and he towered above them at 5 feet 8 inches. He was such a phenomenon that coaches in the league grew suspicious of his age. Some even hired private investigators to check on their Bronx rivals. The Associated Press reported on September 4 that these investigations revealed nothing irregular. However, it was revealed that Almonte had not attended school in New York City. Even with the suspicions of rival coaches, Almonte and his teammates received several accolades, including a victory parade in the Bronx and the keys to the city.

The two birth certificates found in the Dominican Republic were identical, except for one fact: the year of birth. Both certificates were for a child named Danny Almonte. Both indicated that he was born to the same parents, had the same government identification numbers, and was born on the same

month and day—April 7. One handwritten certificate filed in the town of Moca gave 1987 as the year of birth for the baby boy, weighing six pounds. The later document, which was typed, showed 1989 as the child's birth year. Both documents had been filed by Almonte's father, Felipe Almonte. The maximum age for Little League players is twelve years. To be eligible to play in the 2001 series, players could not have been born before August 1, 1988. Had Almonte been born in 1987, the question on everyone's minds, he would have been too old to play.

The *Sports Illustrated* writers presented their findings to league officials in late August, 2001. Their article, "One for the Ages," was published in the magazine's September 3 issue but posted to its Web site on August 27. The Almonte scandal officially broke.

Sonia Rojas Breton, Almonte's birth mother, who lived in the Dominican Republic, defended the 1989 date. She provided baby pictures and her copy of the birth certificate to support her story. According to *The New York Times*, Breton said that she lived in Jamao and that months after Almonte's birth she moved to Moca. She asserted that the 1987 birth certificate was for Danny's brother, Juan, born in 1987. Other records, however, indicate that Juan was born December 15, not April 7, in Jamao al Norte. Danny Almonte's 1987 birth certificate was filed in 1994 and the 1989 birth certificate was filed in early 2000, shortly before Almonte and his father entered the United States. Almonte's family in Moca claimed that the 1987 birth certificate with Danny's name was fraudulent.

Paulino protested that the scrutiny concerning Almonte's age reflected prejudice against foreigners and poor sportsmanship. Furthermore, in what later appeared to be an effort to conceal Almonte's school records, his mother claimed that he had been educated by a friend at that friend's home. However, others in the town were proud to tell reporters that Almonte had attended a local elementary school, Escuela Primaria Andres Bello. The school's vice principal said that Almonte had completed the seventh grade.

A Dominican records official, Victor Romero, also investigated. He interviewed witnesses and ex-

amined the birth certificates of both Danny and his older brother Juan and other documents in Moca and Jamao al Norte. Contradictions surfaced regarding the later document. However, Romero did find documentation at Dr. Toribio Bencosme Hospital in Moca to support the 1987 birth date. A Dominican government official in charge of public records announced that the later birth certificates (for both Danny and Juan) were fraudulent. Danny was born April 7, 1987, and Juan was born in 1985. The same official also announced that the Almonte brothers' father would be charged with falsifying a document and that Danny's birth mother also could face charges.

Moca district attorney Juan Alberto Mendez charged Almonte's father and a mayoral staffer with falsifying the birth certificates of the Almonte brothers so that both of them could play baseball.



Danny Almonte pitching in the 2001 Little League World Series. (AP/Wide World Photos)

Felipe Almonte would likely be arrested and given a five-year prison sentence if he returned to the Dominican Republic. He also faced sanctions in the United States for failing to enroll his son in school for more than one year. Furthermore, Felipe's tourist visa, used to enter the United States, had expired in late 2000. Danny Almonte's stepmother appealed to both the United States and Dominican Republic governments for mercy in the case.

In June, 2002, Almonte graduated from Bronx Middle School 52. He attended James Monroe High School, played varsity baseball, and graduated in 2006. Before graduating he married Rosy Perdomo, a thirty-year-old hair stylist and mother of a twelve-year-old son. They initially settled in the South Bronx.

IMPACT

The Little League charter committee required that Almonte's team forfeit its wins, including the team's third place in the series, for the 2001 season. Almonte's no-hitter was struck from the records as well. The Rolando Paulino All Stars were allowed to continue as a team, but became the second team in Little League history to be stripped after reaching the semifinals. The team from Zamboanga City, Philippines, had been disqualified after its 1992 tournament win for including players from another district.

The Little League president at the time of the Almonte scandal avoided blaming Almonte. He instead blamed the adults in his life, including his father. Felipe Almonte and Paulino were banned for life from Little League baseball. Paulino had seen similar trouble years before. In 1988, his Dominican Little League team had been disqualified from a regional tournament when six players were found to be overage. In the Almonte case, however, he claimed that he was not at fault but a victim of deception by the player's father.

After the scandal, Little League Baseball began to closely scrutinize the age and residency of each player or potential player. The league now requires that birth certificates must have been filed within thirty days of a player's date of birth, or that the

player provide substantial alternative verification of birth date and place. Also, players must be citizens of the country they represent or be in that country on a legal visa.

—Camille Gibson

FURTHER READING

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McFadden, Robert D. "Star Is 14, So Bronx Team Is Disqualified." *The New York Times*, September 1, 2001. An excellent summary of how events unfolded immediately after the Little League Baseball World Series.

Thomsen, Ian, and Luis Fernando Llosa. "One for the Ages." *Sports Illustrated*, September 3, 2001. The magazine article that broke the scandal. This article was posted to the *Sports Illustrated* Web site on August 27.

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December 2, 2001

ENRON BANKRUPTCY REVEALS MASSIVE FINANCIAL FRAUD

When the Texas energy corporation Enron suddenly went bankrupt, it took with it the life savings and pensions of many of its employees and revealed systematic financial corruption and mismanagement that went beyond the company's walls to a respectable accounting firm and the halls of government.

LOCALES: New York, New York; Houston, Texas
CATEGORIES: Banking and finance; corruption; business; law and the courts; ethics

KEY FIGURES

Kenneth Lay (1942-2006), Enron's chief executive officer and chairman of the board

Jeffrey Skilling (b. 1953), Enron's president and chief operating officer

Sherron Watkins (b. 1959), Enron's vice president of corporate development, who urged Lay to investigate Enron's accounting practices

SUMMARY OF EVENT

Enron Corporation began its corporate existence in 1985, when Houston Natural Gas merged with InterNorth, another natural gas company that was based in Omaha, Nebraska. The combined companies controlled a system of natural gas pipelines that stretched the length and breadth of the United States, which in theory should have given it a significant competitive advantage. However, the deregulation of natural gas transmission, part of U.S. president Ronald Reagan's policies of reducing government regulation of corporations, significantly blunted that advantage by eliminating Enron's ability to claim an exclusive right to use its pipelines.

As a result, the new company's chief executive officer (CEO), Kenneth Lay, decided to move out of the traditional areas in which the precursor companies had operated, particularly gas pipelines and power-generating plants, to such areas as telecommunications, pulp and paper, and computers. To chart Enron's new course, Lay retained the consult-

ing firm of McKinsey & Company, which sent consultant Jeffrey Skilling to Houston. Skilling advised Enron executives to leverage the company's vast size to effectively create its own market through buying contracts that locked in both costs and prices, assuring a steady flow of business. Doing this involved creating a number of special purpose entities, or SPEs, that would carry out the transactions, often in joint ventures with other companies. By 1999, Enron even created its own stock-trading company, EnronOnline, which was used by almost all energy companies.

At first the plan worked well enough, and Enron's growth was so spectacular that Skilling was offered a senior executive position, that of chief operating officer, with Enron. However, this growth was almost entirely dependent upon the presence of a strong bull market in the larger economy as well as the rapid growth of the high-tech sector that later came to be known as the dot-com bubble because it lacked fundamentals. Because so much of Enron's growth, and the resulting rapid growth of the value of its stock, had no fundamentals, the use of SPEs became increasingly a sort of shell game, moving money from one part of the company to another to create the illusion of vibrant growth and hide unprofitable ventures. Arthur Andersen, one of the most prestigious accounting firms in the United States, was involved in this systematic deception as well, which was further enabled by lax regulatory oversight.

As the U.S. economy began to slow at the beginning of the twenty-first century, the continued rapid growth of Enron became unsustainable. More desperate financial measures had to be taken to maintain the illusion that enabled Enron's stock to continue climbing. Skilling began to crack under the strain. In one well-publicized event, he used a vulgarism in a sarcastic expression of gratitude to Wall Street analyst Richard Grubman. Although within the corporate culture of Enron the expression was frequently repeated in a way that clearly regarded



Former Enron chief executive officer Kenneth Lay reads a prepared statement before the U.S. Senate subcommittee investigating the Enron scandal in February, 2002. (AP/Wide World Photos)

the wrong to be that of Grubman rather than Skilling, it was a warning sign of upheavals to come.

During the middle of 2001, Skilling's mental situation had become sufficiently fragile that he resigned, giving the position of CEO back to Lay on August 14. The next day, Sherron Watkins, Enron's vice president of corporate development, wrote an e-mail to Lay that many consider to be the start of Enron's downfall. In her memo, Watkins expressed reservations about how Skilling's abrupt departure would play in the securities market and identified several key weaknesses in Enron's corporate structure, particularly the Raptor and Condor deals. Raptor and Condor were SPEs that had functioned to hedge risk in particularly tricky areas of the economy. In effect, Watkins was urging Lay to investigate Enron's accounting practices.

Lay then called a meeting with Enron's general counsel, but the wake-up call came too late. Although Enron hired the legal firm Vinson & Elkins

to conduct an internal investigation, the damage was already too extensive to be corrected. One day before Enron was scheduled to announce its third-quarter results, Vinson & Elkins returned its report, claiming that while the Raptor and Condor deals were creative, they did not represent a formal conflict of interest.

Even this positive report could not cushion the blow of October 16, when Enron revealed that it had sustained more than \$100 million in losses, particularly in its new power company deal and its investment in broadband telecommunications. The news sent Enron's stock prices tumbling, and on October 22 the U.S. Securities and Exchange Commission (SEC) requested information on several key transactions. Further bad news followed when Enron announced it would have to redo a number of key filings as a result of the consolidation of several previously separate entities through which it had accomplished some of its more risky deals.

These filings revealed that many of the SPEs through which Enron had done business were in fact not independent under SEC regulations, but had been treated as though they qualified to avoid consolidating them and their financial losses into Enron's financial statements. The resulting loss of confidence led to further collapse in the value of Enron's stock, until major credit-rating agencies that had previously ranked Enron as a blue-chip-stock company reevaluated it as a junk stock and nearly worthless.

In a desperate attempt to salvage a disintegrating situation, the smaller energy company Dynegy, Inc., attempted a takeover of the collapsing company. However, this deal fell through when Enron revealed that its declining credit rating would result in an additional \$690 million of obligations. As a result, Enron filed for Chapter 11 bankruptcy protection in a New York bankruptcy court on December 2. Enron's subsequent corporate activities were directed to the company's dissolution and the satisfaction of its creditors.

IMPACT

Because the complicated financial wheeling and dealing that caused Enron's paper wealth to implode was difficult for people without an extensive background in high finance to understand, most of the public outcry was focused upon the scandal's effect on ordinary people: Millions of American investors, including longtime Enron employees, suddenly lost billions of dollars in savings, investments, and retirement plans. People who had thought their retirements were secure were now looking at the very real possibility of having to work until they could work no more. As a result of this betrayal of trust, employees and investors demanded accountability from the executives who had been involved in the questionable accounting practices.

Both Lay and Skilling were found criminally liable and given long prison sentences, although Lay died of a heart attack shortly before he was supposed to report for incarceration. There were even some questions about whether Lay deliberately indulged in pleasures that were apt to increase his risk

Enron Bankruptcy Reveals Massive Financial Fraud

of a heart attack, either in an effort to grab a few last bits of pleasure before a sentence that might well be for life or in a cynical effort to cheat prison. The accounting firm Arthur Andersen also was implicated in the financial scandal, and it ultimately went out of business.

In addition, the scandal raised serious questions about the value of the limited-liability corporation, or LLC, and whether it enabled executives to evade the consequences of their decisions. Calls were made to make it easier to pierce the shield of incorporation and hold executives as individuals financially liable for bad decisions that materially harmed investors and involved a breach of trust. However, many analysts argued that reducing the liability protection afforded by corporate entities could actually do more harm than good by exposing ordinary investors to greater risk and by making executives more wary of taking aggressive action in pursuing business opportunities.

—Leigh Husband Kimmel

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Fraud; Aug. 6, 1982: Banco Ambrosiano Collapses Amid Criminal Accusations; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud; Apr. 5, 1991: George W. Bush Is Investigated for Insider Trading; 2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering; June 25, 2002: Internal Corruption Forces Adelphia Communications to Declare Bankruptcy; Sept. 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices; Mar. 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal; Oct. 14, 2004: Insurance Brokerage Marsh & McLennan Is Charged with Fraud; Sept. 12, 2005: Westar Energy Executives Are Found Guilty of Looting Their Company; Early 2007: Subprime Mortgage Industry Begins to Collapse; Sept. 20, 2008: American Financial Markets Begin to Collapse.

December 14, 2001

NOTRE DAME FOOTBALL COACH RESIGNS FOR FALSIFYING HIS RÉSUMÉ

George O'Leary, former head football coach for the Georgia Institute of Technology, resigned as head football coach of the University of Notre Dame after only five days on the job. A reporter covering his appointment as Notre Dame's head coach found inaccuracies and falsehoods on his résumé. Upon resigning, O'Leary admitted to including fabricated athletic and academic credentials on his résumé. His resignation, however, did not negatively affect his coaching career, which prospered nonetheless.

LOCALE: Notre Dame, Indiana

CATEGORIES: Hoaxes, frauds, and charlatanism; sports; public morals; ethics

KEY FIGURES

George O'Leary (b. 1946), head football coach at the University of Notre Dame

John Hussey (1943-2008), sportswriter for the Manchester, New Hampshire, *Union Leader*

Jim Fennell (fl. early twenty-first century), reporter for the Manchester, New Hampshire, *Union Leader*

Kevin White (b. 1950), athletic director, University of Notre Dame

Louis M. Nanni (b. 1962), vice president of university relations, University of Notre Dame

Edward A. Malloy (b. 1941), president of the University of Notre Dame

SUMMARY OF EVENT

In late 2001, after a turbulent five-season tenure, University of Notre Dame head football coach Bob Davie was asked to resign. On December 9, shortly after Davie's departure, George O'Leary, then head football coach of the Georgia Institute of Technology (Georgia Tech), was hired to replace Davie. Shortly after he accepted the prestigious position, questions began to surface about discrepancies on O'Leary's résumé.

O'Leary stated on his résumé that he earned a master's degree in education from the State University of New York, Stony Brook. He also claimed to have earned three athletic letters playing football at the University of New Hampshire (UNH). Notre Dame officials requested that O'Leary resign as head coach after learning of his faked credentials—athletic and academic.

O'Leary began his football coaching career at Central Islip High School in New York in 1975. He continued as a high school football coach in New York until 1980, when he began coaching college football at Syracuse University. While at Syracuse, he served as the defensive-line coach and assistant head coach for six years. After he left Syracuse, he became the defensive-line coach for the San Diego Chargers of the National Football League (NFL).

In 1994, O'Leary accepted the head coaching position at Georgia Tech. During his eight seasons there, he led the Yellow Jackets to a 52-33 record, which included a five-year run in bowl appearances beginning in 1997. In 1998 and 2000, he was recognized as Coach of the Year by the Atlantic Coast Conference. In 2000, he was honored with the Bobby Dodd Award as national coach of the year. Before leaving for Notre Dame, O'Leary was considered one of Georgia Tech's most prominent and successful coaches. However, he also had a few problems while coaching at Georgia. In 1999, the National Collegiate Athletic Association (NCAA) sanctioned him for improperly lending money to a former Georgia running back. It was also later revealed that Georgia used eleven ineligible football players between the 1998-1999 and 2004-2005 seasons.

Hearing of Notre Dame's decision to hire O'Leary, John Hussey, a sportswriter for the Man-

chester, New Hampshire, *Union Leader*, began his research for a report on O'Leary's accomplishment for the local newspaper. Hussey read O'Leary's résumé, in which the coach claimed to have played football at UNH, and interviewed O'Leary's former coach and teammates from UNH, neither of whom could recall O'Leary playing in a single game for the Wildcats. Upon further investigation, Hussey found that the coach did not play sports at UNH, and he certainly did not earn three letters in football.

Hussey reported his findings to Jim Fennell, another reporter for the *Union Leader*, who broke the story nationwide. On December 12, administrative officials from Notre Dame approached O'Leary regarding his claim to have received three letters in football at UNH. When questioned, O'Leary admitted to including false information about his early athletic career. Feeling shamed and embarrassed, he offered to immediately resign as the head football coach. Notre Dame officials, however, refused to accept his resignation. The vice president of university relations, Louis M. Nanni, and athletic director Kevin White agreed to overlook the misleading credentials and work with O'Leary to prepare a public apology.

The next day, however, more questions surfaced about O'Leary's résumé, this time concerning his academic background at Stony Brook. Notre Dame officials discovered that O'Leary had completed only two classes during his two semesters at Stony Brook. O'Leary later admitted that he had never earned his master's degree there. Nanni and White met with Notre Dame president Edward A. Malloy and decided that they could no longer allow O'Leary to continue as their head football coach. Without having coached a single game, O'Leary was asked to resign. He presented his formal resignation on December 14, only five days into the job, saying in a statement released by the university, "Due to a selfish and thoughtless act many years ago, I have personally embarrassed Notre Dame, its alumni and fans."

IMPACT

The résumé scandal at Notre Dame did not negatively affect O'Leary's coaching career. Indeed, his

career prospered. In 2002, he was hired as the defensive coordinator for the Minnesota Vikings of the NFL. After spending two years coaching Minnesota, O'Leary left the Vikings and accepted the head coaching position at the University of Central Florida (UCF). During his career as the Knights' head coach, O'Leary raised the expectations for the football team and was credited with increasing his players' athletic and academic performances. In 2005, O'Leary was recognized as the Conference USA Coach of the Year and he also signed a new multiple-year contract with UCF.

Notre Dame's termination of O'Leary was one in a series of high-profile firings of college coaches for actual or perceived misconduct. In September, 2000, Bobby Knight, the head coach of the men's basketball team at Indiana University, was fired for a sequence of unacceptable actions that included allegations of choking a player. In March, 2003, Jim Harrick, head men's basketball coach at the University of Georgia, resigned under pressure after accusations surfaced that athletes received credit for classes they did not attend. Also, in May, 2003, Larry Eustachy, head men's basketball coach at Iowa State University, was forced to resign after he was seen in photographs drinking alcohol with students, as well as kissing female students.

—Ryan Patten and Laurel Mae Chang

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January 4, 2002

HISTORIAN STEPHEN E. AMBROSE IS ACCUSED OF PLAGIARISM

The Weekly Standard reported that Stephen E. Ambrose, one of the most widely read scholars of American history, had plagiarized material from a closely related historical work for one of his own best-selling military histories, *The Wild Blue* (2001). Subsequent investigations revealing that Ambrose had plagiarized other works damaged his reputation as an academic historian but had little negative impact on his popularity with general readers.

LOCALE: United States

CATEGORIES: Cultural and intellectual history; education; hoaxes, frauds, and charlatanism; plagiarism; publishing and journalism

KEY FIGURES

Stephen E. Ambrose (1936-2002), American historian and best-selling author

Thomas Childers (b. 1946), American history professor

Fred Barnes (b. 1934), executive editor of *The Weekly Standard*

SUMMARY OF EVENT

One of the greatest writers of popular American history, Stephen E. Ambrose became the center of a plagiarism scandal that broke in an article first posted on the Web site of *The Weekly Standard* on January 4, 2002. The scandal, which sent shock waves through the history profession, also encompassed his colleague Doris Kearns Goodwin the same month. Before the scandal broke, Ambrose, who began his career teaching at the University of New Orleans, had earned fame and fortune writing numerous books on popular topics in military and political history, most of which sold millions of copies. His major works include *Undaunted Courage* (1996), *Band of Brothers* (1992), *D-Day* (1994), and *Citizen Soldiers* (1997).

As his fame grew, Ambrose retired from his academic position and went into business for himself as Ambrose & Ambrose, Inc., which included his son, Hugh, as his agent and all of his children as research assistants. Ambrose, who saw and promoted himself as a storyteller, increasingly became a cottage industry in the field of popular history, and his publications correspondingly increased during the 1990's. He also served as a tour guide and film consultant and wrote books that included textbooks and personal memoirs. His most famous effort in the area of entertainment was as a consultant for the film *Saving Private Ryan* (1998) and the television miniseries *Band of Brothers* (2001).

Fred Barnes, executive editor of *The Weekly Standard*, revealed in "Stephen Ambrose, Copycat" that the popular writer had closely copied passages from Thomas Childers's *Wings of the Morning: The Story of the Last American Bomber Shot Down over Germany in World War II* (1995) for *The Wild Blue: The Men and Boys Who Flew the B-24s over Germany* (2001), a popular book essentially about the same subject. Barnes's story in *The Weekly Standard*, actually a review of these two books, not only cast a shadow on academic history but also further separated Ambrose from the profession.

The scandal centered on both Ambrose's overuse of quotations from Childers's book—the story of the World War II bomber crew of Childers's uncle—and from Ambrose's failure to properly identify them as quotations. What indicated that Ambrose's work was more than a matter of simple oversight or sloppiness was the frequency with which he appropriated Childers's material without acknowledging the source and his substitution of close paraphrasing for actual quoting of the secondary material.

Because Ambrose had relied heavily on Childers to access the primary sources he indirectly quoted,

Ambrose was seen as a popular historian profiting from the hard work and original research of a historian who was less well known. Beyond the immediate issue of plagiarism, the scandal included Ambrose's attempt to defend himself and deflect the issue. He tried to deny that what he did was plagiarism, noting that he gave generous credit to earlier works in his book's acknowledgments, and he insisted that the lifted materials represented a small percentage of all he had written. He also argued that he was not "writing a Ph.D. dissertation" and accused his accusers, particularly academics, of having an agenda against him. At the same time, Ambrose's publishers tried to play down his wrongdoings, suggesting that the issues in question were mere oversights. Furthermore, Ambrose made no offer to search out other errors, even after he conceded those already exposed.

Childers, though outraged, initially chose not to speak publicly against the widely acclaimed Ambrose. A professor of German history at the University of Pennsylvania who had decided to put aside his usual scholarship to write a more personal history based on his uncle's letters, he understood he was in many ways following Ambrose's path. As publicity over the scandal increased, however, Childers spoke out, and Ambrose's scholarly reputation was increasingly called into question.

Eventually, Ambrose would deny that he was an academic writer, although the public would continue to see him as just that. Academic historians, too, considered him an academic writer, although Ambrose initially had the support of prominent academic historians such as Eric Foner, a past president of the American Historical Association. Although Ambrose had not been on the faculty of any university for years, his academic pedigree was widely recognized enough that people began to ask whether he got away with plagiarism because he had no position to lose. However, Ambrose's reputation continued to suffer, as revelations emerged that he had copied sources beyond the Childers book.

Ambrose was soon accused of plagiarism in writing other books, most notably *Upton and the Army* (1964), which had been based heavily on Pe-

ter Michie's *The Life and Letters of Emory Upton*, published in 1885. These discoveries led to further criticisms of Ambrose's scholarly methods. In *Upton and the Army*, Ambrose had followed his by-then familiar pattern of giving effusive credit to a source that he then failed to properly cite. Further investigation of *Upton and the Army* revealed the more egregious lifting of sources that went well beyond Michie.

Ambrose never fully recovered from the scandal. In February, 2002, one month after the story of his plagiarism broke, he announced that he was abandoning his works in progress to focus on his memoirs; six months later he died of lung cancer. Although his books continued to be widely read, his reputation as America's topmost authority on military history was permanently damaged. Remaining is the nagging question of why he did what he did. One possible explanation was the pressure he felt to produce. Also, many have argued that because he was no longer an academic historian—that he was not affiliated with an educational institution—he likely believed that he did not have to abide by the ethics and rules of academia.

IMPACT

The Ambrose scandal had a significant impact on the public's perception of history and on the self-perception of historians as a whole, especially in regard to the line between academic and popular history. In particular, the scandal has raised the question of whether celebrity historians such as Ambrose should be treated differently than their less-famous colleagues.

Aside from the fact that Ambrose was accountable to no academic institution, the success of his plagiarism also raises the issue of the complicity of editors and publishers when dealing with a writer of Ambrose's stature and popularity. Additionally, some commentators have suggested that had the history profession not chosen to make an issue of the plagiarism, Ambrose might have suffered far less consequences.

Finally, beyond the question of plagiarism, the scandal raised the issue of whether history writing, even popular history writing, is about more than

simply collecting, arranging, and rehashing established facts. In the end, while academic historians have distanced themselves from Ambrose and his work, his books remain popular with general readers, most likely because they have not heard of the scandal.

—Susan Roth Breitzer

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Hoffer, Peter Charles. *Past Imperfect: Facts, Fictions, Fraud—American History from Bancroft and Parkman to Ambrose, Bellesiles, Ellis, and Goodwin*. New York: PublicAffairs, 2003. A close examination of the state of the American history profession, with a focus on problems of

Stephen E. Ambrose Is Accused of Plagiarism

fraud and fabrication and their resultant scandals, including that of Ambrose.

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SEE ALSO: June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Dec. 3, 1989: Martin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed; Apr., 1998: Scottish Historian Is Charged with Plagiarism; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

January 6, 2002

BOSTON GLOBE REPORTS ON CHILD SEXUAL ABUSE BY ROMAN CATHOLIC PRIESTS

A series of articles in the Boston Globe revealed the systematic efforts of the Roman Catholic archdiocese to cover up incidents of sexual abuse by priests and to silence victims wishing to bring these crimes to the attention of authorities and the public. The revelations touched off a nationwide flurry of accusations by others claiming of similar abuse, some of whom were molested decades earlier, as children.

LOCALE: Boston, Massachusetts

CATEGORIES: Publishing and journalism; sex crimes; religion; public morals; families and children; law and the courts

KEY FIGURES

Bernard Law (b. 1931), Catholic cardinal and archbishop of Boston, 1984-2002

John Geoghan (1935-2003), Catholic priest

Mitchell Garabedian (b. 1952), Boston attorney
Constance M. Sweeney (b. 1950), Superior Court judge in Massachusetts

Joseph Birmingham (1934-1989), Catholic priest

Paul Shanley (b. 1931), Catholic priest

Wilton D. Gregory (b. 1947), president, U.S. Conference of Catholic Bishops, 2001-2004

Frank Keating (b. 1944), governor of Oklahoma, 1995-2003

John Paul II (Karol Józef Wojtyła; 1920-2005), Catholic pope, 1978-2005

Benedict XVI (Joseph Alois Ratzinger; b. 1927), Catholic pope, 2005-

SUMMARY OF EVENT

On January 6, 2002, the *Boston Globe* ran the first of what would be hundreds of news stories detailing sexual abuse by Roman Catholic clergy. The initial story, "Church Allowed Abuse by Priest for Years," focused on John Geoghan, a Catholic priest defrocked in 1998, whose eighty-six known victims

accused him of molesting them. Some of his acts dated back more than three decades.

The exposure of an individual member of the clergy as a sex offender was not new to the Church. Cases had been reported in Boston and elsewhere for at least half a century. What made the 2002 story unusual, and what would eventually have a catastrophic impact on the Catholic Church in Boston and indeed throughout the country and the world, was the revelation that Geoghan and other priests had been protected from exposure and prosecution by Church authorities who had frequently reassigned priests from parish to parish, provided clandestine settlements to their accusers in return for keeping incidents secret, and in some cases intimidated victims by threatening retribution if they made their accusations public.

The Boston sexual abuse scandal began during the mid-1990's when attorney Mitchell Garabedian began filing suits on behalf of plaintiffs claiming to have been sexually assaulted by Geoghan. To determine whether other victims or other abusers existed, Garabedian petitioned for access to Church records. Because courts throughout the United States historically considered these records private, Garabedian's request was denied. However, in the course of legal proceedings in July, 2001, Boston's archbishop, Cardinal Bernard Law, admitted he had known of accusations against Geoghan since 1984 and was aware the priest had been transferred among parishes rather than removed from ministry.

Learning of Law's admission and sensing there might be a larger story, the new editor of the *Boston Globe* set out to have the court grant the newspaper access to Church files. After months of argument, Superior Court judge Constance M. Sweeney ruled that the Church would be required to turn over all relevant documents to the *Boston Globe*. Although archdiocesan attorneys appealed, Sweeney stood firm by her order that documents be released by January, 2002. Meanwhile, a special investigative unit

at the paper began compiling stories based on interviews with alleged victims of Geoghan and others and documenting what it believed was a long-standing systematic attempt by Church authorities to protect pedophiles—alleged and proven—from exposure and prosecution.

When it broke the initial story about Geoghan, the paper invited other victims to contact reporters with additional information. The paper received a flood of correspondence outlining abuses by dozens of priests, some cases dating back into the 1940's. Initially, the activities of two other priests generated significant interest.

The Reverend Paul Shanley, formerly in the Boston archdiocese but at this time working in California, was accused of having sexually molested boys as early as 1966. For years, Shanley was vocal in challenging the Church's position on homosexuality and was associated with the North American Man/Boy Love Association, which advocates for consensual sex between men and boys. Shanley denied all charges, but a chorus of accusers outlined for news media and attorneys the many instances during which he had taken advantage of their trust. An even more egregious case was that involving the Reverend Joseph Birmingham, who had died in 1989. More than one hundred people came forward to relate stories of how, for more than thirty years, Birmingham had molested children.

Investigators poring over Church records discovered that Law and his predecessors had been aware of the criminal acts of Geoghan, Shanley, Birmingham, and others. Instead of removing them from ministry, however, they allowed priests accused of sex offenses to continue serving in parishes. In some cases, these men were given increasingly more important and sensitive assignments while victims were discouraged from pursuing claims against the accused. Technically, Church officials could claim they broke no laws, because priests were exempt from civil

statutes requiring officials involved in counseling or health care to report cases of suspected abuse. The Massachusetts legislature moved quickly to close that loophole in February, 2002.

Although Geoghan was tried and convicted of one count of sexual abuse in February, 2002, the *Boston Globe* continued its series on the scandal, having identified nearly one hundred priests who had at one time been accused of sexually abusing minors. As weeks passed, what started out as a local scandal quickly became a national catastrophe for the Catholic Church. Emboldened by what they saw happening in Boston, victims of clergy abuse in dioceses across the United States began telling their stories publicly. Some had already received compensation and counseling, but the media was able to



John Geoghan, left, a defrocked Roman Catholic priest, listens in court in January, 2002, after he is convicted of sexually assaulting a boy in 1991. (AP/Wide World Photos)

make a strong case that the problem was endemic throughout the Catholic Church in the United States. The media focused on the behavior of bishops and other Church officials in attempting to keep these incidents secret while allowing known sex offenders to continue in ministries often involving children. These official Church actions bordered on criminal misconduct. One attorney even suggested that Church officials be prosecuted under the federal law designed to root out organized crime in America.

In Boston, Cardinal Law initially attempted to stonewall attempts by the *Boston Globe* to pursue its investigation and dealt peremptorily with media and Catholic laypersons who peppered him for additional information. He refused to meet with victims, questioned the veracity of some accusations, repeatedly suggested he had not been aware of many of the incidents, and sought in other ways to deflect blame from the Church hierarchy. His actions seemed only to spur additional media attention and eventually turned many laypersons against the Church. Particularly outraged were victims-rights groups such as the Survivors' Network of those Abused by Priests (SNAP), an organization founded in 1989. While Law was insisting that confidentiality was required to protect both the victim and the accused, a number of influential lay leaders began calling the scandal the American Catholic Church's Watergate. Catholics held protests outside churches in Boston, and calls for Law's resignation began almost immediately.

At the national level, the president of the U.S. Conference of Catholic Bishops, Wilton D. Gregory, began working on measures for dealing with the spiraling problem facing his fellow prelates. By the June, 2002, meeting of the American bishops in Dallas, Gregory had managed to draft a document outlining ways bishops should deal with sex offenders under their jurisdiction. Gregory's proposal included participation by the laity in reviewing cases of clergy sexual abuse. After significant debate, the document was approved. Because each bishop in the Catholic Church can act with relative autonomy within his diocese, however, Gregory had no way of enforcing these policies. Similar guidelines had

been suggested during the mid-1990's after a scandal in Chicago, but a number of bishops—including Cardinal Law—had argued against them because they infringed on a bishop's discretionary authority. Additionally, before these procedures could be formally adopted, officials in Rome were required to approve them as well.

Despite these barriers, Gregory took the extraordinary step of appointing a thirteen-member lay commission, a national review board, to assist bishops in addressing issues concerning clergy accused of abuse. Frank Keating, the governor of Oklahoma and a strong Catholic, agreed to lead this board. The national review board was not well received by many bishops, though, as some considered it an undue intrusion of the laity into matters that had traditionally been handled by the clergy under the terms of canon law, the documents governing the organization and operation of the Church worldwide.

Prior to the June meeting, Gregory went to Rome to seek assistance from Pope John Paul II. Unfortunately, the Vatican tried to distance itself from the scandal in the United States. Already aware that sexual abuse by clergy was a worldwide problem, in 2001 the pope appointed a commission headed by Cardinal Joseph Ratzinger (the future Pope Benedict XVI), the conservative theologian then serving as prefect of the congregation for the doctrine of the faith, to propose a method for handling the problem. Their solution was a mandate: Rather than permitting reassignment, every accused was to be brought before a secret clerical tribunal.

Although the pope met with Gregory and other American prelates to discuss the growing scandal, he suggested the bishops would have to handle matters themselves. Meanwhile, Vatican officials identified two main causes for the widespread sexual abuse: a lax moral climate in which some priests were seduced to forget their calling, and the presence of gays among the clergy. Some lay Catholics and people outside the Church blamed the problem on the requirement that priests remain celibate, but the Vatican refused to consider this possibility. Neither in the United States or Rome was there any acknowledgment that clerical culture, in which priests tended to protect each other while maintaining the

facade of perfection for their actions, might lie at the root of the problem.

Church officials in Rome found guidelines approved in Dallas unacceptable. A new commission consisting of American bishops and representatives of the Vatican drafted a compromise document that curtailed involvement by the laity and instead dictated that accused priests have cases heard by clerical tribunals. The revised policies were approved by the American bishops at a meeting in November.

By the fall of 2002, Law began to see the hopelessness of his position as Boston's Catholic leader. He finally met with victims to learn firsthand of their pain, but his gestures at reconciliation were too late. As the year drew to a close, suits against the Boston archdiocese were mounting. Garabedian was representing eighty-six clients, a Boston law firm was litigating against 135 priests, and other firms were involved in representing dozens of other victims. Many of the plaintiffs were suing not only the offenders but also Church officials. Law worked out a secret deal with Garabedian to settle with Geoghan's victims for somewhere between \$35 and \$50 million, but the deal was vetoed by his finance council, a group of lay leaders who did not want Church donations paying for priests' crimes. In early December, rumors began spreading that the archdiocese would file for bankruptcy to shield itself from further lawsuits.

Law flew to Rome and offered his resignation to the pope, who accepted it on December 13. By this time nearly every diocese in the United States had been touched by the scandal, and more than twelve hundred priests had been identified as abusers by nearly five thousand alleged victims. The *Boston Globe* ran its investigative series for more than a year, after publishing nearly nine hundred articles. The paper, which won a Pulitzer Prize in 2003 for the series, also added extensive coverage of the scandal to its Web site (boston.com/globe/spotlight/abuse/).

IMPACT

The effect of the sex abuse scandal on the Church in the United States was devastating, and it extended far beyond a single diocese. Already suffering from

a shortage of priests, bishops were forced to remove more than four hundred from active ministry as a result of charges brought against them. Five bishops also were forced to resign. A handful of accused priests were tried for their crimes. Geoghan, who had gone to jail in 2002, was murdered in prison by another inmate the year after he was incarcerated. Shanley was convicted and sentenced to jail in 2005. Across the United States a number of accused priests committed suicide, and one was shot by one of his victims.

Lawsuits from individuals who had been abused in the past were settled for sums running into the hundreds of millions of dollars. For example, the Boston archdiocese eventually paid \$85 million to settle claims; the archdiocese of Los Angeles paid more than \$600 million, Orange (California) \$100 million, Dallas \$31 million, and Louisville paid nearly \$26 million. Because the Church traditionally considered each diocese an independent financial entity, individual bishops had to meet these financial obligations. As a result, many dioceses filed for bankruptcy protection between 2002 and 2007.

The effect on the Catholic laity was equally devastating. Taught to trust clergy as guides of morality and character, millions were shocked and repulsed by the growing litany of accusations. Church attendance sagged and financial contributions plummeted. Many lay people who wished to help reform the Church organized groups such as Voice of the Faithful, but their efforts were frequently rebuffed by Church officials fearful of giving the laity too strong a role in oversight of Church matters. This rejection led to even further distrust and alienation, and many influential Catholics were vocal in their resentment toward the American bishops and the Vatican.

Outside the Church, many Americans who already possessed anti-Catholic or antireligious sentiments took the opportunity to revel in the predicament Catholics were experiencing. Many people, however, including clergy from other Christian denominations and those from other faiths, expressed regret and sympathy for Catholics.

The stigma attached to the priesthood in the United States prompted John Paul II's successor,

Pope Benedict XVI, to speak frequently of the matter and offer numerous apologies during his April, 2008, visit to the United States. Benedict even met with some of the victims to offer the Church's regrets for what had happened to them at the hands of men they trusted.

—Laurence W. Mazzeno

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January 18, 2002

HISTORIAN DORIS KEARNS GOODWIN IS ACCUSED OF PLAGIARISM

*Doris Kearns Goodwin, a Harvard University professor and author of several award-winning books, was accused of plagiarizing another author's work for her best-selling and award-winning history *The Fitzgeralds and the Kennedys* (1987). Goodwin created further scandal when it was revealed that in 1987, she had paid off the author whose work she plagiarized.*

LOCALE: United States

CATEGORIES: Cultural and intellectual history; education; hoaxes, frauds, and charlatanism; plagiarism; publishing and journalism

KEY FIGURES

Doris Kearns Goodwin (b. 1943), professor of American history and author

Lynne McTaggart (b. 1951), journalist and author
Bo Crader (fl. early twenty-first century), *Weekly Standard* editorial staff member

SUMMARY OF EVENT

Doris Kearns Goodwin, a Harvard University professor, political commentator, and well-regarded historian, is also the author of award-winning books. *No Ordinary Time: Franklin and Eleanor Roosevelt—The Home Front in World War II* (1994), a history of the Roosevelt White House during the years of World War II, won a Pulitzer Prize in 1995, and *The Fitzgeralds and the Kennedys: An American Saga* (1987), became the basis for the popular television series *The Kennedys of Massachusetts*.

Goodwin, whose career began as a White House Fellow and later special assistant to President Lyndon B. Johnson, also served as a Public Broadcasting Service commentator, covering the Democratic and Republican National Conventions and the presidential debates. Considering her professional credentials, it came as a shock when Bo Crader of *The Weekly Standard* reported on January

18, 2002, that Goodwin had plagiarized some of her most highly regarded books. The article, "A Historian and Her Sources," came just two weeks after the same periodical revealed the plagiarism of American historian Stephen E. Ambrose. The Goodwin scandal also involved earlier efforts by Goodwin to head off potential negative publicity in a hush-money arrangement with the author whom she had plagiarized.

The Fitzgeralds and the Kennedys, Goodwin's book that raised questions of plagiarism, had been on the best-seller list of *The New York Times* for five months and had won numerous awards after it was published in 1987. It was widely known before the scandal broke that Goodwin relied on an earlier history of the Kennedy family by Lynne McTaggart called *Kathleen Kennedy: Her Life and Times* (1983) in writing her own book. What remained unnoticed, however, was Goodwin's use of numerous quotations from McTaggart's book without attribution. Furthermore, McTaggart, a journalist by profession, had written her book in a style and format that used few footnotes, which made tracing the book's primary sources difficult and encouraged reliance on the finished work for direct quotations. Nonetheless, Goodwin's plagiarism raised a question that also came up in the Ambrose case: Did Goodwin, a popular historian, profit from the original research of a predecessor? Goodwin's case also brought up the issue of failing to fully acknowledge secondary sources.

Making matters worse was Goodwin's effort to settle her plagiarism without publicity. In 1987, soon after *The Fitzgeralds and the Kennedys* was published, McTaggart noticed the misappropriation of her work. She contacted Goodwin through an attorney, who threatened a lawsuit for copyright infringement. Goodwin responded by negotiating a deal in which her publisher would pay McTaggart a significant sum in exchange for her silence; Goodwin also promised to add the necessary quotation



Doris Kearns Goodwin speaks at a history forum in St. Paul, Minnesota, in March, 2002. It was her first public appearance since she was accused of plagiarism. (AP/Wide World Photos)

marks, attributions, or both in future editions of the book. Even as she sought to settle with McTaggart, however, Goodwin insisted that the omissions had been unintentional and few in number. She blamed many of the errors on her poor note-taking skills. McTaggart agreed to the arrangement because she did not want to harm Goodwin's reputation. However, when the 2001 edition of *The Fitzgeralds and the Kennedys* failed to include many of the agreed-upon changes—Goodwin later claimed that to have done so would have broken the flow of the narrative—McTaggart decided to go public with the story. In an interview with *The Weekly Standard*, published on January 23, she said, "There is a moral issue in general that needs to be examined. The only reason I'm talking now is just to set the record straight. At least let's have the full story."

The scandal-breaking *Weekly Standard* article of January 18 led to great controversy both within the history profession and among American readers. Goodwin's most highly regarded work, *No Ordinary Time*, also became the center of scandal when it, too, was found to include plagiarized passages. A number of historians rushed to Goodwin's defense,

most publicly in a letter to the editor in *The New York Times* (October 25, 2003) that was signed by prominent historians, including Sean Wilentz, David Halberstam, and Arthur Schlesinger, Jr., a close colleague. The letter denied that she committed plagiarism, a claim that provoked even more scandal. Critics of the letter said it was nothing more than an effort to deny the truth and rewrite the very definition of plagiarism, all for the sake of protecting a famous historian.

The American Historical Association issued a statement rejecting one defense, which claimed that Goodwin's apparent lack of intent meant that she did not plagiarize. The controversy soon took on a political dimension, as

Goodwin's supporters accused her accusers of a political conspiracy against her, a charge that was fairly plausible given her prominence in liberal political circles. After the story became fully public, however, Goodwin worked to have errors and omissions corrected as they were identified.

IMPACT

The Goodwin scandal had its greatest impact in its exposure of the problem of plagiarism and cheating at the highest levels of historical scholarship, calling into question the integrity of a prominent historian and the validity of her work. Her defenders raised the issue of intention, arguing that intention matters in the definition of plagiarism.

For a time, the damage was done. Goodwin was dropped as a PBS commentator for the 2004 election season, and she also resigned her position with the Pulitzer Prize selection committee. However, the media-savvy Goodwin worked effectively to rehabilitate her image. She hired a media consultant and even made an appearance on *The Late Show with David Letterman* to poke fun at herself and explain the scandal. She eventually left her faculty po-

sition at Harvard University, although she remained on its board of overseers.

Commentators have reminded readers about the seriousness of both Goodwin's plagiarism and her attempts to cover it up; still, she made a comeback with *Team of Rivals: The Political Genius of Abraham Lincoln* (2005). She also became a popular public speaker and remains a widely admired historian. Her Web site carefully avoids mention of the scandal, making only the briefest reference to *The Fitzgeralds and the Kennedys*.

—Susan Roth Breitner

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Doris Kearns Goodwin Is Accused of Plagiarism

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SEE ALSO: June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Dec. 3, 1989: Martin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed; Apr., 1998: Scottish Historian Is Charged with Plagiarism; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Oct. 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

February 11, 2002**FRENCH JUDGE ADMITS FAVORING RUSSIAN FIGURE SKATERS IN WINTER OLYMPICS**

During the 2002 Winter Olympic Games in Utah, judges awarded the Russian figure skating pair the gold medal in a decision that led to major controversy, as many thought the Canadian silver medalists deserved to win gold instead. The French judge soon admitted that her federation had pressured her to vote for the Russians in a deal designed to help the French ice dancing couple. The scandal resulted in the awarding of a second gold medal and the creation of a new judging system for figure skating at the international level of competition.

ALSO KNOWN AS: Skategate**LOCALE:** Salt Lake City, Utah**CATEGORIES:** Corruption; sports; international relations**KEY FIGURES**

Marie Reine Le Gougne (b. 1961), French pairs-skating judge

Jamie Salé (b. 1977), Canadian pairs skater

David Pelletier (b. 1974), Canadian pairs skater

Elena Berezhnaya (b. 1977), Russian pairs skater

Anton Sikharulidze (b. 1976), Russian pairs skater

Ottavio Cinquanta (b. 1938), president of the International Skating Union

Jacques Rogge (b. 1942), president of the International Olympic Committee

SUMMARY OF EVENT

Figure skating is one of the most popular, visible, and highly anticipated events of the Winter Olympic Games. Scandal erupted at the 2002 Olympics in Salt Lake City, Utah, after judges were accused of fixing the scores of the finals in pairs figure skating. The pairs-skating event featured a rivalry between two teams, the Russians and the Canadians, both of whom had won world championships. Audiences eagerly awaited a great competition for the gold medal. Both teams skated well in the short pro-

gram, and both had a chance for the gold medal in the decisive long program held several days later. Only one team would win the gold, or so everyone thought.

On February 11, 2002, the final night of the pairs-skating event, Elena Berezhnaya and Anton Sikharulidze of Russia performed a technically difficult program, but not without errors. The Canadian pair of Jamie Salé and David Pelletier followed with a flawless but less technically difficult program set to the music from the film *Love Story*. The audience cheered the Canadians with great approval. Television commentators Scott Hamilton and Sandra Bezic, both former Olympic medalists in skating, were sure that the Canadians had delivered the gold-medal-winning performance. The judges' marks came up on the scoreboard. The Russian team received first place ordinals from five of the nine judges on the panel, giving them the gold medal in a controversial 5-4 split. The final decision was met by shock and bewilderment from spectators, commentators, and Salé and Pelletier and their coach.

Questions about judging were not new to the sport of figure skating. Judges often have been accused of voting with a bias toward either the Eastern bloc or the Western bloc, Cold War terms that divided nations along geographical and political boundaries. In the 2002 Olympics pairs-skating competition, the judges representing countries in the Eastern bloc—Russia, China, Poland, and Ukraine—placed the Russians first. The judges from the Western bloc—the United States, Canada, Germany, and Japan—placed the Canadians first. The judge from France, a Western bloc nation, placed the Russians first. That judge, Marie Reine Le Gougne, admitted shortly after the event that she had been pressured to vote for the Russian pair. She claimed at the time that the head of the French skating federation, Didier Gailhaguet, made a deal to aid French ice dancers Marina Anissina and Gwenn-

dal Peizerat, scheduled to compete later in the Games. Le Gougne recanted her story after speaking to International Skating Union (ISU) president Ottavio Cinquanta. In a press conference, Cinquanta stated that there was no evidence to prove Le Gougne's original allegations but promised an internal ISU review.

The growing scandal, not the first for these Games, received worldwide media attention. In the face of the scandal, the Canadian pair made multiple television appearances in both the United States and Canada, and the Russian pair made appearances as well. The Games in Salt Lake City already had been tainted with scandal before it had begun. The Salt Lake City Organizing Committee (SLOC) had been accused of bribing International Olympic Committee (IOC) members with cash and gifts to ensure acceptance of the city's bid to host the Olympics. Four IOC officials and two top SLOC executives had resigned during the course of the affair.

The Canadian press dubbed the pairs-skating scandal Skategate. Past instances of cheating and controversial judging decisions resurfaced during the media controversy. The IOC and the ISU were forced to take action amid accusations that figure skating results were determined in backroom deals before events. IOC president Jacques Rogge pressured the ISU to quickly resolve the situation and strongly urged it to award a second pair of gold medals to the Canadian team.

The ISU had no official guidelines on how to resolve cases of cheating in judging. Ultimately, Rogge and Cinquanta announced that the Canadians would receive their gold medals in a new medals ceremony, but the unprecedented solution did not satisfy everyone. The Canadians were happy to receive their gold medals, but they felt cheated of the moment of victory they felt they earned. The French judge was suspended while the investigation continued, but many believed she should have been permanently banned from judging. Meanwhile, the ISU introduced an interim judging system just months after the 2002 Olympics ended, and it developed an entirely new judging system—the Code of Points—for all international competitions beginning in 2006.

IMPACT

The controversial judging and the well-publicized scandal ensured embarrassment for both the sport of figure skating and the Olympics. Because of the subjective nature of its judging, many thought it best to drop figure skating, or certain events in skating, from the Olympic Games. Dropping or curtailing figure skating, however, was unlikely because of the sport's popularity with viewers; skating also is a major source of revenue for the Games. Still, the scandal had to be addressed to restore the sport's credibility, and the credibility of the Olympics.

The ISU developed its new judging system, the Code of Points, to replace the traditional judging system that had been in place for decades. The new system closely resembles those used in the sports of diving and gymnastics. In figure skating's old system, in which judges would mark skaters on a subjective scale of 0.0 to 6.0 and assign ranking ordinals, judges now give skaters set numbers of points for performed jumps, spins, and other elements. Judges also assign points for skating skills, choreography, and other elements that used to fall under the second—artistic—mark in the 6.0 system. These scores are anonymously entered into a computer, which randomly selects the scores of nine judges and eliminates the highest and lowest scores. The judges' anonymity and the assignment of points versus ranks is meant to add more objectivity to the system. The Code of Points was used for the 2006 Winter Olympic Games in Torino, Italy.

The pairs scandal was a turning point, both good and bad, in the sport of figure skating. The new judging system changed how skaters trained and developed their programs, and provided for more objective judging. However, many believe that the damage to the sport's credibility brought on by the scandal contributed to a subsequent decline in public interest in the sport, as measured by television ratings and ticket sales.

—Marcella Bush Trevino

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judge, technical committee member, and council member. Places the 2002 pairs scandal within the context of a sport riddled with scandals and corruption for years before.

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Committee from a longtime committee member. Smith, Beverley. *Gold on Ice: The Salé and Pelletier Story*. Toronto, Ont.: Key Porter Books, 2002. A brief work that discusses the early lives and careers of the Canadian pairs team at the heart of the scandal as well as the investigations and politics of the scandal itself.

SEE ALSO: Aug. 19, 1973: Cheating Scandal Shocks Soap Box Derby; June 30, 1994: Tonya Harding Is Banned from Skating After Attack on Rival; Sept. 26, 2000: Gymnast Andreea Răducan Loses Her Olympic Gold Medal Because of Drugs; July 26, 2006: Tour de France Is Hit with a Doping Scandal; Oct. 5, 2007: Olympic Champion Marion Jones Admits Steroid Use.

February 17, 2002

ROTTING HUMAN BODIES ARE FOUND AT GEORGIA CREMATORY

More than three hundred rotting human bodies that should have been cremated were found unceremoniously dumped on the grounds of Tri-State Crematory in Noble, Georgia. Most of the corpses had to be identified using either forensic methods or the shipping records of the funeral homes that worked with Tri-State. Some of the bodies never were identified. At the time of the discovery, Georgia state funeral laws were lax on cremation requirements, licensing, and inspections, thus the dumping went unnoticed.

LOCALE: Noble, Georgia

CATEGORIES: Corruption; business; hoaxes, frauds, and charlatanism; environmental issues; government; public morals

KEY FIGURES

Ray Marsh (1928-2003), co-owner of Tri-State Crematory

Clara Marsh (b. 1931), co-owner of Tri-State Crematory

Tommy Ray-Brent Marsh (b. 1974), crematory manager, son of Ray and Clara Marsh

SUMMARY OF EVENT

In November, 2001, officials in Walker County, Georgia, were alerted by the U.S. Environmental Protection Agency that a neighbor had complained that something was not quite right at the Tri-State Crematory, which was located in a rural area of the county. The caller had reported seeing human body parts in the woods adjacent to the crematory. Sheriff's deputies visited the property but did not find anything amiss.

On February 17, 2002, following additional complaints, Walker County officials again visited the crematory and the homes of owners Ray and Clara Marsh and their son, Tommy Ray-Brent Marsh. Their homes were located on the grounds of



A Georgia law enforcement officer at the entrance to Tri-State Crematory in Noble, Georgia. (Hulton Archive/Getty Images)

the crematory. This time, officials made gruesome discoveries. Within a few days, hundreds of dead bodies were uncovered on the twenty-five-acre property. Some of them had been there only a few days, and others had been there for a number of years. Authorities could not tell why the corpses were dumped and not properly disposed of.

Crematory owners Ray and Clara Marsh were respected members of the Noble community. Ray, whose family was originally from the area, worked for the U.S. Postal Service. He dug ditches and graves with a backhoe in his spare time, a practice he continued for approximately ten years. In 1982, he spent about twenty thousand dollars for cremation equipment, which he housed in a shed on his property, and opened Tri-State Crematory. One of the first minority-owned crematories in the United States, it opened at a time when cremations were relatively rare in the South. Clara was originally

from Mullins, South Carolina. She taught English for the local school district for approximately forty years. Also very active in the community, she was the first African American chairman of the local Democratic committee and also was involved in the local chamber of commerce. After Ray had a debilitating stroke in 1996 and was unable to continue operation of the business, the Marsh's son Tommy kept the place running. As a high school football star, coach of the local youth group, and prospective deacon of his church, Tommy also was a respected member of the community.

As the cremation business grew in the South, Tri-State was accepting bodies not only from Georgia but also Tennessee and Alabama. Hearses were a customary sight at the Marsh property a couple of times each week. No questions were asked when Tommy began picking up the bodies himself at the funeral homes; there was no reason to believe that

AMENDING THE LAW ON CREMATION

In May, 2002, Georgia lawmakers amended state law on how funeral homes and crematories treat human corpses before, during, and after cremation. The revised law, excerpted here, was developed in response to the then-recent scandal at Tri-State Crematory.

- This section provides that a person who “throws away or abandons any dead human body or portion of such dead body” commits the crime of abandonment of a dead body. Further, the section makes abandonment of a dead body a felony and imposes a punishment of imprisonment for at least a year, but no more than three. The section excludes medical and other lawful uses from punishment.
- The Act amends Code section 43-18-1 by defining “crematory” as “any place where cremation is performed” excluding hospitals, clinics, laboratories, and other such facilities.
- The Act amends Code section 43-18-8 by requiring funeral directors to place identification tags that include serial numbers identifying prosthesis removed from the body prior to cremation and also requires them to provide a written statement to the person receiving the remains which verifies that the container contains “substantially the remains of the deceased.”
- The Act also amends Code section 43-18-72 by requiring that those who operate crematories maintain a license, have a specific address, provide a room that seats at least thirty people, have a display room with a supply of urns, maintain a hearse, have a processing station for the grinding of cremated remains (retort) and have at least one truck. The Act further amends Code section 43-18-72 by requiring crematories to submit reports that list the names of the people it cremates and the types of containers it uses.

anything unusual was happening. The ashes of the deceased were customarily returned to the funeral homes on the next day. Tri-State charged a very reasonable fee of \$200 to \$250 for the service, while other crematoriums were charging \$600 as a starting rate.

Neighbors began to notice that there was no black smoke coming from the crematory, but no one complained. The furnace in the shed had stopped working and needed a new part, leading to a change in the crematory’s operations. The Marshes pur-

chased the needed part for less than \$200. The vendor offered to install the part, but the family indicated that they did not require any assistance. This did not seem unusual to the vendor because the Marsh’s had never requested service from them in all the years they had been in business. Investigators later found that the furnace was operable.

Before the search of the crematory ended, officials discovered more than 330 bodies in various stages of decomposition, strewn all over the property. Bodies were stacked on top of each other. Some were dressed formally, some were dressed in hospital gowns, and some were still in body bags. Most of the corpses did not have identification tags. About fifteen bodies were stored in a burial vault that was intended for only one body. Bodies were stuffed into abandoned vehicles, and more had been thrown into the two-acre lake on the grounds. Neighbors did not complain of the odor of deteriorating bodies because odor from the property was not unusual. However, because human remains were deteriorating at different rates, the stench was likely deplorable.

Officials were forced to deal with a macabre situation. They declared the property a disaster area so that they could receive state funds for its cleanup. After cremation, human remains are returned to family members in temporary containers, if the family did not purchase an urn. The Marshes returned these containers in a timely manner to the funeral homes. However, the urns did not contain the remains of the deceased; they contained sand, ground-up cement, or burned wood-chips mixed with dirt. The families who later discovered that they had been duped by the Marshes felt extreme betrayal, sadness, and anger, and close to seventeen hundred relatives eventually sued.

The case of the rotting bodies was horrifying in itself, but it became even more so when people realized it never should have occurred. Georgia state funeral law at the time was extremely lax in dealing with crematories. Tri-State Crematory apparently

had never been inspected, but inspection was limited in the state to begin with. Furthermore, a loophole in Georgia law allowed the business to run without a license for such work. The law did not address a crematory's failure to cremate a human body, mainly because failing to do so was unthinkable. An official with the Georgia Bureau of Investigation said "We have laws against desecrating graves, but we can't find one against desecration of bodies," adding, "I guess nobody in the Legislature ever thought something like this could happen."

State forensic teams had to use a combination of methods to identify the bodies. These methods included matching dental records, DNA testing, and tracking records from the funeral homes where individual bodies originated. The remains that could be identified were cremated and returned to next of kin. About 130 bodies could not be identified and were buried in a mass grave in the fall of 2002. These bodies were not cremated; officials wanted to preserve the DNA of the corpses in case it was needed in future litigation or attempts at identification.

IMPACT

Georgia law could only treat this scandal as a misdemeanor. Tommy Ray-Brent Marsh was eventually convicted of 787 counts of theft, abuse of a corpse, and burial-service fraud. He was sentenced to two twelve-year terms for his crimes—one sentence for the state of Tennessee and one for the state of Georgia. Ray and Clara Marsh were not charged.

Relatives of the deceased filed a class action suit against Tri-State and the funeral homes involved. The award amounted to \$36 million from the funeral homes and \$18 million from the Marsh's homeowner's insurance policy. In addition, a portion of the Marshes land was set aside in its natural state as a tribute to those who were found there. The Marsh family retains the rights to all the land and the deed remains in their name. The crematorium was destroyed.

Georgia lawmakers rewrote the state's funeral industry laws in the years after the Tri-State scandal broke. The new laws now contain felony provisions for those who abuse them, as well as provisions for the abandonment of a human body.

—Elizabeth Gaydou Miller

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March 27, 2002

GEORGIA BASKETBALL COACH JIM HARRICK, SR., RESIGNS OVER FRAUD ALLEGATIONS

University of Georgia basketball coach Jim Harrick, Sr., resigned following accusations of fraud and misconduct against himself and his assistant coach Jim Harrick, Jr., his son. Many people were left wondering who to blame for the scandal after the Harricks had been hired to coach at Georgia even though they had a record of misconduct while coaching at two other universities—UCLA and Rhode Island.

ALSO KNOWN AS: Harrick scandal

LOCALE: Athens, Georgia

CATEGORIES: Corruption; sports; law and the courts

KEY FIGURES

Jim Harrick, Sr. (b. 1938), University of Georgia head basketball coach

Jim Harrick, Jr. (b. 1965), University of Georgia assistant basketball coach

Michael F. Adams (b. 1948), president of the University of Georgia

SUMMARY OF EVENT

Following successful careers coaching at three other universities, Jim Harrick, Sr., was hired as head coach of the University of Georgia Bulldogs of the South Eastern Conference (SEC) at the start of the 1999 basketball season. He led Georgia to two NCAA tournament births in four years. However, the misconduct of his son, Georgia assistant coach Jim Harrick, Jr., caused the elder Harrick the most trouble and led to his resignation on March 27, 2002.

Allegations of corruption against Harrick, Jr., began to surface midway through the 2002 season. Harrick, Jr., allegedly paid a phone bill for Georgia player Tony Cole and provided additional income for high-profile players; this last claim was never proven true. The most serious accusation was that

Harrick, Jr., developed an examination specifically for Georgia basketball players enrolled in one of his classes. He also was accused of awarding A grades to three student-players—Cole, Chris Daniels, and Rashad Wright—who never attended his class.

Before accepting the job at Georgia, Harrick, Sr., had coached at Pepperdine University between 1979 and 1988 and led the Waves to regular-season championships in 1981, 1982, 1983, 1985, and 1986. He also was named West Coast Athletic Conference (WCAC) coach of the year four times and led Pepperdine to four NCAA national basketball tournaments. Harrick was hired to coach the Bruins of the University of California, Los Angeles (UCLA) in 1988. He had been an assistant coach at UCLA prior to accepting the Pepperdine job.

Harrick, Sr., coached at UCLA from 1988 to 1996. He led the Bruins to Pacific 10 Conference (Pac-10) championships in 1992, 1995, and 1996 and was Pac-10 Coach of the Year in each of these seasons as well. The 1994-1995 season ended with the Bruins winning their eleventh NCAA basketball championship. Harrick was revered as a savior after leading UCLA to its first national championship in more than twenty years. Two seasons later, he was removed as head coach of the Bruins following a National Collegiate Athletic Association (NCAA) investigation into allegations that he falsified expense records and receipts for a recruiting dinner. Although Harrick was exonerated by the NCAA, officials at UCLA held firm in their decision to fire Harrick because he lied to investigators.

Harrick, Sr., took a one-year break and returned to the game to coach the University of Rhode Island Rams of the Atlantic-10 Conference. He led the Rams to two NCAA tournament bids, an Atlantic-10 Conference Championship, and a major upset of the perennial powerhouse, the University of Kansas, in the 1998 NCAA tournament. Two years were enough for Harrick in Rhode Island. He left for

Georgia and, soon, Rhode Island supporters learned why.

Critics claimed that while he was at Rhode Island, Harrick, Sr., changed the grades of players, had others complete course assignments for players, and arranged for travel, cars, small gifts, money, and extravagant parties for players, friends, families, and potential recruits. Harrick, Jr., too, had been accused of similar improprieties while working with his father at Rhode Island. Most notably, Harrick, Jr., was accused of having falsified expense reports, just as his father had been accused of doing while coaching at UCLA. With charges of misconduct remaining charges only, father and son left Rhode Island and settled in Georgia to take the coaching jobs there.

On March 5, 2002, University of Georgia president Michael F. Adams announced that he was firing Jim Harrick, Jr., and suspending Harrick Sr. Adams's announcement followed the television broadcast of an interview with former Georgia player Cole, who alleged coaching and program misconduct. Twenty-two days after his son was fired, Harrick, Sr., resigned. He also announced his retirement from coaching.

Fearing harsh NCAA sanctions such as post-season bans, loss of scholarships, and fines, Adams imposed his own sanctions on the Georgia basketball program. The team was banned from the 2002-2003 NCAA tournament, even though the Bulldogs were ranked twenty-fifth in the nation with a record of 19-8 and were ensured of a place in postseason play. Also, Adams stripped the eligibility of two players involved in the scandal.

IMPACT

In the long run, the self-imposed sanctions likely saved the football program at Georgia, but Adams still had to contend with questions about why he hired the Harricks in the first place, knowing of their corruption-filled backgrounds. Adams said that he trusted Harrick, Sr. The two had worked together at Pepperdine dur-

ing the 1980's. Adams had entrusted Harrick, Sr., with running the school's football program and maintaining its integrity, which, Adams insisted, Harrick did with success.

The Harrick scandal followed the 2000 firing of another Georgia athletic coach, the highly respected football coach Jim Donnan. After the Donnan scandal, Adams became the fall guy at Georgia. He was booed off the field during a 2003 homecoming football game and was the subject of a petition drive in which sixty thousand students and alumni demanded he be fired as president of the university.

The firing of Harrick, Jr., and Harrick, Sr.'s, retirement did not mark the end of the Harrick scandal. Georgia's athletics program suffered further sanctions after their departure, including additional scholarship reductions and four years of probation. Adams, although unpopular with many students and alumni, remained Georgia president, but several well-known alumni withheld financial contributions to the school as a result. In a poll of faculty, nearly 70 percent had little faith in Adams as president. The poll results reflected little confidence in the school, both in athletics and academics.

The Harrick scandal had little affect on continuing corruption and misconduct at colleges and universities around the United States. Sanctions were imposed on other high-profile programs and coaches. For example, Dave Bliss was forced to resign as head coach of the Baylor Bears basketball team after player Patrick Dennehy was murdered by a

THE HARRICK EXAM

The so-called Harrick exam included a question that asked students to whom they attributed their playing success. The correct answer? Jim Harrick, Jr. Included here is a sampling of other multiple-choice questions from the test.

1. How many goals are on a basketball court? *Choices: 1, 2, 3, or 4*
2. In what league do the Georgia Bulldogs compete? *Choices: ACC, Big Ten, SEC, or Pac10*
3. How many points does a 3-point field goal account for in a basketball game? *Choices: 1, 2, 3, or 4*

former Baylor player. Bliss was heard on audiotape portraying Dennehy as a drug dealer. Ohio State University fired coach Jim O'Brien after he admitted to athletic director Andy Geiger that he paid more than six thousand dollars to a potential player in 1999. In 2008, Indiana University, recognized by many as a top-tier basketball program, fired coach Kelvin Sampson for having improper phone conversations with potential recruits.

High-profile coaches who are successful on the court but losers at playing by the rules still get hired by top programs to help deliver wins. With winning teams comes money—for athletic and academic scholarships, infrastructure, campus development—so questionable pasts are overlooked for the sake of victory and reputation—and cash.

—Keith J. Bell

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June 25, 2002

INTERNAL CORRUPTION FORCES ADELPHIA COMMUNICATIONS TO DECLARE BANKRUPTCY

At the time of its collapse, Adelphia Communications Corporation was one of the largest cable providers in the United States. In June of 2002, the company declared bankruptcy as a result of the multibillion-dollar defrauding of its own executives. John Rigas, Adelphia founder, and his son, Timothy Rigas, were convicted on charges of conspiracy, bank fraud, and securities violations and were sentenced to prison terms of fifteen and twenty years respectively. The bankruptcy was one of the largest in the history of the United States.

LOCALE: New York, New York

CATEGORIES: Law and the courts; corruption; banking and finance; communications and media

KEY FIGURES

John Rigas (b. 1924), founder and chief executive officer of Adelphia

Timothy Rigas (b. 1956), chief financial officer, board member, and executive vice president of Adelphia

Michael Rigas (b. 1953), Adelphia's vice president in charge of operations

James Rigas (b. 1958), Adelphia executive

Michael Mulcahey (b. 1957), head of internal reporting at Adelphia

SUMMARY OF EVENT

One of the largest cable providers in the United States at the time of its collapse, Adelphia Communications Corporation filed for Chapter 11 bankruptcy protection on June 25, 2002, in the United States bankruptcy court in New York. The declaration of bankruptcy was a result of the mismanagement of the company by its owner and executives, primarily John Rigas and his sons Timothy, Michael, and James. It was alleged that they had hid-

den more than \$2 billion from creditors and Adelphia stockholders for their own use.

Adelphia came from modest origins. Its founder, John Rigas, and his brother Gus, were sons of Greek immigrants. The brothers began buying cable systems during the 1950's in the small Pennsylvania town of Coudersport. They named their company Adelphia, a word derived from the Greek for "brothers." During the 1980's, John Rigas bought his brother's interest in the company. By 2002, Adelphia operated cable systems in more than thirty states, notably in Pennsylvania, Ohio, Florida, and California, and had more than five million cable subscribers. Adelphia was a family-owned and family-operated company, with Rigas and his three sons holding executive positions. John Rigas, an inductee of the Cable Television Hall of Fame, was actively involved in the community and appeared to value family, charity, morals, and a solid work ethic, as evidenced by the exclusion of pornography channels on Adelphia's cable systems. The Rigas family also owned a professional hockey team: the Buffalo Sabres.

Over a three-year period from January, 1999, through May, 2002, members of the Rigas family used \$2.3 billion in Adelphia funds for their own personal expenditures. For example, it was reported that company money was used to pay family debt, to buy cable systems for the family's privately owned cable company, to finance the construction of a golf course, to buy Adelphia stock, and to purchase luxuries such as an airplane, automobiles, and real estate. The Rigases used \$150 million from Adelphia to buy their hockey team. To conceal the money "borrowed" from Adelphia, family members falsified financial statements and inflated profits and the number of Adelphia cable subscribers. The Rigas family made it appear that Adelphia was in better financial health than it was in truth. The fraud was not discovered until March 27, 2002,



After declaring bankruptcy, Adelphia lost its sponsorship of the Coliseum in Nashville, Tennessee. The corporate name was stripped from the stadium in August, 2003. (AP/Wide World Photos)

when a financial analyst from Merrill Lynch, Oren Cohen, noticed a footnote on the final page of a press release that reported the company's quarterly earnings. The footnote indicated that Adelphia was responsible for the loan of \$2.3 billion to the Rigas family.

In May, after the corruption came to light, John Rigas, followed soon thereafter by his sons, resigned from the company. The Rigases were arrested in July, along with two other Adelphia executives, arrested for the same offenses: James Brown, former vice president of finance, and Michael Mulcahey, who was in charge of internal reporting. In a plea bargaining arrangement, Brown pleaded guilty and later testified against the Rigases at their trial in federal court.

While awaiting their trial, the Rigas defendants were each freed on \$10 million bail. All four defendants were tried together in a single trial. John Rigas disavowed any wrongdoing. On July 8, 2004, after almost five months in court, John and Timothy Rigas (James was not charged in the criminal case) were convicted on charges of conspiracy, securities fraud, and bank fraud. They were acquitted by the jury on charges of wire fraud. Mulcahey was acquitted on all charges. The jury was unable to reach a verdict on the culpability of Michael Rigas. After pleading guilty for his role in concealing debt by

falsifying an entry in the company's record, Michael Rigas later received a sentence of home confinement for ten months and probation for two years.

In July, 2005, John Rigas was sentenced to fifteen years in prison and Timothy Rigas was sentenced to twenty years in prison. The judge gave the elder Rigas a lighter sentence because of his ailing health. The octogenarian was suffering from bladder cancer and had cardiac problems. John and Michael Rigas, who appealed their convictions, were free on bail during the years their appeals were reviewed.

All but one count of their convictions was upheld on appeal. After exhausting their appeals, John and Michael Rigas reported to federal prison in August, 2007. The two requested a resentencing hearing in May, 2008.

In addition to criminal penalties, the family forfeited more than \$1 billion in assets to their former company. A substantial portion of the funds, more than \$700 million, was used to reimburse investors who lost money when the company declared bankruptcy. Most creditors and investors were able to recoup their losses. In addition to criminal charges, the Rigas family also faced a racketeering lawsuit filed by Adelphia, a civil suit brought by the U.S. Securities and Exchange Commission, and further criminal allegations of tax evasion.

Adelphia's headquarters was relocated from Coudersport to Denver, Colorado. In 2007, the company was sold to Time Warner and Comcast for almost \$18 billion and a percentage of Time Warner shares.

IMPACT

The Adelphia corruption scandal was one in a long line of similar scandals of corporate greed and unscrupulous business practices. Other white-collar scandals of the early twenty-first century include those involving Enron, WorldCom, Tyco Interna-

tional, subprime mortgage lenders, and to a lesser extent, Martha Stewart.

Adelphia's bankruptcy proved to be one of the largest in American history. Investors lost more than \$60 billion when the company imploded. John and Michael Rigas received comparatively severe punishments for their offenses, likely because of the immense scale of their corruption and because of their adamant denials of any wrongdoing. Also a likely factor was the growing public awareness of and intolerance for white-collar crime, a view best reflected in the sanctions that have been handed down by judges and juries.

The Adelphia case underscores the complexity and depth of white-collar crime. It is possible that the Rigases' crimes remained undetected for so long because family members held several key executive roles, which limited outside scrutiny of their business practices. It was only through the close reading of an Adelphia press release that the criminality of the Rigases was discovered. In addition, this case was multifaceted, involving criminal law, civil law, and violations of business regulations and ethics.

—Margaret E. Leigey and Stephen J. Pelzer

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Adelphia Communications Declares Bankruptcy

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July, 2002

JOURNALIST ALLEGES RELEASE OF GENETICALLY MODIFIED CORN SEEDS IN NEW ZEALAND

*In his 2002 book *Seeds of Distrust*, the New Zealand reporter Nicky Hager alleged that genetically modified corn had been illegally released in New Zealand. He further alleged that Prime Minister Helen Clark and her Labour government knew about the release and covered it up. These revelations and the inability of the government to deal forthrightly with the issue diminished the popularity of the Labour government and tarnished its image.*

ALSO KNOWN AS: Corngate

LOCALE: Wellington, New Zealand

CATEGORIES: Environmental issues; corruption; government; international relations; publishing and journalism; science and technology; trade and commerce

KEY FIGURES

Nicky Hager (b. 1958), New Zealand writer and investigative reporter

Helen Clark (b. 1950), prime minister of New Zealand, 1999-

John Campbell (b. 1964), New Zealand television broadcaster

Jeanette Fitzsimmons (b. 1945), member of the New Zealand parliament and Green Party leader

Marian Hobbs (b. 1947), member of the New Zealand parliament and minister of the environment, 1999-2005

SUMMARY OF EVENT

Agricultural products are sources of great national pride in New Zealand and are essential to the island nation's economy. The "naturalness" of New Zealand produce is a primary aspect of the products' appeal on world markets. To maintain that appeal, the country has extremely stringent regulations that prevent the introduction of genetically modified (GM) organisms for commercial purposes. Even

the accidental introduction of GM plants would devastate the country's carefully crafted image and potentially hurt the economy.

In early July, 2002, New Zealand investigative reporter Nicky Hager's book *Seeds of Distrust: The Story of a GE Cover-up* was released, only a few weeks before parliamentary elections. Hager alleges in the book that in September and October, 2000, 5.6 tons of sweet-corn seed was shipped to three New Zealand companies. These seeds were imported from the U.S.-based company Novartis, the second-largest seed producer in the world, and were certified to be free of all genetically engineered modifications. In total, 164 hectares (405 acres) of these corn seeds were planted in the regions of Hawke's Bay, Gisborne, and Marlborough, New Zealand.

Hager further alleged that in November, the New Zealand government was alerted that a 1.7-ton lot from this shipment, designated NC9114, went to Cedenco Foods, which retested the sweet-corn seed for GM contamination. Of the eight seed lines tested, one batch tested positive for the Nos terminator, a sequence not found in healthy plants but in the soil bacterium *Agrobacterium tumefaciens*. *Agrobacterium* is a plant pathogen that transfers some of its genes into plants and causes the plant tissue to form a crown gall that overproduces unusual amino acids called opines, which only *Agrobacterium* can metabolize. Plant geneticists have exploited this ability to make engineered strains of *Agrobacterium* that can introduce exotic genes into plant genomes. The presence of the Nos terminator in a plant seed genome is an indication that the plant is a GM plant. Novartis informed the ministry of agriculture and forestry (MAF). The MAF and the environmental risk management authority (ERMA) ordered that no more seeds from this consignment be planted.

Further tests were ordered from three different labs, but the results were contradictory, ranging

from light contamination to none. In December, 2000, ERMA stated that the contradictory results did not provide definitive evidence that the sweet-corn seed consignment was contaminated with GM seeds, and if there was contamination, it was less than 0.04 percent. Unfortunately, the New Zealand Hazardous Substances and New Organisms Act specified that no GM organisms could enter the country for commercial use. Prime Minister Helen Clark initially wanted the GM-contaminated plants pulled out and burned. However, after meetings with representatives from Novartis, Clark and her ministers changed their minds. The Novartis representatives convinced them that GM plants are ubiquitous and therefore completely GM-free seed shipments were neither practical nor possible. Thus, the Clark government considered a contamination level below 0.5 percent to be virtually GM-free. The seeds from the GM-contaminated consignment were allowed to be grown, harvested, and processed into food products. This also violated the government's own moratorium on the release of GM crops, which was not set to expire until October, 2003. More important, all of this was done with little or no public disclosure.

With the publication of Hager's book, Clark and her government ministers came under increased public pressure to answer Hager's allegations. In a July 10, 2002, television interview with broadcaster John Campbell, Clark responded angrily when asked about the claims made in Hager's book. She called Campbell "a little creep," accused the television station of ambushing her, and appealed to the broadcasting standards authority to discipline Campbell for unethical journalism.

Upon hearing about an apparent government cover-up that allowed GM plants into the country, the Green Party, which up to this point was a close political ally of the Labour Party, criticized the Clark government for violating its own policies on GM plants. Again, Clark responded

Genetically Modified Corn Seeds in New Zealand

by attacking the Green Party coleader, Jeanette Fitzsimmons, saying that the "Green Party and its supporters have descended to the gutter."

Even more troubling were the constant denials by government ministers that GM plants had entered the country. For example, in a July 11 interview with Campbell, the minister of the environment, Marian Hobbs, stated that there were no definitive tests that showed that the corn-seed shipment had been contaminated. Two days before, Clark also stated there was no evidence that the corn shipment was contaminated. The press named this scandal *Corngate*.

The 2002 election was not a disaster for the Labour Party, but it failed to gain a clear majority. The government released seven hundred pages of memos, e-mails, and other documentation, and in November, a select committee was formed to investigate the matter. After examining stacks of official documents and interviewing government officials, the committee could not reconcile the discrepancies between the oral reports given by Labour government officials and the written records provided to the committee. Furthermore, Novartis, now known as Syngenta, refused to share data from the tests it and others had run on the contaminated seed shipment.



A Labour Party billboard featuring Prime Minister Helen Clark was defaced during the early days of the "Corngate" scandal. (Hulton Archive/Getty Images)

The inquiry, however, did reveal that Clark did not leave the issue to her ministers, as she had strongly intimated, but was involved in the entire affair. Suppressed memos that were damaging to the Labour government's version of events also came to light, as did several conflicts of interest. Even though the country was largely tired of Corngate by this time, the findings of the select committee did tend to show that the Labour government altered the truth.

On July 5, 2003, the *Dominion Post*, a Wellington-based newspaper, reported that a Japanese pizza company discovered genetically engineered material in one of its toppings that used New Zealand sweet corn. This indicated that GM corn was established in New Zealand farms, despite the government bans on GM plants.

In October, 2004, the select committee completed its investigation but was still unable to ascertain what had actually happened. The presence of GM-contaminated corn or a cover-up could be neither ruled out nor confirmed. Since then, GM plants have been detected in New Zealand fields and imports and food products.

IMPACT

The Corngate scandal opened a seemingly permanent chasm between the Labour and Green parties. Despite the center-left political orientation these two parties hold in common, Corngate revealed the irreconcilable differences between the two parties on the issue of GM plants.

Corngate also marred the otherwise excellent political record of Prime Minister Clark. Normally level-headed and reasonable, Clark often lost her composure when questioned about Corngate. In many ways, Corngate struck at the very substance of Clark's government, since it looked like a murky compromise of principles in the face of pressure from industry, causing citizens who had once trusted her to become suspicious. Overall, Clark's Labour government handled the scandal quite poorly but did not suffer greatly in the end.

More important, this scandal exposed the complicated and multifaceted issues that surround the planting and harvesting of GM plants. Because of

the widespread use of GM plants, it is no longer possible to keep agriculture completely GM free. Establishing a total absence of GM seeds would require testing every available seed, which would leave none to plant or eat. Accepting a low level of GM contamination is probably the most realistic policy, even if it is not the most desirable. Communicating this to a public with a poor knowledge of such matters is difficult, but it is the only way to cultivate a reasoned discussion of this issue and eventually to construct a rational and workable GM policy.

—Michael A. Buratovich

FURTHER READING

Espiner, Colin. "Corngate: Lend Me Your Ears." *The Press* (Christchurch), July 20, 2002. A prominent New Zealand newspaper journalist gives a summary of the political fallout shortly after the release of Hager's book and the attempts by Labour politicians to spin the story.

Hager, Nicky. *Seeds of Distrust: The Story of a GE Cover-up*. Nelson, New Zealand: Craig Potton, 2002. The book that started Corngate. A well-written exposé of the seed-contamination episode and government attempts to cover it up. Some of Hager's assertions are conspiratorial and not supported by the evidence.

Lurquin, Paul. *High Tech Harvest: Understanding Genetically Modified Food Plants*. New York: Basic Books, 2004. A user-friendly introduction to the science behind GM crops. Lurquin effectively argues that construction of a sound and reasonable GM policy requires legislators to properly understand the science behind the plant itself.

Steward, Neal C. *Genetically Modified Planet: Environmental Impacts of Genetically Engineered Plants*. New York: Oxford University Press, 2004. A nicely balanced, somewhat technical, but scientifically erudite examination of the potential benefits, concerns, and risks that surround the cultivation of GM crops. The author is quite fair to both sides.

SEE ALSO: Mar. 29, 1962: Billie Sol Estes Is Arrested for Corporate Fraud; Sept. 26, 1979: Love

Canal Residents Sue Chemical Company; Dec. 16, 1982: Congress Cites Environmental Protection Agency Chief for Contempt; July 10, 1985: French Secret Service Sinks the Greenpeace

Ship *Rainbow Warrior*; Feb. 4, 1996: Whistle-Blower Reveals Tobacco Industry Corruption; Sept. 17, 2006: New Zealand Prime Minister's Husband Is "Outed" as Gay.

August, 2002

IMMUNOLOGIST RESIGNS AFTER BEING ACCUSED OF FALSIFYING RESEARCH

Ranjit Kumar Chandra, a well-respected Canadian immunologist and nutritionist, shocked the scientific world with the revelation that he had falsified data and fabricated research results in several published papers, particularly in papers detailing studies on infant formula and on vitamin therapy in the elderly.

LOCALE: St. Johns, Newfoundland, Canada

CATEGORIES: Hoaxes, frauds, and charlatanism; education; publishing and journalism; medicine and health care; science and technology

KEY FIGURES

Ranjit Kumar Chandra (b. 1938?), Canadian immunologist and nutritionist

Marilyn Harvey (fl. early twenty-first century), Canadian nurse and research assistant

Mark Masor (fl. early twenty-first century), Canadian clinical researcher

SUMMARY OF EVENT

Ranjit Kumar Chandra, a Canadian immunologist and nutrition expert who published more than one hundred scholarly articles, abruptly retired from his research position at Memorial University in St. Johns, Newfoundland, in August, 2002, and moved to Switzerland. Reports soon emerged that Chandra had falsified data for countless studies, including work involving infant formula and vitamin therapy as an aid to memory in the elderly.

At the time of his resignation from the university, Chandra was a major figure in the fields of immu-

nology and human nutrition. Twice nominated for a Nobel Prize, Chandra had been the recipient of numerous research grants from both private industry and the Canadian government. Doubts about the accuracy of Chandra's research first arose following publication of research done during the 1980's into the use of infant formulas. One study, funded by the Nestlé Corporation, supported the industry's claims that artificial formula was an acceptable substitute for breast milk. Nestlé had been under fire for many years for promoting artificial formula in developing nations. As the company's markets overseas dwindled, Nestlé began promoting its Good Start infant formula in the United States. The company's advertising claimed Good Start reduced the risk of allergies. The U.S. Food and Drug Administration was skeptical, and it pressured the corporation to back up the advertising with legitimate scientific data. During the late 1980's, Nestlé hired Chandra to conduct a study to prove their claims were valid, and the study would involve comparing Nestlé's product with that of its competitor, Ross Pharmaceuticals.

Around the same time, Chandra had been hired by Ross to study its infant formula as well. Several persons close to this research project raised questions about Chandra's methods and the reliability of his findings. Mark Masor, a clinical researcher for Ross, said he became curious because Chandra never contacted him to arrange for the large amounts of Ross formula that would have been needed for the Nestlé study. Furthermore, Chandra's published conclusions stated that the number of infants involved in the study had been in the hun-

dreds. Masor later told journalists at the Canadian Broadcasting Company (CBC) that such a study would have required the use of twenty thousand cans of formula. In addition, the time frame for the study seemed unusually short. Masor also noted that Chandra's conclusions contradicted the findings of earlier work done by Ross researchers. Although the infant formulas marketed by Nestlé, Ross, and another competitor, Mead Johnson, had almost identical ingredients, Chandra had concluded the Nestlé and Mead Johnson formulas were effective in reducing the risk of allergies in infants, while the Ross formula was not. Along with Nestlé, Mead Johnson helped to fund Chandra's work; Ross did not.

Marilyn Harvey, a research nurse who worked directly with Chandra, also had doubts about the infant-formula studies. Her job was to enroll infants from the area for both studies. In 1989, while she was still in the process of finding infants, she was shocked to learn Chandra had published results from his Nestlé study, supporting the claims made in Nestlé's advertising.

Even more startling to Harvey was her discovery that Chandra claimed to have finished a similar study for another company, Mead Johnson, which involved two hundred infants. By the early 1990's, Chandra had published results from three separate studies claiming more than seven hundred infants as test subjects, yet Harvey knew she had not recruited more than 25 percent of that number. Sufficiently disturbed by the inconsistencies between what she knew had occurred and what Chandra had reported, she approached administrators at Memorial University. She told university officials that she suspected data fabrication.

A university committee investigated Harvey's allegations and concluded that Chandra's studies included falsified data. However, Chandra was not fired. He later filed suit against Harvey, claiming she had stolen data. Harvey was able to prove her innocence, but she remained convinced that Chandra sued simply to punish her. The suit was, in any case, an action that could have served as a deterrent for other potential whistle-blowers at Memorial University.

Chandra continued his association with Memorial until 2002. After putting the infant-formula studies behind him, he began publishing papers on the effects of multivitamins in preventing dementia in the elderly. Chandra claimed that older people who had been put on a course of vitamin supplements improved their cognitive functions from that of one suffering from dementia to that of one considered to have normal cognitive functions. The multivitamin had been developed and patented by Chandra, and he continued to market it into 2006. It was Chandra's claims about vitamin therapy, and not the controversy concerning falsified data in the infant-formula study, which led to his downfall and retirement.

Chandra had initially submitted a paper, in October, 2000, summarizing his vitamins research to the *British Medical Journal* (commonly referred to as *BMJ*). Journal editors found significant flaws in the paper, a follow-up of a study Chandra published in *The Lancet* in 1992, and were so disturbed by its contents that they asked several experts, including a statistician, to review the work. They concluded the paper presented strong evidence of having been falsified. The journal contacted officials at Memorial University and asked them to investigate.

Although rejected by *BMJ*, Chandra's paper was published by a less prestigious journal, *Nutrition*, in September, 2001. Chandra's claims in the article, "Effect of Vitamin and Trace-element Supplementation on Cognitive Function in Elderly Subjects," which focused on the almost miraculous results from using the vitamin supplements, drew the attention of science reporters at *The New York Times*, who summarized Chandra's conclusions. Skeptics of Chandra's research included Saul Sternberg, a psychology professor at the University of Pennsylvania, who read the newspaper report and then read the article as published in *Nutrition*. He then contacted a colleague, Seth Roberts of the University of California, Berkeley. They agreed Chandra's article contained glaring errors.

By the summer of 2002, Chandra knew he was under severe scrutiny. In early August, he abruptly resigned and moved to Switzerland. He announced his association with l'Université Internationale des

Sciences de la Sante, an institution that investigative journalists from the CBC discovered (in 2006) existed, it seems, but only on paper.

IMPACT

Chandra's fraud forced serious questioning by colleagues and others in academia about what could motivate such unethical acts in a respected and successful physician-scientist. The CBC's investigation suggests the answer was simply greed. When Chandra began his research career at Memorial University, payments were often made directly to the principal investigator on a research project rather than through a university's accounting system. It was the researcher's responsibility to purchase necessary supplies and pay for support, including research assistants and clerks, from the checks they received. This was true for funds received from private companies and from the Canadian national research institutes.

Red flags had been raised during the 1990's when Chandra had been seeking a divorce from his wife. During the proceedings, it was revealed that Chandra had millions of dollars in multiple bank accounts, including several located in offshore tax havens such as the Cayman Islands. In retrospect, questions should have been asked about how a researcher on a university salary could have amassed so much wealth.

The CBC investigation also uncovered evidence that Chandra's falsification of data extended far back into his research career. Although his early work seemed free of fraud, it appears that much if not most of his later work was fraudulent. He was able to publish many papers based on studies that had never occurred. He had no patients to study and he collected no data. Some critics have suggested that Chandra used a fake name to respond to critiques of his original fraudulent articles.

The Chandra research scandal was unusual in the annals of scientific fraud both in its scope and duration. Chandra spent almost two decades building an elaborate structure of lies, the full extent of which

Immunologist Is Accused of Falsifying Research

may never be known. It seems that he escaped detection through a combination of luck, audacity, and professional status. He was a well-respected senior researcher, which made it difficult for critics to successfully unmask him.

—Nancy Farm Mannikko

FURTHER READING

Roberts, Seth. "Dealing with Scientific Fraud: A Proposal." *Public Health Nutrition* 9, no. 5 (2006): 664-665. Discusses the events leading up to the discovery of Chandra's fraudulent research. Asks why it took so many years for his deceptions to come to light.

Sterken, Elizabeth. "The Impact of Scientific Misconduct on Child Health." *Public Health Nutrition* 9, no. 2 (2006): 273-274. The author deftly summarizes the adverse consequences of Chandra's falsified data being used to justify feeding infants artificial formula.

SEE ALSO: Sept.-Oct., 1937: Prescription Elixir Causes More than One Hundred Deaths; Nov. 21, 1953: Piltdown Man Is Revealed to Be a Hoax; 1956-1962: Prescription Thalidomide Causes Widespread Birth Disorders; July 25, 1972: Newspaper Breaks Story of Abuses in Tuskegee Syphilis Study; Sept. 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud; Mar. 23, 1989: Scientists' "Cold Fusion" Claims Cannot Be Verified; Feb. 4, 1996: Whistle-Blower Reveals Tobacco Industry Corruption; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Mar. 4, 1999: Quebec Offers Support for Abused Duplessis Orphans; Sept. 25, 2002: Inquiry Reveals That Physicist Jan Hendrik Schön Faked His Research; May 12, 2006: Scientist Is Indicted for Faking His Research on Creating Stem Cells; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

September 25, 2002

INQUIRY REVEALS THAT PHYSICIST JAN HENDRIK SCHÖN FAKED HIS RESEARCH

In one of the biggest scandals in physics in many decades, Jan Hendrik Schön published journal articles—some with coauthors—at an astonishing rate of one every eight days, on average. However, the fact that his research findings could not be replicated by others raised red flags and prompted an investigation by a committee of his peers that found he had faked his data. The ensuing scandal raised a number of controversial questions about the limits of scientists' responsibilities in dealing with intellectual fraud.

ALSO KNOWN AS: Schön affair

LOCALE: Murray Hill, New Jersey

CATEGORIES: Ethics; hoaxes, frauds, and charlatanism; publishing and journalism; science and technology

KEY FIGURES

Jan Hendrik Schön (b. 1970), German physicist employed at Bell Laboratories

Bertram J. R. Batlogg (b. 1950), Schön's mentor at Bell Laboratories and one of his main coauthors

Malcolm R. Beasley (b. 1940), professor of applied physics at Stanford University and chairman of the committee that investigated charges against Schön

Paul M. Solomon (b. 1944), superconductivity expert at IBM

Charles M. Lieber (b. 1959), Harvard University chemist

Paul L. McEuen (b. 1963), physicist at Cornell University

Lydia L. Sohn (b. 1966), Princeton University physicist

SUMMARY OF EVENT

In 1998, German physicist Jan Hendrik Schön went to work for Bell Laboratories in Murray Hill, New Jersey, and began scientific collaborations with his mentor, Bertram J. R. Batlogg, and others. By 2002,

their collaboration resulted in more than ninety articles—most of them with Schön as lead author and many of them in leading journals such as *Nature* and *Science*. His productivity became legendary: During 2001, an investigative committee determined he had written a new paper—on average—every eight days. Schön came to be viewed in the profession as a star, on the fast track to a Nobel Prize.

Such prolific research and writing would have been remarkable accomplishments for so young a scientist, even if the experiments had been less revolutionary in their implications. Schön's work seemed to show the way forward in the development of an electronics that would use organic (carbon-based) materials rather than the familiar silicon. Though other scientists also explored this area of research, Schön reported breakthrough after breakthrough in molecular electronics and superconductivity, which seemed to promise a short path to a world of nanoscale electronics.

Though many of Schön's fellow scientists were in awe of his achievements, viewing him (in Paul McEuen's phrase) as "the golden boy of condensed matter physics," there also existed an undercurrent of suspicion as his startling results could not be replicated. His work probably would have been less eagerly received had he not worked at such a prestigious laboratory as Bell and with such a distinguished colleague as Batlogg.

As early as November, 2001, IBM scientist Paul M. Solomon had written a letter of profound criticism of Schön's work with molecular field-effect transistors. *Nature* declined publication of the letter. Then, in April and May of 2002, things began to unravel rapidly for Schön, as his scientific colleagues—including Harvard's Charles M. Lieber, IBM's McEuen, and Princeton's Lydia Sohn—began to notice reused data and graphs among different articles (some even in the same article) written by Schön.

In late May, at the instigation of the management of Bell Labs, a five-member investigative committee was formed; its chairman was Stanford University scientist Malcolm R. Beasley. The committee collected comments, accusations, and concerns about twenty-five papers (involving twenty coauthors) and identified twenty-four “final allegations” to examine in detail. In late July, the committee interviewed individuals at Bell, including Schön. The final report, made public on September 25, announced that a preponderance of evidence had demonstrated scientific misconduct in two-thirds (sixteen) of the cases examined, though Schön’s behavior in most of the remaining cases remained “troubling.”

The committee determined, first, that Schön had repeatedly substituted data; that is, he had reused data, sometimes in distorted form, in purportedly different situations. Second, the committee found Schön’s data often displayed unrealistic precision; that is, not real experimental data. Third, Schön’s results often contradicted known physics; seemingly impossible results demanded an extraordinary level of scientific caution that was absent from Schön’s papers. The revelations of the Beasley Report were shocking.

Responding to the devastating report, Schön acknowledged “various mistakes” and apologized “for these mistakes to the coauthors and the scientific community.” He insisted that he had “observed experimentally the various physical effects reported in these publications,” even though, after two years and considerable expense, others had not been able to duplicate his findings and he, too, had been unable for some months to duplicate them.

Schön’s motives remain unclear. Commentators cite pressure to publish as a direct motive for fabrication (and, by encouraging so many papers, an indirect negative influence on referees). Cordelia Sealy, editor of *Materials Today*, offered the oddest suggestion—that, for male scientists such as Schön, “publishing papers is a way to attract a mate.”

IMPACT

As a result of the committee’s findings, Schön was immediately fired from Bell Laboratories. His activities since the scandal remain largely unknown. In June, 2004, his doctorate was revoked by the University of Konstanz, Germany, triggering debate over whether a doctorate is a scholarly achievement to which subsequent misconduct is irrelevant or a license to be taken seriously as a scholar worthy of tenure only if one’s behavior is acceptable.

In the wake of the Beasley Report, various retractions followed. Bell Labs withdrew half-a-dozen patent applications. A number of journals retracted papers written by Schön: eight papers in *Science* in October, 2002; six papers in the *Physical Review* journals in December; four papers (with seven more flagged for caution) in *Applied Physics Letters* in February, 2003; and seven papers in *Nature* in March, 2003.

The issue of coauthor responsibility was intensely debated. The Beasley Report left this issue unresolved, exonerating Schön’s coauthors of scientific misconduct but leaving the question (especially in the case of Batlogg) whether there had been inadequate oversight. Some professional organizations, such as the American Physical Society, revised their codes of ethics to place greater emphasis on collaborator responsibilities—but many issues

THE BEASLEY REPORT

The revelations of the Beasley Report (September 25, 2002), compiled by an investigative committee looking into accusations of research fraud by physicist Jan Hendrik Schön, shocked many in academia. The report included the following comments on Schön’s research:

None of the most significant physical results was witnessed by any coauthor or other colleague.

Proper laboratory records were not systematically maintained. . . . virtually all primary (raw) electronic data files were deleted. . . . No working devices with which one might confirm claimed results are presently available, having been damaged in measurement, damaged in transit or simply discarded. Finally, key processing equipment no longer produces the unparalleled results that enabled many of the key experiments.

remained unresolved. What is the role of trust in collaboration, and who is responsible for what exactly? If coauthors bask in the glory of publication, should they be held responsible when something goes wrong? The debate expanded from coauthors to journal editors, and to referees. Were journals too quick to support trendy research? Was the system of peer review itself flawed?

In 2004, two years after the scandal, questions remained. One big question was, as intellectual property attorney Lawrence B. Ebert reported, the “potential liability of Bell Labs, the coauthors, and the journals which published the fraudulent work to all those who . . . invested resources based on a belief in the work.” He questioned whether scientific journals are liable if they are “aware of problems with their published material, and yet do nothing to correct it.”

After the scandal, several journals publicized the tainted character of the papers they had published. Broader issues of quality control remain. In 2006, Jennifer Couzin and Katherine Unger noted that a paper of Schön, published in 2000 and retracted in 2003, still had been “noted in research papers seventeen times since” the retraction; they pointed out that “scientists often don’t know that the work they are citing has been retracted.” What the chairman of the Physics Department at Schön’s alma mater had characterized, in revoking his degree, as the biggest falsification scandal in physics in half a century was still not enough to prevent citation of bogus science.

—Edward Johnson

FURTHER READING

Baura, Gail D. *Engineering Ethics: An Industrial Perspective*. New York: Elsevier/Academic Press, 2006. Discusses the Schön affair in the context of other case studies in engineering ethics.

_____. “When Money Wasn’t King.” *IEEE Engineering in Medicine and Biology* 24, no. 2 (March–April, 2005): 15–16. A former employee reflects on corporate changes at Bell Labs that made the Schön affair possible.

Beasley, M. R., S. Datta, H. Kogelnik, H. Kroemer, and D. Monroe. *Report of the Investigation Committee on the Possibility of Scientific Misconduct*

in the Work of Hendrik Schön and Coauthors. Lucent Technologies and the American Physical Society, September, 2002. This primary document, also known as the Beasley Report, explains the findings of the committee that investigated Schön’s work.

Choy, Tuck, and Marshall Stoneham. “Was Schön Ever Right?” *Materials Today* 7, no. 4 (April, 2004): 64. Two physicists from London’s University College suggest that some of Schön’s ideas might be right-headed, even if his experiments were misleading.

Couzin, Jennifer, and Katherine Unger. “Cleaning Up the Paper Trail.” *Science* 312 (April 7, 2006): 38–43. Emphasizes the difficulty, in cases such as the Schön scandal, of keeping the historical record accurate.

Ebert, Lawrence B. “There You Go Again.” *Intellectual Property Today*, July, 2004. Mentions unresolved issues about liability in the Schön case and reasserts the importance of Solomon’s unpublished letter to *Nature* (quoted in full in Ebert’s article in the June, 2003, edition of *Intellectual Property Today*).

Service, Robert F. “Pioneering Physics Papers Under Suspicion for Data Manipulation.” *Science*, May 24, 2002 “Winning Streak Brought Awe, and Then Doubt,” *Science*, July 5, 2002; “Bell Lab Fires Star Physicist Found Guilty of Forging Data,” *Science*, October 4, 2002. A series of reports in one of the leading science journals that provides a good overview of not only the events but also the physics involved.

SEE ALSO: Nov. 21, 1953: Piltdown Man Is Revealed to Be a Hoax; Sept. 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud; Mar. 23, 1989: Scientists’ “Cold Fusion” Claims Cannot Be Verified; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Nov. 5, 2000: Japanese Amateur Archaeologist’s “Discoveries” Are Proven Fakes; Aug., 2002: Immunologist Resigns After Being Accused of Falsifying Research; May 12, 2006: Scientist Is Indicted for Faking His Research on Creating Stem Cells.

September 28, 2002

BRITISH POLITICIAN REVEALS HER AFFAIR WITH PRIME MINISTER JOHN MAJOR

A conservative member of the British parliament, Edwina Currie published her memoirs in 2002, revealing that she had had a romantic affair with former prime minister John Major before working in his government. She served as junior health minister under Margaret Thatcher until she was forced to resign after claiming that British egg producers allowed salmonella to become widespread in Great Britain.

LOCALE: London, England

CATEGORIES: Publishing and journalism; sex; government; politics

KEY FIGURES

Edwina Currie (b. 1946), member of the British parliament, 1983-1997, and junior health minister, 1986-1988

John Major (b. 1943), British prime minister, 1990-1997

SUMMARY OF EVENT

The revelation of an affair between two members (MPs) of the British parliament, fourteen years after it ended, would hardly be considered scandalous in any country, except that one of the MPs, John Major, later became prime minister and was responsible for accepting the resignation of a number of his ministers whose romantic affairs were revealed while he was in office. Major's affair with Edwina Currie also revealed the political danger faced by the prime minister, having to keep the affair secret. The affair is also significant, in retrospect, because it explains why Major was so reluctant at times to fire those ministers.

Currie first published her revealing diaries about her affair with Major in serialized form in *The Times of London*, a newspaper not usually inclined to publish reports of lurid romantic affairs. She made a great deal of money from the serialization, which ran between September 28 and October 6,

2002, and the well-publicized book, *Diaries, 1987-1992*, which followed later that year. The diaries suggest a keen interest in making money, and a number of reviews took up this theme, questioning her motives. Some of these reviews were very hostile, although Currie herself was of the opinion that all publicity is good publicity.

Currie was a junior minister for health in Prime Minister Margaret Thatcher's government from 1986 to 1988. Currie was raised in an orthodox Jewish family, though later she distanced herself from any belief or practice of Judaism. A very gifted student, she won a scholarship to St. Anne's College, Oxford University, to study chemistry, but she changed her major to philosophy, politics, and economics. She then earned a master of arts degree from the London School of Economics. As a student, she became politically active in the Conservative Party and later held a seat on the Birmingham City Council. She stood for the South Derbyshire parliamentary constituency in 1983 and was elected. She was soon offered a promotion by Thatcher.

While in office, Currie actively promoted improved screening services for cancer in women, particularly breast and cervical cancer. She was an outspoken proponent in this area and caught the public's attention with her wit and assertiveness. It seemed that she had a good political career ahead of her. However, in 1988, she was forced to resign after she commented on the prevalence of salmonella in eggs produced in Great Britain. Her statement led to a loss of confidence in the British egg industry. Thatcher did not offer Currie a second chance at the job, but Major did when he became prime minister. He offered her a middle-ranking ministerial role, but she declined the offer.

The year 1988 also marked the time Currie and Major ended their four-year romantic affair. When the affair started, she was a back-bench MP and he was a government whip. During the period of the affair, she had several government jobs and he rose to



Edwina Currie, c. 1986. (Hulton Archive/Getty Images)

become chief secretary to the treasury, which was a cabinet post. As such, it meant that Major had a security detail with him at all times. Currie claimed that the effort needed to carry out the affair with such a security presence was what finally led her to break off the affair. She claimed to have still loved him for some time after, and it appears they remained friends.

In her diaries, Currie identifies Major with the initial B, as he was the second man in her life. It was fairly obvious to readers who B really was, and she readily admitted his identity. Her diary is more a series of personal jottings than a considered piece of writing, and it is especially notable because of its character assassinations of fellow politicians. Even Currie's lover receives a certain amount of criticism, and her husband, who had known nothing of the affair, is quickly dismissed in the diaries as well.

Later, Major claimed that he had told his wife, Norma, about the affair and that she had forgiven

him. At the time of the disclosure, he commented that it was the one event in his life of which he was most ashamed and in most fear of being made public. When it was finally disclosed, he had long since ended his term as prime minister and was no longer active in politics, so it did little actual harm to his career. However, it did bring his family the shame of public ridicule. In office, he had the image of being decent and moral, but also one with a personality somewhat grey and lackluster.

Currie's career as a politician stalled after the affair ended, though she managed to keep herself in the public eye by making speeches and helping raise funds on behalf of cancer research, especially for the charitable organization Marie Curie Cancer Care. In 1997, Currie lost her seat in Derbyshire to her Labour opponent but was promptly offered a job by the British Broadcasting Corporation as a late-night radio host for a new current-affairs program called *Late Night Currie*. This led to a television job with a commercial television company, HTV, from which she became a regular television personality. Her first marriage ended in 1997 and she remarried in 1999. She also became a prolific author of sex novels, including *A Parliamentary Affair* (1994), which are set in the world of politics.

IMPACT

The motives and timing of Currie's revelations about her affair with Major were intensely scrutinized by the press. She said she published the diaries because she believed the truth had to come out. She also believed the diaries would not harm Major, and she hoped the diaries would provoke the Conservative Party to be more realistic in its moral stance. The party at the time had been struggling to modernize itself to match Prime Minister Tony Blair's Labour Party government.

The press, however, latched on to statements in the diaries that suggested revenge at being completely left out of Major's autobiography (2000) and for his failure to offer her a higher government post. The latter seems an unrealistic criticism of her work, however, because she had been offered a job that would have been a stepping stone to higher office. (She had criticized him heavily in the past for

the poor representation of women in his cabinet.)

For Major, the revelations led him to reassess his life, but his autobiography does not give the slightest hint of the affair with Currie, or any relationship with her. Currie had the power to harm him at any moment during his tenure as prime minister, but she did not do so, choosing instead to wait until after his tenure ended to reveal their affair.

—David Barratt

FURTHER READING

Clark, Alan. *Diaries: In Power*. London: Weidenfeld & Nicholson, 2003. Clark's diaries recount the John Major and Margaret Thatcher years of government and give intimate details into the affairs and indiscretions of a number of ministers.

Currie, Edwina. *Diaries, 1987-1992*. London: Little, Brown, 2002. Currie's memoirs, in which she exposes her affair with John Major and discusses her sense of betrayal for his failure to give her a government post or to mention her in his 2000 autobiography.

Major, John. *The Autobiography*. New York: HarperCollins, 2000. Major's autobiography, which

fails to mention his relationship, sexual or otherwise, with Currie. Instructive for bringing readers to the period in question.

SEE ALSO: 1927: President Warren G. Harding's Lover Publishes Tell-All Memoir; July 10, 1934: Sex Scandal Forces Resignation of Alberta Premier Brownlee; Dec. 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée; Mar. 2-Sept. 25, 1963: John Profumo Affair Rocks British Government; Oct. 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; July 25, 1987: Novelist-Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*; Aug. 10, 1989: Japanese Prime Minister Sosuke Resigns After Affair with a Geisha; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair; Jan. 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock; Jan. 21, 2006: British Politician Resigns After Gay-Sex Orgy; Apr. 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary.

October 25, 2002

HISTORIAN MICHAEL A. BELLESILES RESIGNS AFTER ACADEMIC FRAUD ACCUSATIONS

Scandal followed the publication of Michael A. Bellesiles's 2000 book Arming America, a study claiming that guns were relatively rare in the American colonies and the United States before the U.S. Civil War. Although he was accused of research falsification and distortion, Bellesiles still received the coveted Bancroft Prize for American history. However, in October, 2002, he was forced to resign his professorship after a panel of historians found him guilty of scholarly misconduct.

LOCALE: Atlanta, Georgia

CATEGORIES: Education; cultural and intellectual history; publishing and journalism

KEY FIGURES

Michael A. Bellesiles (b. 1954), professor of history at Emory University

James Lindgren (b. 1952), professor of law at Northwestern University

Clayton E. Cramer (b. 1956), author

SUMMARY OF EVENT

Michael A. Bellesiles was a respected professor of American colonial history at prestigious Emory University in Atlanta. He was also the director of the Center for the Study of Violence and an expert in gun and frontier culture in early America. He had received fellowships to the Stanford Humanities In-

stitute and the Newberry Library in Chicago. In 1993, he published *Revolutionary Outlaws: Ethan Allan and the Struggle for Independence in the Early American Frontier*, a book that was well received by historians.

In late 1995, while working on a project on the early American frontier, Bellesiles claimed to have discovered that, contrary to tradition, gun ownership was rare in America during the antebellum period—the period before the American Civil War—even on the frontier, and that arms became widespread only with the mass production of firearms. As part of his research, he examined legal, probate, military, and business records, as well as travel accounts and personal letters. His discovery would soon add even more controversy to the ongoing debate between advocates of gun control and proponents of the right to bear arms, a debate that includes the belief by gun proponents that gun possession is an integral part of America's identity as a nation.

Bellesiles first published his revolutionary thesis in his article "The Origins of Gun Culture in the United States, 1760-1865" in the *Journal of American History* in 1996. His finding garnered enthusiastic reviews by many influential scholars, including Edmund Sears Morgan, an eminent authority in early American history. Also, the article won the best article of the year prize from the Organization of American Historians. However, other scholars, such as James Lindgren, professor of law at Northwestern University, were skeptical of Bellesiles's thesis, which claimed that for the years 1765 to 1770, very few probate inventories listed guns. During the late summer of 2000, Lindgren requested to see the data used for this groundbreaking theory, but Bellesiles claimed that all his notes were lost in a flood that affected Emory University that same year.

The culmination of Bellesiles's research, *Arming America: The Origins of a National Gun Culture*, was published in September of 2000. Criticism of the book followed immediately. Clayton Cramer, at the time a master's degree student at Sonoma State University in California, became Bellesiles's most persistent critic. Cramer was the first to claim that

Bellesiles had misquoted sources, taken them out of context, and even modified texts so they would fit his thesis. Similarly, in two articles published in 2002, Lindgren claimed that Bellesiles had altered statutes, dates, citations, and counts. In one case, Lindgren claims, Bellesiles provides a count of guns for seventeenth and eighteenth century Providence, Rhode Island, based on wills that did not exist. Bellesiles also claimed to have counted probate inventories that were, in fact, destroyed in the great San Francisco earthquake of 1906. Lindgren argues that Bellesiles, in effect, disregarded accounts and records that did not fit his thesis.

Despite increasing skepticism about the validity of Bellesiles's research, *Arming America* was granted Columbia University's Bancroft Prize, generally considered the most prestigious award in the field of American history. However, this honor did not stem the criticism. During the months that followed, the book became a favorite theme of academic debate, and of media scrutiny. One point that attracted significant critique was Bellesiles's analysis of the gun culture of Europe, especially in England, as part of his introduction to his investigation into gun use in America. The historian claimed that the English government outlawed the use of guns by commoners, and that all guns owned by the militia were carefully kept in governmental magazines. However, in contrast, Lindgren pointed out that there were laws exhorting commoners to practice with their muskets, and records show that guns were kept in owners' homes for personal defense and hunting.

Bellesiles further claims in the book that in the United States, guns were uncommon, either because they were expensive, inefficient, highly regulated, or simply undesired by civilians. According to Bellesiles, guns were not widely used for hunting either, a claim based on his study of less than one hundred travel accounts. Moreover, he dismisses the militias' status as professionals, remarking that their guns were mostly unusable. He also claims that just over 14 percent of men owned guns between 1765 and 1859, and that this percentage began to increase just before the Civil War, mostly due to the successful mass production of the Colt revolver.

The intense criticism and media attention forced Emory University to initiate an internal inquiry into Bellesiles's scholarship. An external investigative committee examined the matter as well. Both committees found grave errors, some due to the misuse of evidence and some due to the lack of evidence. The external committee issued its report on July 10, 2002. Emory announced Bellesiles's resignation from the university on October 25 (effective December 31).

For the first time since the award was established, Columbia rescinded Bellesiles's Bancroft Prize and asked that he return the \$4,000 he was awarded. Also, his book contract with Alfred A. Knopf was dropped. In 2003, Soft Skull Press published a revised edition of *Arming America*, which was preceded by the seventy-four-page "pamphlet" *Weighed in an Even Balance*, in which Bellesiles steadfastly defends the validity of his research, pointing out that only one-fourth of his research had been contested.

IMPACT

With the publication of *Arming America*, Bellesiles found himself at the center of the ongoing debate over gun possession. Hailed as a hero by those opposed to the easy availability of weapons in the United States, Bellesiles was later vilified by proponents of the right to bear arms. He was blacklisted in academia, stripped of his Bancroft Prize, and forced to resign from his position at Emory University.

The Bellesiles scandal came at a time when other similar scandals rocked academia, especially the field of history. Concurrent with this scandal were those of historians Joseph Ellis and Doris Kearns Goodwin, who were accused of academic misconduct as well. The scandal that arose because of the inaccuracies in *Arming America* was attributed by many to the pressures of writing popular history and by others to postmodern scholarship's tendency to relativize the truth. Bellesiles argues that the scandal arose because of a higher level of scrutiny by the media.

—Concepcion Saenz-Cambra

BELLESILES RESPONDS TO THE OFFICIAL INQUIRY

In an undated letter, excerpted here, historian Michael Bellesiles responded to the final report (July 10, 2002) of an investigative committee of scholars from outside Emory University, convened to inquire into allegations that he committed academic fraud.

I remain convinced that the standard workings of academic discourse remain the best way of correcting errors and increasing our knowledge. . . . It is not evident that launching a sharply focused investigation of one small part of a scholar's work brings us closer to the truth on the subject of that research. Rather, it is my opinion that this debate has actually obscured a much more important consideration of the main issues raised by *Arming America*. Scholarship must be open to new directions, allowing scholars to build on their own earlier research, to qualify previous generalizations they have made, to correct errors in their work, and even to change their minds in the face of more compelling evidence.

FURTHER READING

Cramer, Clayton E. *Armed America: The Remarkable Story of How and Why Guns Became as American as Apple Pie*. Nashville, Tenn.: Nelson Current, 2007. Detailed critique of Bellesiles's claims, including diaries, travel accounts, and statistical evidence. Written by a leading critic of the historian's work.

Hoffer, Peter Charles. *Past Imperfect: Facts, Fictions, and Fraud—American History from Bancroft and Parkman to Ambrose, Bellesiles, Ellis, and Goodwin*. New York: PublicAffairs, 2007. Examination of the key controversies in the historical profession, including the Bellesiles case, as the culmination of the tensions between the New Left scholars and traditional historians.

Lindgren, James. "Fall from Grace: *Arming America* and the Bellesiles Scandal." *Yale Law Journal* 111, no. 8 (2002): 2195-2249. A detailed scholarly study of Bellesiles's book, the data he used, and the book's alleged errors. Written by one of his main critics.

Lindgren, James, and Justin L. Heather. "Counting Guns in Early America." *William and Mary Law*

Review 43, no. 5 (2002): 1777-1842. Another detailed study of Bellesiles's controversial book.

Skinner, David. "Cheating History: Ambrose, Bellesiles, Ellis, and Goodwin—The Historians Who Let Us Down." *The Weekly Standard*, November 29, 2004. Focuses on a dozen key controversies ranging across the political spectrum and representative of a wide variety of charges.

Wiener, Jon. *Historians in Trouble: Plagiarism, Fraud, and Politics in the Ivory Tower*. New York: New Press, 2005. Offers a detailed analysis of court documents and other evidence. Less partial when judging the gravity of some historians' work, lessening Bellesiles's acts, and harshly critical of historians Stephen Ambrose and Doris Kearns Goodwin.

SEE ALSO: 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian; Jan. 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs; 1978: *Roots* Author Alex Haley Is Sued for Plagiarism; Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article; Apr., 1998: Scottish Historian Is Charged with Plagiarism; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; June 18, 2001: Historian Joseph J. Ellis Is Accused of Lying; Jan. 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism; Jan. 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism; July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification.

December 5, 2002

SENATOR TRENT LOTT PRAISES STROM THURMOND'S 1948 PRESIDENTIAL CAMPAIGN

A speech delivered by Mississippi senator and Senate majority leader Trent Lott on the occasion of the one hundredth birthday of South Carolina senator Strom Thurmond praised Thurmond's 1948 so-called Dixiecrat segregationist campaign for the presidency. The resulting political fallout led to Lott's resignation as majority leader.

LOCALE: Washington, D.C.

CATEGORIES: Politics; social issues and reform; racism; government

KEY FIGURES

Trent Lott (b. 1941), U.S. senator from Mississippi, 1989-2007

Strom Thurmond (1902-2003), U.S. senator from South Carolina, 1956-2003

George W. Bush (b. 1946), president of the United States, 2001-2009

Bill Frist (b. 1952), U.S. senator from Tennessee, 1995-2007

Al Gore (b. 1948), vice president of the United States, 1993-2001

SUMMARY OF EVENT

Trent Lott's political rise as one of the "new breed" of southern conservative Republicans was, by all standards, exceptional. Obtaining his law degree in 1967 from the University of Mississippi, Lott won election to the U.S. House of Representatives at the age of thirty-one and served in the House from 1973 to 1989. Lott was then elected to the U.S. Senate and enjoyed a meteoric rise through the ranks, becoming Senate majority whip in 1995 and then majority leader in 1996 while in his first electoral term of office. He consistently held the post of either majority or minority leader into the year 2002.

Lott strongly identified with the more conservative elements in Congress. He opposed the renewal of significant civil rights bills that had been passed during the 1960's, and he assumed an active role in the impeachment trial of President Bill Clinton,



Senator Strom Thurmond, seated, celebrates his one-hundredth birthday with, from left, Vice President Dick Cheney, President George W. Bush, Senator Trent Lott, and Thurmond's daughter, Julie Thurmond Whitmer. (AP/Wide World Photos)

working hand-in-hand with the Senate “managers” and casting his vote in favor of conviction. During the early months of the administration of George W. Bush, Lott served as a staunch, and often decisive, ally of the president—though one who sometimes showed an independent streak. In a great many instances, Lott's influence and political acumen proved to be crucial, as in the case of Bush's tax-cut scheme in 2001 and the U.S. military operations against Iraq that began in 2003. However, during the debate over the latter initiative, Lott's initial misgivings over the theory that Iraqi dictator Saddam Hussein was stockpiling weapons of mass destruction indicated that he considered himself to be a power in his own right who could not invariably be expected to accept every White House pronouncement uncritically.

It had been Senator Strom Thurmond of South Carolina who had pioneered the “switch over” of white, southern conservative politicians from the solid South Democratic Party tradition to the Republican Party, and had thus functioned as a role

model for people such as Trent Lott, Newt Gingrich of Georgia, George Allen of Virginia, and Bill Frist of Tennessee. Thurmond, then South Carolina's governor, left the 1948 Democratic Party convention out of frustration with President Harry S. Truman's liberal stance on the issue of racial desegregation and had launched a pro-segregationist, states' rights campaign for the presidency under the banner of the States' Rights Party, or Dixiecrat, movement. Thurmond garnered close to 1.2 million popular votes and carried the states of South Carolina, Mississippi, Alabama, and Louisiana to capture thirty-nine electoral votes.

Thurmond had subsequently been elected to the U.S. Senate, where he became a highly visible opponent of integrationist and

civil rights legislation: In 1957, he set the record for a congressional filibuster, debating for twenty-four hours and eighteen minutes against the passage of the 1957 Civil Rights Act. During the acrimonious struggle over the Civil Rights Act of 1964, Thurmond was involved in a physical scuffle with liberal Democratic senator Ralph Yarborough of Texas, wherein both men ended rolling on the floor. Shortly thereafter, Thurmond announced his move into the ranks of the Republican Party, where he became instrumental in facilitating the party's rightward political tilt. By December 5, 2002, when he celebrated his one hundredth birthday, Thurmond had become the oldest serving U.S. senator in history.

At a special birthday celebration held that evening in Thurmond's honor, Lott delivered a speech praising the centenarian senator, during which he uttered words referring to Thurmond's 1948 campaign. Lott's words that were to ignite the greatest controversy included the following:

I want to say this about my state: When Strom Thurmond ran for president, we voted for him. We're proud of it. And if the rest of the country had followed our lead, we wouldn't have had all these problems over all these years, either.

IMPACT

Initially, little media reaction followed Lott's December 5 speech, except on Web sites and blogs. However, what the media did bring to light was Lott's voting record and past speeches supporting segregationist causes, and his association with the Sons of Confederate Veterans and the Council of Conservative Citizens (formerly the White Citizens' Councils). The repercussions then came on with a vengeance.

Lott's remarks elicited attacks from all sides. Former Civil Rights movement leaders such as John Lewis and Jesse Jackson, incensed by past memories of Thurmond's speeches and other activities against civil rights and mindful of Lott's voting record, denounced the Mississippi senator's words as a retrograde attack on the progress of civil liberties and racial integration over more than a half century.

Democratic Party legislators, considering Lott's speech a possible electoral issue, weighed in with increasingly emphatic rebuttals. Among the Democrats, Lott's most vocal critic was former vice president Al Gore—a frequent past opponent of Lott in the Senate—who called the senator's speech racist and divisive and who advocated for Lott's censure by the Senate if he failed to deliver an adequate apology.

On December 9, Lott issued an official apology for using what he called a "poor choice of words" and denied that he had indicated support for Thurmond's past segregationist ideas. However, Lott was losing support even among his conservative Republican colleagues, and his remarks were proving to be an embarrassment to the White House, which had previously initiated overtures to African American leaders in an effort to bolster support of the Republican Party among people of color. What was probably the coup de grace was delivered by President Bush in a speech in Philadelphia on De-

cember 12, in which he roundly criticized Lott's words as offensive. Throughout the following week, Lott vowed that he would fight to retain the leadership, but as more Republican senators indicated that they favored a change, Senator Frist of Tennessee, who in the wake of the December 5 incident had expressed full support for Lott, made a turnaround and announced on December 19 that he would seek the majority leader's post.

Lott resigned as Senate majority leader on December 20, and Frist, who had obtained tacit support from the Bush administration as a much more diplomatic and pliant conservative, was elected to succeed him on January 6, 2003.

—Raymond Pierre Hylton

FURTHER READING

- Baker, Peter. *The Breach: Inside the Impeachment and Trial of William Jefferson Clinton*. New York: Berkley Books, 2001. Though this book was written long before Lott's speech, it is nonetheless useful in that it adroitly describes Lott's political style, modus operandi, and the extent of his political influence prior to December, 2002.
- Gregg, Gary L., II, and Mark J. Rozell. *Considering the Bush Presidency*. New York: Oxford University Press, 2004. Suggests that the Lott-Thurmond incident provided the Bush administration with a pretext for replacing Lott with Bill Frist.
- Kraus, Jon, Kevin J. McMahon, and David M. Rankin. *Transformed by Crisis: The Presidency of George W. Bush and American Politics*. New York: Palgrave Macmillan, 2004. Focuses on Lott's controversial speech as a crisis, with the Democrats attempting to capitalize and the Bush administration countering with damage control.
- Lott, Trent. *Herding Cats: A Political Life*. New York: Regan Books, 2005. Lott's career autobiography and apologia, in which he argues that he has been misinterpreted and misunderstood. Castigates the Bush administration for backstabbing.
- Schier, Steven E., ed. *High Risk and Big Ambition: The Presidency of George W. Bush*. Pittsburgh, Pa.: University of Pittsburgh Press, 2004. Implies that Lott's Thurmond birthday speech frus-

trated the Bush administration's outreach to African Americans.

Tiefer, Charles. *Veering Right: How the Bush Administration Subverts the Law for Conservative Causes*. Berkeley: University of California Press, 2004. A slanted account, but one that does give insight on possible preexisting motives behind Bush's quick rejection of Lott.

SEE ALSO: Mar. 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress; June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds; Oct. 11, 1979: Senate Denounces

Herman E. Talmadge for Money Laundering; Jan. 25, 1984: Jesse Jackson Calls New York City "Hymietown"; Sept. 23, 1987: Plagiarism Charges End Joe Biden's Presidential Campaign; May 31, 1989: Speaker of the House Jim Wright Resigns in Ethics Scandal; June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; Dec. 17, 2003: Senator Strom Thurmond's Biracial Daughter Is Revealed; July 9, 2007: Senator David Vitter's Name Is Found in D.C. Madam's Address Book.

January 2, 2003

E-MAIL MESSAGE PROMPTS INQUIRY INTO AIR FORCE ACADEMY SEXUAL ASSAULTS

An e-mail message alleging a pattern of sexual assaults at the U.S. Air Force Academy and official cover-ups of the assaults prompted a series of investigations and changes in academy policy. The response to the scandal, while substantive, was the subject of controversy and drew criticism both from those who found it excessive and those who considered it insufficient.

LOCALE: Colorado Springs, Colorado

CATEGORIES: Sex crimes; military; government; communications and media; education; ethics

KEY FIGURES

Wayne Allard (b. 1943), U.S. senator from Colorado, 1997-

Tillie Fowler (1942-2005), U.S. representative from Florida, 1993-2001

James G. Roche (b. 1940), undersecretary of the U.S. Air Force, 2001-2005

Donald Rumsfeld (b. 1932), U.S. secretary of defense, 2001-2006

Peter B. Teets (b. 1942), acting undersecretary of the U.S. Air Force, January-March, 2005

SUMMARY OF EVENT

On January 2, 2003, the undersecretary of the U.S. Air Force, James Roche, received an e-mail from a person using the name Renee Trindle, alleging a pervasive pattern of sexual assaults at the Air Force Academy. The e-mail, which also claimed the sexual assaults were covered up and ignored by academy leadership, was copied to several prominent government officials and journalists, including the chief of staff of the Air Force and U.S. senator Wayne Allard of Colorado. The media began reporting the assaults. Subsequent investigations by the Air Force and the U.S. Congress revealed that numerous sexual assaults indeed had occurred at the academy and that administrators tried to conceal the offenses by intimidating victims and witnesses and by shielding academy staff.

The allegations, which surfaced nearly twenty-seven years after women were first admitted to the Air Force Academy, closely resembled similar allegations involving other branches of the U.S. military. Female naval officers were sexually assaulted and harassed at the 1991 convention of the Tailhook Association—an organization comprising active

and former U.S. Navy pilots—in Las Vegas. At the Aberdeen Proving Ground in Maryland in 1996, twelve male U.S. Army officers were arrested for sexual assault. The Tailhook and Aberdeen scandals had focused upon the conduct of small groups of people over a relatively short duration, whereas the allegations emerging from the Air Force Academy suggested a longstanding and pervasive pattern of institutional corruption that began with the commission of criminal acts and progressed to a conspiracy to conceal those acts.

Following the receipt of the e-mail, Roche directed the Air Force general counsel to form a working group to investigate the matter. The group submitted an interim report to Roche in March, 2003, leading the Air Force to implement its “Agenda for Change” on March 26. The agenda made changes to life at the academy that would make it “consistent with the Air Force concepts of no tolerance for sexual assault.” The working group submitted its final report on June 17.

Roche also directed the Air Force inspector general’s office (IGO) to investigate the allegations. Inquiries formed outside the Air Force as well. The secretary of defense, Donald Rumsfeld, at congressional urging, formed a seven-member panel under the leadership of Allard and former U.S. representative Tillie Fowler of Florida. In February, the Office of the Inspector General (OIG) of the Department of Defense, at the request of the Senate Armed Services Committee, began its inquiry. The complaints reviewed by the Fowler panel, as it came to be called, had been submitted by female cadets who attended the academy between 1993 and 2003. According to these complaints, the assaults took place primarily in student dormitories and typically involved upperclass male cadets and freshman and sophomore female cadets. Male cadets reportedly often provided female cadets with alcohol in violation of academy policy and, following the assaults, would blackmail their victims into remaining silent by threatening to reveal their violations of alcohol policy to administrators. Cadets who reported the attacks allegedly were ignored and then often disciplined for offenses that included alcohol violations and fraternization (with the cadets who also were

their assailants). Many who filed complaints had withdrawn from the academy. The Fowler panel issued its report on September 22 and also held that the general counsel’s working group might have shielded top academy staff from accountability in the assaults.

Investigations revealed that approximately 12 percent of the female graduates of the 2003 academy class had reported that they had been sexually assaulted or faced an attempted sexual assault while attending the academy. An estimated 20 percent of all female cadets who attended the academy within the ten-year period in question had been sexually assaulted during their time at the academy. Many of the alleged assailants, like their alleged victims, failed to graduate. In a survey conducted in 2004, more than three hundred respondents reported that they had been sexually assaulted, and nearly two-thirds indicated that they had not reported the assaults.

The investigations produced a wave of negative publicity for the academy, the Air Force, and the military as a whole. Public opinion of the scandal was divided; many believed that the allegations were overblown or that the academy was being unfairly targeted for behavior equally prevalent in civilian colleges and universities; yet others viewed the scandal as a continuation of a pattern of abuse in the U.S. military. Many public officials reacted to the scandal with anger; Allard and other lawmakers harshly criticized Roche when he appeared before the U.S. Senate Armed Services Committee to testify about the allegations. Groups such as the Miles Foundation, which advocates for victims of sexual trauma in the military, were equally adamant in demanding widespread changes in academy and military policy to deter further sexual assaults and hold administrators and supervisors accountable for investigating complaints and disciplining offenders.

Although the investigations confirmed allegations of a longstanding pattern of sexual assaults, the reports issued by the respective investigatory committees stopped short of recommending harsh consequences for academy leadership. The Air Force IGO report, issued on September 14, 2004, and the Defense Department’s OIG report, issued

DEFENSE DEPARTMENT RECOMMENDATIONS

In its December, 2004, report on sexual harassment at the Air Force Academy, the Office of the Inspector General, Department of Defense, recommended that the superintendent of the academy take the following actions:

1. Work with other Service Academy Superintendents and the Office of the Under Secretary of Defense (Personnel and Readiness) to formulate a single survey instrument and testing protocol that can be administered to cadets and midshipmen periodically to measure cultural changes and adherence to core values; upon completing each such survey, brief the Service Secretaries and the Inspector General of the Department of Defense on the results.
2. Increase command attention to eliminating alcohol consumption, prohibited consensual sex, and use of government equipment for pornography at the United States Air Force Academy, thereby furthering good order and discipline among cadets.
3. Ensure that orientation training for cadets includes effective training on clear standards for sexual interaction so all cadets understand clearly the boundaries, penalties for crossing them, individual leadership responsibilities, and reporting options.
4. Maintain a heightened level of command attention aimed at eliminating sexual harassment and negative attitudes toward women at the United States Air Force Academy.
5. Review current admissions criteria and consider adopting changes that emphasize core values as a part of the whole person concept, along with current measures, such as aptitude scores, grades, athletics, and extracurricular activities.
6. Implement Title 10 U.S.C. § 8583 requirements for exemplary leadership behavior into the cadet curriculum and disciplinary system to ensure that graduates possess and enforce the leadership traits essential for future leaders of the United States Air Force.

on December 3, made several recommendations for the prevention of future assaults, including a procedure for confidential reporting, improved access to counseling and medical care, and a strict protocol for investigating sexual assault allegations. Although the committees' findings appeared to confirm allegations that the victim reports had been mishandled, the findings also showed agreement that academy administrators had acted reasonably and legally in their responses to the victim reports. The committees suggested that the mishandling of the victim complaints was due primarily to failures

in policy and procedure rather than the negligence or willful misconduct of administrators.

The conclusions of investigators and the response of the Air Force to the scandal met with criticism from within and outside the U.S. military and government. Critics alleged that many of the officials who were disciplined had little or no actual role in the scandal; one officer who was forced into retirement had joined the administration of the academy following the time period under investigation and had been employed at the institution for only two months. Many of the administrators involved retired voluntarily before disciplinary measures could be taken against them. Roche retired in January, 2005, in the light of unrelated allegations of misconduct and was replaced by Peter B. Teets, who in a memorandum to Secretary of Defense Rumsfeld in early 2005 advised against pursuing criminal charges against Air Force officers implicated in the scandal. Teets suggested that the officers had acted in "good faith" and were not derelict in their duties. Although Allard, other members of Congress, and victims' advocacy groups expressed dissatisfaction with the memorandum, neither Rumsfeld nor any other official authorized or initiated additional action against the accused officers.

IMPACT

The scandal and the resulting investigation led to the implementation of new policies on reporting and investigating sexual assaults at the Air Force Academy. Even with these policy changes, lingering questions remain regarding the willingness and ability of the U.S. armed services to adapt to social change and to balance a culture emphasizing loyalty and obedience with the need to address internal problems involving corruption and misconduct.

Although subsequent reports and other evidence

indicate that the service academies have made progress in deterring and prosecuting sexual assaults, other evidence, including numerous reports of sexual assaults upon active-duty female troops serving in Iraq and Afghanistan, indicate that sexual assaults still occur in the U.S. military.

—Michael H. Burchett

FURTHER READING

- “Air Force Ignored Academy Abuse.” *The New York Times*, September 23, 2003. Contains a synopsis of the Fowler panel’s report and reactions to the report immediately following its release.
- Higgins, M. “The Air Force Academy Scandal: Will the ‘Agenda for Change’ Counteract the Academy’s Legal and Social Deterrents to Reporting Sexual Harassment and Assault?” *Women’s Rights Law Reporter* 26, nos. 2-3 (2005): 121-138. Examines the effect of the academy’s “Agenda for Change,” implemented by the Air Force at the height of the sexual assault scandal.
- Hunter, Mic. *Honor Betrayed: Sexual Abuse in America’s Military*. Fort Lee, N.J.: Barricade Books, 2007. A social history of the masculinist culture of the U.S. military and that culture’s tolerance for sexual abuse. Begins with “Why It Happens” and includes chapters on “the code of hypermasculinity,” hazing, domestic violence, and women in the military. Ends with first-person accounts.

“Pentagon Sets New Policy on Reporting Sexual Assaults at Academies.” *The New York Times*, March 19, 2005. Briefly describes changes in the sexual assault policies of U.S. military academies.

Smallwood, William L., and Sue Ross. *The Air Force Academy Candidate Book: How to Get In, How to Prepare, How to Survive*. Monument, Colo.: Silver Horn Books, 2007. A guide for prospective Air Force cadets that details the academy’s policies and procedures on sexual assault and related issues.

Thomas, Cathy Booth. “The Air Force Academy’s Rape Scandal.” *Time*, March 6, 2003. Journalistic account of the scandal that provides a synopsis of key events and the perspectives of victims.

SEE ALSO: July 19, 1921: U.S. Senate Rebukes Navy in Homosexuality Investigation; June 26, 1992: U.S. Navy Secretary Resigns in the Wake of Tailhook Sexual Assault Scandal; Apr. 28, 1994: U.S. Naval Academy Expels Midshipmen for Cheating; May 20, 1997: Air Force Prosecution of Female Officer for Adultery Reveals Double Standard; June 2, 2004: U.N. Report Reveals That Secretary-General Kofi Annan Dismissed Sexual Harassment Charges; June 22, 2005: U.S. Air Force Investigates Religious Intolerance at Its Academy.

March 2, 2003

U.S. NATIONAL SECURITY AGENCY IS FOUND TO HAVE SPIED ON U.N. OFFICIALS

According to an investigative report by the British newspaper The Observer, the U.S. National Security Agency had been engaging in wiretapping and other forms of spying on United Nations personnel, including Secretary-General Kofi Annan, in preparation for seeking U.N. Security Council support for the U.S.-British invasion of Iraq in 2003.

LOCALES: London, England; New York, New York

CATEGORIES: Espionage; government; international relations; military; ethics

KEY FIGURES

Frank Koza (fl. early twenty-first century), U.S. National Security Agency, chief of staff of regional targets section

Katharine Gun (b. 1974), translator for Government Communications Headquarters, a British intelligence agency

Clare Short (b. 1946), former British cabinet member and international development secretary

Hans Blix (b. 1928), chief U.N. weapons inspector

Kofi Annan (b. 1938), secretary-general of the United Nations

SUMMARY OF EVENT

On March 2, 2003, the British newspaper *The Observer* reported that the United States had been using its National Security Agency (NSA) to tap the phones and read the e-mails of select diplomats at U.N. headquarters in New York City. According to a “top secret” internal memorandum, allegedly written by NSA official Frank Koza and sent on January 31, the agency was to conduct electronic surveillance “particularly directed at the U.N. Security Council Members,” excepting those from the United States and Great Britain. The goal of the surveillance was to provide the George W. Bush adminis-

tration with information to help U.S. policymakers gain international support—particularly from the United Nations—for its planned invasion of Iraq with Britain. The text of Koza’s e-mail accompanied the report by *The Observer*.

The context of the surveillance was the run-up to the impending U.N. Security Council vote on whether to authorize the use of military force against Iraq. Beginning in April, 1991, under the cease-fire that ended the U.S.-led armed attack against Iraq in response to its invasion of Kuwait, Iraq had been required by Security Council resolution no. 687 to disarm itself of chemical, biological, and nuclear weapons and to allow U.N. weapons inspectors to verify compliance with that requirement. Through the next several years, Iraq failed to comply fully with that resolution, consistently obstructing the weapons inspectors before expelling them in 1998.

After the September 11, 2001, terrorist attacks in New York and Washington, D.C., and the subsequent U.S. and British-led invasion of Afghanistan, the Bush administration turned its attention to Iraq. After weeks of negotiating exact language, the Security Council voted 15-0 on September 12, 2002, to adopt resolution no. 1441, which condemned Iraq’s support of terrorist organizations, its grave violations of international human-rights laws, and its failure to comply with past Security Council resolutions, including 687.

In response to resolution 1441, Iraqi president Saddam Hussein agreed to let weapons inspectors return to his country. However, in early 2003, the chief U.N. weapons inspector, Hans Blix, told the United Nations that Iraq was unable to provide evidence and documentation of its destruction of stockpiles of chemical weapons. The United States and Britain argued that Iraq’s breach of resolution 1441 called for further Security Council actions, including authorization of the use of military force against Iraq.

THE E-MAIL MEMO

U.S. National Security Agency official Frank Koza sent the following e-mail to colleagues, urging them to monitor the e-mail and phone communications of U.N. Security Council members for information that could help the United States and Great Britain in their efforts to win international approval for their planned invasion of Iraq in 2003.

To: [Recipients withheld]
 From: FRANK KOZA, Def Chief of Staff (Regional Targets)
 CIV/NSA
 Sent on Jan 31 2003 0:16
 Subject: Reflections of Iraq Debate/Votes at UN-RT Actions +
 Potential for Related Contributions
 Importance: HIGH
 Top Secret//COMINT//X1

All,

As you've likely heard by now, the Agency is mounting a surge particularly directed at the UN Security Council (UNSC) members (minus US and GBR of course) for insights as to how membership is reacting to the on-going debate RE: Iraq, plans to vote on any related resolutions, what related policies/ negotiating positions they may be considering, alliances/ dependencies, etc.—the whole gamut of information that could give US policymakers an edge in obtaining results favorable to US goals or to head off surprises. In RT, that means a QRC surge effort to revive/create efforts against UNSC members Angola, Cameroon, Chile, Bulgaria and Guinea, as well as extra focus on Pakistan UN matters.

We've also asked ALL RT topi's to emphasize and make sure they pay attention to existing non-UNSC member UN-related and domestic comms [home phone and e-mail] for anything useful related to the UNSC deliberations/ debates/ votes. We have a lot of special UN-related diplomatic coverage (various UN delegations) from countries not sitting on the UNSC right now that could contribute related perspectives/ insights/ whatever. We recognize that we can't afford to ignore this possible source.

We'd appreciate your support in getting the word to your analysts who might have similar, more in-direct access to valuable information from accesses in your product lines. I suspect that you'll be hearing more along these lines in formal channels—especially as this effort will probably peak (at least for this specific focus) in the middle of next week, following the SecState's presentation to the UNSC.

Thanks for your help.

those three countries would abstain or vote against the resolution without exercising their vetoes if enough of the nonpermanent members of the Security Council supported military action, the United States and Britain lobbied Cameroon, Guinea, Angola, Pakistan, Bulgaria, and Chile for support. (The remaining members of the Security Council that year were Mexico, Germany, and Syria.) Had those six nations been willing to support a new Security Council resolution authorizing the use of military force, the result would have been no worse than a 9-6 vote.

The perceived need for support from those six nations explains why the NSA was allegedly spying on their delegations to discern their voting intentions, as well as gathering information that could help obtain their support for military action. In the end, when it became clear that the United States and Britain could not secure the support of a majority of the Security Council, those countries did not seek a further resolution authorizing the use of military force. Instead, the United States and Britain initiated armed conflict against Iraq purportedly on the strength of resolution 1441.

In November, 2003, several months after *The Observer* published its story about the NSA's spying, British officials arrested

The United States and Britain (along with Spain, which also supported aggressive action against Iraq) encountered resistance from other Security Council members, including the other permanent members, France, China, and Russia. Hoping that

Katharine Gun, a translator for Government Communications Headquarters, a British intelligence agency, and charged her with violating the Official Secrets Act. According to prosecutors, Gun received a copy of the NSA memorandum through

e-mail from its author, Koza, and proceeded to leak the memo to *The Observer*. Gun pleaded not guilty and stated that she leaked the memo because she wanted to prevent an invasion of Iraq. Her trial began on February 25, 2004, but she was acquitted by the court when the prosecution declined to present evidence against her. Gun became known as the whistle-blower in the scandal and received worldwide attention and support for her efforts.

The next day, Clare Short, a former British cabinet minister who had resigned her position as international development secretary a couple of months after the March, 2003, invasion of Iraq, disclosed that the British government had helped the NSA spy on U.N. diplomats, including Secretary-General Kofi Annan. Short claimed that she had seen transcripts of Annan's conversations about Iraq, drawing criticism from British prime minister Tony Blair and others, who said that Short had endangered British national security. Soon after, Short recanted slightly, saying that the transcripts she had seen may have involved Africa, rather than Iraq.

It should be noted that the NSA surveillance of U.N. diplomats, despite its secretive nature and its implementation without warrants, does not appear to have violated domestic law. The U.S. Foreign Intelligence Surveillance Act of 1978 (FISA), which regulates domestic surveillance for foreign intelligence gathering (as opposed to criminal prosecution), requires special FISA warrants only where the surveillance is likely to target communications involving a U.S. citizen; where the communications are between nonresident aliens, however, neither FISA nor the U.S. Constitution requires a warrant for surveillance.

IMPACT

The revelation of the NSA's apparent spying on U.N. officials proved embarrassing to the Bush administration, but it did not appear to have affected the outcome of diplomacy after the passage of resolution 1441 in September, 2002. In part, this may be the case because the United States and Britain were far from alone in spying on the United Nations. In late 2004, U.N. officials discovered a hidden listening device in one of its European headquarters' of-

fices; analysis of the device suggested that it was of Russian or East European—and hence, not U.S. or British—design.

In the United States, it is almost an exaggeration to call the spying incident scandalous. Surprisingly, *The New York Times* and many other major American newspapers did not even report on the spying, an omission that drew scathing criticism from foreign media outlets. Far more controversy ensued with the revelation nearly two years later that the NSA had also been conducting electronic surveillance, without warrants, of U.S. citizens.

—Tung Yin

FURTHER READING

Abrams, Norman. *Anti-Terrorism and Criminal Enforcement*. 2d ed. St. Paul, Minn.: West Group, 2008. Provides a good introduction to understanding the mechanics of the Foreign Intelligence Surveillance Act and other antiterrorist legislation.

Bright, Martin. "U.S. Stars Hail Iraq War Whistle-Blower." *The Observer*, January 18, 2004. The reporter who broke the NSA spy scandal with two colleagues reports on the widespread support for Katharine Gun, the intelligence agency staffer who leaked the Koza memo to the press.

Bright, Martin, Ed Vulliamy, and Peter Beaumont. "Revealed: U.S. Dirty Tricks to Win Vote on Iraq War." *The Observer*, March 2, 2003. Article that broke the story about the NSA spying on U.N. officials. Criticizes the Bush administration for ordering the surveillance.

Conyers, John C., et al. *Constitution in Crisis: The High Crimes of the Bush Administration and a Blueprint for Impeachment*. New York: Skyhorse, 2007. Although decidedly biased against the Bush administration, this rich work explores thousands of sources to document a pattern of corruption leading up to the invasion of Iraq. Includes discussion of the NSA spy scandal.

SEE ALSO: Jan. 21, 1950: Alger Hiss Is Convicted of Perjury; Sept. 12, 1962: British Civil Servant Is Arrested for Spying; Mar. 2-Sept. 25, 1963: John Profumo Affair Rocks British Government;

Mar. 4, 1966: Munsinger Sex and Spy Scandal Rocks Canada; Feb. 18, 2001: CIA Agent Robert Hanssen Is Arrested for Spying for the Russians; June 2, 2004: U.N. Report Reveals That

Secretary-General Kofi Annan Dismissed Sexual Harassment Charges; Jan. 15, 2005: Iqbal Riza Resigns from the United Nations in Oil-for-Food Scandal.

April 29, 2003

NEW YORK TIMES REPORTER JAYSON BLAIR IS EXPOSED AS A FRAUD

The New York Times *discovered that reporter Jayson Blair had plagiarized a story about an anguished mother of a missing U.S. soldier in Iraq, setting off an investigation that uncovered four years of Blair's fabrications and deceit. Although Blair was fired, and the newspaper took responsibility, the credibility of not only the newspaper but all news sources was questioned.*

LOCALE: New York, New York

CATEGORIES: Communications and media; hoaxes, frauds, and charlatanism; plagiarism; publishing and journalism

KEY FIGURES

Jayson Blair (b. 1976), reporter for *The New York Times*

Macarena Hernandez (b. 1974), reporter for the *San Antonio Express-News*

Howell Raines (b. 1943), executive editor of *The New York Times*

Gerald Boyd (1950-2006), managing editor of *The New York Times*

SUMMARY OF EVENT

Newspapers are generally regarded as accurate, unbiased sources of information. *The New York Times*, an American institution since 1851, had achieved an immaculate reputation for printing "all the news that's fit to print." However, the stories submitted by reporter Jayson Blair were found to be fabrications in some instances and outright plagiarism in others. The failure of the *Times* to oversee verifica-

tion of Blair's facts and perhaps a too lenient approach to a young reporter led to an examination and restructuring of newsroom procedures. Not only was Blair's career destroyed but also the careers of two high-ranking *Times* editors. The damage extended beyond the *Times* to journalism as a whole.

Blair was born on March 23, 1976, in Columbia, Maryland, the son of Thomas Blair, a career civil servant, and Frances Blair, an educator. He grew up in Centreville, Virginia, wrote for his high school paper, and interned for the *Centreville Times*, a local weekly. In 1994, he enrolled in the journalism school at the University of Maryland. Initially, fellow students and faculty alike were impressed with his charismatic manner and his enthusiasm for finding stories. However, problems began to surface about Blair missing deadlines and concerns that the work submitted might not have been his. At Maryland he rose to the rank of editor of *The Diamondback*, the student newspaper, but after an alleged plagiarism incident, he resigned.

During summer breaks, Blair interned at the *Boston Globe* and *The Washington Post*. In the summer of 1998, he won an internship at *The New York Times*. Although he was asked to stay on at the end of the summer, he left the paper, stating he had to finish some courses for his December graduation. In June, 1999, Blair returned to the *Times* and was offered an entry-level reporting job. His extraordinary promise as a reporter-writer and his being African American made his hire a natural for an organization committed to diversity. Had the human

resources department checked, it would have discovered that Blair never graduated from the University of Maryland.

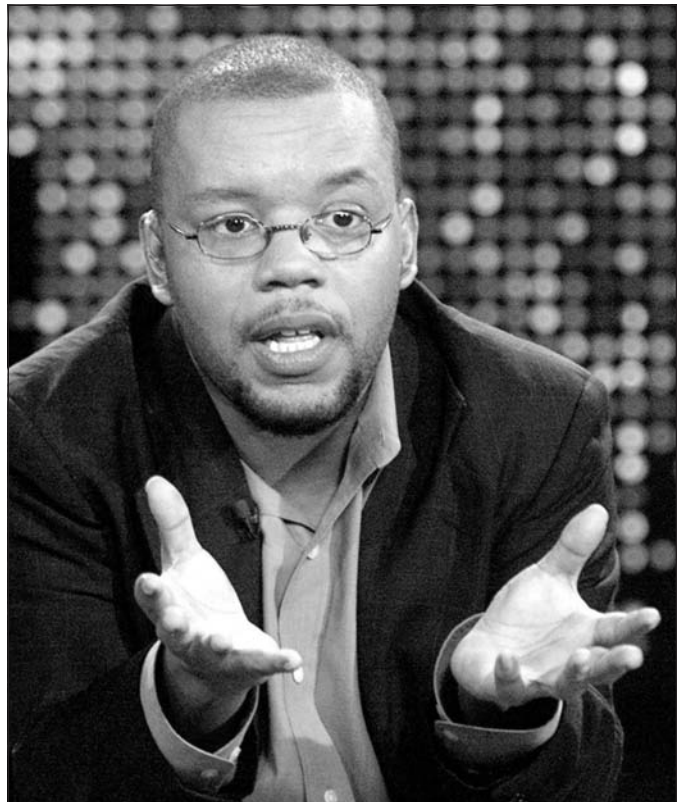
Blair was on the fast-track at the *Times*, scrambling for stories and working long hours. He wrote 137 stories within five months, and only one factual correction was required by editors. Due to his success, he was promoted to a higher level reporter position in November but his work began to slip, and the rate of corrections on his work exceeded that of a typical cub, or rookie, reporter. Blair was warned to be more careful.

Despite problems in his personal life, including substance abuse, and the reservations of many people at the paper, Blair was promoted to staff reporter in January, 2001. The recruiting committee, headed by Gerald M. Boyd, then a deputy managing editor, approved the promotion despite the opposition of Jonathan Landman, metropolitan editor for the paper. Blair's performance at work continued to decline. In early 2002, Landman sent warnings about Blair's work behavior to Boyd, stating, "We have to stop Jayson from writing for the *Times*. Right now." His advice was not heeded, and between January and April, Blair, who was trying to get his life under control, took two leaves of absence from the paper. When he returned, he was reassigned from the metro desk to the sports section; Landman hoped the "tighter leash" in the sports section would help the young reporter.

The Beltway sniper case in the Washington, D.C., area in October, 2002, gave Blair the opportunity to prove he was a good reporter. Executive editor Howell Raines, wishing to flood the area with reporters, transferred Blair to the national desk in Washington, D.C., especially because Blair knew the area well. He was assigned to an exclusive story, based on information gleaned from five unnamed law enforcement officers, which would be published on the front page. This and other stories on the sniper attacks led to an angry response by law enforcement officials and claims that Blair had not told the truth. Fairfax County, Virginia,

prosecutor Robert Horan claimed that 60 percent of a story Blair wrote included misquotes and incorrect information. In meetings with his editors, Blair defended his stories and was allowed to remain on the national desk.

In March, 2003, Blair began filing stories about the families of service personnel in Iraq. Although the reports were often eloquent, they were filled with inaccuracies. Later, it was discovered that Blair, in many cases, had never visited the places in his reports nor interviewed the people mentioned in his articles. He claimed to have visited the home of Army specialist Jessica Lynch, who had been captured and rescued in Iraq, but his so-called firsthand description of Lynch's home was inaccurate. Some who read Blair's stories saw the incorrect details, the fabricated scenes, and the made-up quotations, and then tried to contact the *Times* about the errors; many gave up after their concerns were not addressed. Others did not bother contacting the paper



Jayson Blair. (Hulton Archive/Getty Images)

BLAIR UNCOVERED

New York Times *national editor Jim Roberts met with reporter Jayson Blair over a two-day period beginning on April 29, 2003. Blair was accused of plagiarizing a San Antonio Express-News story about a missing U.S. soldier in Iraq and his mother's fears. The New York Times published an article, excerpted here, telling its readers of Blair's deception.*

In a series of tense meetings over two days, Mr. Roberts repeatedly pressed Mr. Blair for evidence that he had indeed interviewed the mother. . . .

"You've got to come clean with us," he [Roberts] said—and zeroed in on the mother's house in Texas. He asked Mr. Blair to describe what he had seen.

Mr. Blair did not hesitate. He told Mr. Roberts of the red-dish roof on the white stucco house, of the red Jeep in the driveway, of the roses blooming in the yard. Mr. Roberts later inspected unpublished photographs of the mother's house, which matched Mr. Blair's descriptions in every detail.

It was not until Mr. Blair's deceptions were uncovered that Mr. Roberts learned how the reporter could have deceived him yet again: by consulting the newspaper's computerized photo archives.

What haunts Mr. Roberts now, he says, is one particular moment when editor and reporter were facing each other in a showdown over the core aim of their profession: truth.

"Look me in the eye and tell me you did what you say you did," Mr. Roberts demanded. Mr. Blair returned his gaze and said he had.

Source: Dan Barry et al., "Correcting the Record: Times Reporter Who Resigned Leaves Long Trail of Deception." The New York Times, May 11, 2003.

at all, assuming nothing would be done. They also believed that once a story was published, no retraction could make a difference. Blair was filing stories with bylines from places he had never been, was not in contact with his editors, and was not submitting expense reports. The latter should have been a red flag to his supervisors, showing he was not traveling as much as his stories appeared to attest.

A reporter for another newspaper, the *San Antonio Express-News*, exposed Blair's ongoing deceptions. On April 18, 2003, the *Express-News* published a story by reporter Macarena Hernandez,

"Valley Mom Awaits News of MIA Son," about a missing U.S. soldier in Iraq and his mother's anguish. The soldier, Sergeant Edward Anguiano, had been part of Specialist Lynch's convoy when it was ambushed in March, 2003. Blair's too-similar story, "Family Waits, Now Alone, for a Missing Soldier," appeared in the *Times* on April 26. Hernandez read Blair's story, noticed the similarities, and alerted her editor, who in turn contacted editors at the *Times*. Blair met with his editors on April 29 but had no evidence to substantiate his claim that the story was his. Anguiano's mother in Texas stated that Hernandez had visited her home, but no reporter from the *Times* had visited.

Unable to prove his story was original, Blair resigned from the *Times* on May 1. On May 11 the *Times* published a lengthy front-page account of Blair's acts of fabrication and plagiarism. A staff meeting on May 14 led to extensive criticism of the failure of Raines and Boyd to detect Blair's deceptions, and both editors were forced to resign in June.

IMPACT

The results of Blair's dishonesty were both immediate and far-reaching. He not only lost his job but also destroyed the careers of Raines and Boyd. Both editors were accused of leaning too far to advance affirmative action. Boyd, also African American, denied any favoritism, but Raines admitted that he did give a second chance to Blair because of his race. Although a lengthy article detailing Blair's actions and including corrections was published on May 11, the blow to the credibility of the *Times* was severe. The scandal quickly became a source of comedy on a number of television shows and, worse still, the work of other *Times* reporters was questioned. The paper accepted responsibility for Blair's actions, apologized to the public, and sought to repair its reputation.

Corrective measures, to prevent any future viola-

tion of basic standards of reporting, included forming a committee to address “what went wrong.” The committee, chaired by assistant managing editor Allan Siegal, recommended in its report of July 28, 2003, that two management-level positions—public editor and standards editor—be created at the paper. The public editor would be an ombudsperson, investigating public complaints concerning accuracy and fairness in news reporting. The standards editor would be an “internal guardian” who ensures quality control.

While Blair’s deceptions led to restructuring at the *Times*, they also produced a ripple effect, encompassing changes in journalism as a whole. Other newspapers revisited their policies and became more stringent in scrutinizing the work of their reporters. In a survey conducted by the American Society of Newspaper Editors, 350 editors stated they had taken some “specific action” because of the Blair scandal.

Blair published a book in 2004, *Burning Down My Masters’ House*, which is an attempt to justify his actions. The book, however, was not favorably received. Stephen Pomper, a reviewer for the *Washington Monthly*, described the book as a “300-page pity party.” Critics were skeptical of the book’s details, given Blair’s history of deception.

—Marcia B. Dinneen

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Barry, Dan, et al. “Times Reporter Who Resigned Leaves Long Trail of Deception.” *The New York Times*, May 11, 2003. A lengthy, front-page exposé of Blair’s “frequent acts of journalistic

fraud,” published in response to the revelations of his deception.

Blair, Jayson. *Burning Down My Masters’ House: My Life at “The New York Times.”* Beverly Hills, Calif.: New Millennium Press, 2004. This memoir chronicles Blair’s four years as a reporter and how his manic-depressive illness led to his behavior as a cheat and plagiarist.

Hassan, Adeel. “Blair’s Victims: That Helpless Feeling.” *Columbia Journalism Review*, July–August, 2003. Details specific examples of Blair’s deceptions and examines the reactions of those directly affected by his fraud.

Mnookin, Seth. *Hard News: The Scandals at “The New York Times” and Their Meaning for American Media.* New York: Random House, 2004. A former reporter for *Newsweek* magazine tells the story behind the scandal of Jayson Blair and the effect of the fraud and deception on the staff and readers of *The New York Times*.

Patterson, Maggie, and Steve Urbanski. “What Jayson Blair and Janet Cooke Say About the Press and the Erosion of Public Trust.” *Journalism Studies* 7, no. 6 (2006): 828–850. A journal article that details how Blair’s actions subverted the mission of journalism.

SEE ALSO: Apr. 15, 1981: Janet Cooke Admits Fabricating Her Pulitzer Prize-Winning Feature; June 24, 1994: *Time* Magazine Cover Uses Altered O. J. Simpson Photo; May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud; Sept. 8, 2004: *60 Minutes II* Reports on George W. Bush’s Evasion of Wartime Duty.

May 3, 2003

UNIVERSITY OF ALABAMA FIRES NEW FOOTBALL COACH IN SEX SCANDAL

Four months after agreeing to a seven-year, \$10 million contract to become the new head football coach at the University of Alabama, Mike Price was fired for inappropriate behavior. An article in Sports Illustrated magazine one week later revealed that Price—who was in Florida for a golf tournament—had spent lavishly on alcohol and private dances at a strip club and had consensual sex with two of the dancers in his hotel room. In turn, Price sued the university, Time, Inc., and the reporter for libel and defamation, and he won his case.

LOCALE: Tuscaloosa, Alabama

CATEGORIES: Gambling; law and the courts; public morals; publishing and journalism; sex

KEY FIGURES

Mike Price (b. 1946), head football coach at the University of Alabama

Don Yaeger (b. 1962), *Sports Illustrated* reporter
Lori Boudreaux (b. 1967), dancer at Arety's Angels in Pensacola, Florida

Robert Witt (b. 1941), president of the University of Alabama

SUMMARY OF EVENT

On December 18, 2002, after fourteen years of successful leadership of the football program at Washington State University (WSU), Mike Price accepted the position of head football coach at the University of Alabama, which is arguably one of the most prestigious college football programs in the United States. He was issued, yet never signed, a seven-year, \$10 million contract. The contract had a morals clause.

On May 3, 2003, only four months into his new job, Price was fired by University of Alabama president Robert Witt. According to media accounts, Price was in Pensacola, Florida, for an appearance

at the Emerald Coast Classic Golf Tournament. After arriving in Pensacola on April 16, Price headed for Arety's Angels, a local strip club. The alleged sequence of events, as well as additional information that surfaced later, was accepted as true by Alabama officials, even though there was a dearth of corroborating evidence. Price was summarily terminated and earned the dubious distinction of losing his job at Alabama without ever coaching a single game.

News of the firing first surfaced on an Auburn University booster club Web site on April 23. The site posted rumors that Price had visited the strip club. Shortly after the Web site posting, radio talk shows, television sports shows, and newspapers across the United States turned the alleged rumors into headlines. They reported that exactly one week earlier, on April 16, Price spent hundreds of dollars on alcoholic beverages and private dances. Most damaging, however, were the accusations that Price also had sex with two dancers from the club that night, one of whom later spent \$1,000 for hotel room service on Price's credit card. The accusations came most significantly from a May 12 article by reporter Don Yaeger in *Sports Illustrated* ("How He Met His Destiny at a Strip Club").

According to the article, Price introduced himself solely as "Mike" at the club, attempting to limit his public exposure. However, in no time, the football fans at the club recognized Price as the newly hired coach at Alabama. Club patrons even began to refer to him as "coach." Witnesses said that Price bought not only many drinks but also private dances from Lori "Destiny" Boudreaux, who had worked at the strip club for fifteen years. Price allegedly broke many of the club's rules during at least one of the dances. Boudreaux would later testify that she was propositioned by Price, who asked her to accompany him to his room at the Crowne Plaza Hotel later in the evening.

Price then left Arety's Angels to attend the sponsors' dinner for the Emerald Coast Classic Golf Tournament. He was professional at the dinner but soon returned to Arety's Angels, after the meal. According to witnesses, Price kissed and fondled a waitress at the bar, which prompted club staff to warn Price that his actions were not permissible. After moving to another table, Price bought more drinks for several dancers, prompting later allegations that he had spent hundreds of dollars at the club. Just before midnight, he headed back to his hotel room, but he was not alone.

As detailed in the *Sports Illustrated* article, two dancers accompanied Price to his hotel room. The women claimed that they engaged in consensual sex with Price. The next morning, after Price left for the golf tournament, one of the dancers ordered \$1,000 worth of room service on Price's credit card, prompting a concerned hotel manager to call Price, who was by this time on the golf course.

Alabama officials were soon informed of the events in Pensacola, but the allegations did not come as a surprise to Alabama athletic director Mal Moore. A few weeks after Price had been hired, several female students at the university claimed that he bought them drinks and propositioned them while dining at Buffalo's American Grille in Tuscaloosa. Moore had spoken to Price about the accusations, stressing that this type of behavior was unacceptable. In turn, Price denied the allegations.

Price was fired on May 3, based solely on unproven allegations. In July, he filed a \$20 million libel suit against the University of Alabama, Time, Inc. (which owns *Sports Illustrated*), and Yaeger, contending that the events described by Yaeger in the *Sports Illustrated* article were false. On October 10, Price settled the defamation portion of the lawsuit against Time and received an undisclosed amount. He had sued for \$10 million in compensatory damages and another \$10 million in punitive damages.

Boudreaux confirmed in a sworn affidavit at trial that she was Yeager's source, but she apparently did not tell the truth. Her account of what happened in Price's hotel room was deemed hearsay by the court, so her story was not admissible at trial. The

court ruling left nothing but doubt in the case of Price's alleged sexual encounter with the strip-club dancers in Florida.

IMPACT

Alabama's firing of Price sent a clear message that inappropriate behavior, even if only alleged and even if off campus, can end one's career. Furthermore, the university's decision to fire Price based only on uncorroborated allegations harmed the institution's credibility. Also, following Price's dismissal, officials were forced to find their fourth head football coach in as many years but to do so in a negative climate for the university.

Price was one of several high-profile college and university coaches within a period of a few years who were accused of inappropriate behavior and had been terminated as a result. In 2003, Rick Neuheisel, then head football coach at the University of Washington, was fired after a string of transgressions dating back to 1999. Neuheisel had lied to Washington officials about a job interview with the San Francisco 49ers of the National Football League. He also broke the National Collegiate Athletic Association (NCAA) rules on gambling by betting on college basketball games. In 2005, he settled his wrongful termination lawsuit against the NCAA and Washington for \$4.5 million. In 2006, Mike Pressler, then head men's lacrosse coach at Duke University, was forced to resign amid allegations that three of his players had raped a woman at a party. Ultimately, the accusations were found to be untrue and, in 2007, Duke and Pressler reached an undisclosed financial settlement over his forced resignation. In early 2008, Pressler also filed a defamation lawsuit against Duke, claiming that university representatives said he had not adequately supervised his athletes.

In Pullman, Washington, the home of Price's former employer, WSU, the legacy of the famed coach descended from that of a well-respected icon to a person tainted by the fame associated with being fired from Alabama. Price moved on from his infamous night at Arety's Angels to serve as head football coach at the University of Texas—El Paso.

—Ryan Patten and Joseph Hurley

FURTHER READING

Fatsis, Stefan. "Football Coach and Time Inc. Settle Libel Suit." *The Wall Street Journal*, October 11, 2005. An overview of the lawsuit settlement in *Price v. Time Inc.* in October, 2005.

Murphy, Kirsten. "The Price of Privilege." *News Media and the Law* 28, no. 2 (2004): 17-20. A journal article that provides an excellent analysis of the firing of Mike Price.

Yaeger, Don. "How He Met His Destiny at a Strip Club." *Sports Illustrated*, May 12, 2003. Examines the events that allegedly took place at Arety's Angels and in Mike Price's hotel room.

SEE ALSO: Feb. 25, 1987: NCAA Imposes "Death Penalty" on Southern Methodist University Football; Aug. 27, 2001: Little League Baseball Star Danny Almonte Is Found to Be Overage; Dec. 14, 2001: Notre Dame Football Coach Resigns for Falsifying His Resume; Mar. 27, 2002: Georgia Basketball Coach Jim Harrick, Sr., Resigns over Fraud Allegations; July 14, 2006: *New York Times* Exposes Grading Scandal at Auburn University; Aug. 20, 2007: Football Star Michael Vick Pleads Guilty to Financing a Dogfighting Ring; Sept. 13, 2007: New England Patriots Football Team Is Fined for Spying on Other Teams.

May 21, 2003

SEXUALLY PROVOCATIVE FILM *THE BROWN BUNNY* PREMIERES AT CANNES FILM FESTIVAL

The Brown Bunny, a disturbing film by iconoclastic auteur Vincent Gallo that includes a provocative sequence showing fellatio, received a mixed reception from the international film community at the prestigious Cannes Film Festival. Nominated for the Palme d'Or, the film touched off a heated debate over the relationship between filmmakers and critics and ultimately between filmmakers and their audiences.

LOCALE: Cannes, France

CATEGORIES: Film; sex; art movements; publishing and journalism; public morals; popular culture

KEY FIGURES

Vincent Gallo (b. 1961), American actor and experimental film director

Chloë Sevigny (b. 1974), Oscar-nominated American film actor

Roger Ebert (b. 1942), Pulitzer Prize-winning American film critic

SUMMARY OF EVENT

Drawing on the experimental neorealism pioneered by pop artist Andy Warhol nearly a generation earlier, Vincent Gallo's *The Brown Bunny* tells the bleak story of a motorcycle racer named Bud Clay (played by Gallo) who, desperate to escape a past that includes a passionate relationship with a woman identified only as Daisy (played by Chloë Sevigny), sets out to drive a van loaded with his motorcycle from New Hampshire to California. For most of the nearly hour and a half film, that trip is recorded in unrelieved tedium—restaurant stops, gas fill-ups, and changes of clothes, and miles of highway filmed through bug-splattered windows.

The most significant action in the film is psychological, happening behind Clay's opaque sunglasses. There are chance encounters with three different women, but in each case Clay cannot bring himself to risk the vulnerability of authentic connection, and his character is left decidedly alone. The encounters are distinguished by disjointed conversations, long stares, and cryptic silences. Along



Chloë Sevigny and Vincent Gallo at the premiere of their film *The Brown Bunny* at Cannes, France, in May, 2003. (Hulton Archive/Getty Images)

the way, Clay visits Daisy's parents, and while there he secures one of Daisy's favorite childhood stuffed animals, a brown bunny. When he finally arrives in Los Angeles, he goes to Daisy's house—but it is empty. At a hotel, however, he is joined by Daisy who coolly performs oral sex on him after smoking crack cocaine. They engage in a steadily heated conversation about her relationships with other men. What is revealed, however, is that Daisy had been gang raped during a party some months earlier; that Clay had failed to help her and had, in fact, left the party; and that she had subsequently choked to death on her own vomit. Clay is haunted (literally) not merely by her memory but by his own shame and is trying to find in his cross-country flight an escape from his sense of responsibility

(represented by the grotesque stuffed bunny he now lugs about).

Gallo hesitated when he was approached in early 2003 to premiere his film project (he was the film's producer, director, writer, and star) for consideration for the Palme d'Or at Cannes in France. Although his earlier film, 1998's *Buffalo '66*, a quirky psychological study of a released convict who kidnaps a beautiful woman to pretend to be his girlfriend when he must visit his parents, had become an award-winning independent film, his experiences at Cannes had always been strained. He knew that to meet the festival's spring deadline, given production difficulties he was facing, he would have to submit an unfinished rough cut. He decided to submit the film.

Even with the edgy experimental nature of the film—its deliberate evocation of tedium; its layers of dense, associational imagery; its dreamlike nonlinearity; its minimal action; and its unsympathetic central character—Gallo was not prepared for the reaction his film ignited. The controversy surrounding its debut on May 21 quickly became the headline of what was an otherwise routine festival. Although the film received appreciative applause, the majority of the Cannes audience was decidedly hostile to the film, booing and jeering and, for most, walking out long before the controversial sex scene. The ten-minute oral-sex sequence, which Seigny actually performed on Gallo, was seen as entirely gratuitous. Gallo tirelessly argued long after the premiere that the scene reenforced the emptiness in the character's soul and, given that the woman was actually dead, was a powerful image for the deep narcissism of his grief.

In the wake of the disastrous showing, the most vocal critic of the film was Roger Ebert, the Pulitzer Prize-winning film critic for the *Chicago Sun-Times* and cohost of a long-running, nationally syndicated, film-review show. He has been a respected and powerful voice in the industry. He pilloried Gallo's film, not merely because of the sex scene but also the film's poor pace and lack of focus. He famously described it as the worst film Cannes had ever shown. The day after the premiere, a teary and obviously shaken Gallo admitted the film was a rough cut and apologized for wasting the judges' time with an unfinished film. There also was suspicion that the virtually unqualified support of the French press for the film may have reflected less its sensitivity to Gallo's film and more its political motivations: In the heated atmosphere leading up to the U.S. invasion of Iraq when French and U.S. relations were particularly chilly, the French ironically (and gleefully) celebrated what was widely seen as a truly awful American film.

Ebert's words, widely disseminated on the Web, ignited a lengthy and very public war of words between Gallo and Ebert—an exchange that was less a discussion of the merits (or lack thereof) of Gallo's avant-garde film and more an exchange of insults that climaxed with Gallo supposedly put-

ting a hex on Ebert's prostate. Ebert quipped that he had experienced a colonoscopy and watching that was more enjoyable than watching Gallo's film.

Within months of Cannes, Gallo returned to the film. After reediting the work (cutting about 25 minutes, although leaving the sex scene intact), he reissued the film, initially at the 2003 Toronto Film Festival, then in summer, 2004, as a Wellspring Media then Sony Pictures theatrical release, and ultimately on DVD. Not surprisingly, given the enormous attention it had received at Cannes, the film found an immediate audience in its theatrical release, most likely expecting to see one of those celebrated "so-bad-it's-kitschy" films. However, Gallo's sensitive editing had significantly altered the impact, and audiences and critics (most notably Ebert himself) found the reedited film provocative and powerful as an understated, even stark, anatomy of grief that juxtaposed images of escape and fantasy with the hard reality of guilt, doubt, sorrow, and responsibility.

IMPACT

The Brown Bunny created a scandal in itself, but the disturbing fellatio scene—although accounting for barely ten minutes of the entire film—raised difficult (and incendiary) questions about the line between art and pornography. Given that Gallo and Seigny had maintained a high-profile off-screen relationship, the sequence blurred the line between art and voyeurism, its unflinching (and unedited) recording of the act resembling not cinema but salacious hardcore porn footage or a sleazy underground celebrity sex tape for the Web. It did not immediately register with viewers that within the larger argument of the film such a perception of the scene's coldness helped sustain a significant thematic argument about the nature of love. Indeed, the scene was sufficient to have Seigny, an accomplished independent-film actor who had been nominated for an Oscar in 1999 for her work in *Boys Don't Cry*, summarily dropped by the prestigious William Morris talent agency. Only in its rerelease did the scene's larger argument—the de-glamorization of sex in the face of death and the pain involved

in any grieving process that involves a sexual relationship—become clear.

Apart from the response to the sexual content, however, the public dust-up between Gallo and Ebert revealed the fragile nature of egos in that particular dynamic—both with the actors and those who cover their work in the press. Clearly, Gallo, like Warhol before him, crafted a film that was not intended for the general public, a film whose portrayal of the banality and absurdity of life would be inaccessible to those who see films for entertainment and spectacle. That discussion, however, never took place. Rather, the barbs between artist and critic quickly denigrated into personal attacks that could be seen cynically as part of the promotional machinery of Hollywood—indeed, given the controversy surrounding Gallo’s film and the Ebert critique, an otherwise marginal film destined for limited release in art-house theaters eventually played to a much wider audience and, in the end, made far more money for its parent company, Sony Pictures.

—Joseph Dewey

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July 1, 2003

BASKETBALL STAR KOBE BRYANT IS ACCUSED OF RAPE

Professional basketball player Kobe Bryant was accused of sexually assaulting a nineteen-year-old concierge at a hotel resort. He denied the accusation and claimed that the sexual encounter was consensual. The prosecution dropped the criminal charges after the accuser, Katelyn Faber, refused to testify on grounds that her sexual history would fuel further media attention. Faber filed a civil suit against Bryant and settled out of court for an undisclosed amount of money.

LOCALE: Edwards, Colorado

CATEGORIES: Law and the courts; public morals; publishing and journalism

KEY FIGURES

Kobe Bryant (b. 1978), professional basketball player

Katelyn Faber (b. 1985), hotel concierge and college student

Vanessa Bryant (b. 1982), Bryant's wife

SUMMARY OF EVENT

Professional basketball player Kobe Bryant, an All-Star guard with the Los Angeles Lakers, was accused on July 1, 2003, of sexually assaulting Katelyn Faber, a nineteen-year-old concierge at a hotel resort in Edwards, Colorado. Bryant had been in Colorado for scheduled knee surgery at the Steadman-Hawkins Clinic in Vail. He checked into the Lodge and Spa at Cordillera, a hotel in Edwards, on June 28.

According to Faber, who remained anonymous throughout the criminal investigation and most of the legal proceedings, Bryant invited her to his room after she gave him a tour of the hotel on the night of July 1, the day before his surgery. She told investigators that she and Bryant flirted with each other and that the flirting led to consensual kissing. She said the kissing led to unwanted groping and that Bryant blocked her exit when she tried to leave the room. She then said that Bryant physically restrained her over a chair and placed his hands

around her neck, suggesting strangulation if she resisted. She stated that Bryant then began to penetrate her sexually and that she requested several times that he stop. Faber said that Bryant continued with the sexual assault and tightened his grasp around her neck each time she asked him to stop.

Faber then told investigators that she left the room immediately after the assault and remained at the hotel until the end of her work shift. Her coworkers offered conflicting reports of her demeanor following the incident. One coworker stated that Faber did not appear to be distraught; another coworker told authorities that Faber told him that she had been sexually assaulted. That coworker said that he advised Faber to tell her parents.

The twenty-four-year-old Bryant already was a National Basketball Association veteran and would win the league's Most Valuable Player award for the 2007-2008 season. At the time of the allegations, he was married to Vanessa Bryant and had one daughter. (The couple had a second daughter in 2006.) On July 2, Bryant had his knee surgery as scheduled. On that same day, Faber told authorities at the Eagle County Sheriff's Department that she had been sexually assaulted by Bryant. Faber's allegations were videotaped by investigators. During the interview at the sheriff's station, Faber stated that Bryant used physical force to restrain her during nonconsensual sexual intercourse and that Bryant told her not to tell anyone about the sexual encounter. After her interview with police officials, Faber went to Vail Valley Medical Center for rape-kit testing.

The sheriff's office interviewed Bryant, also on July 2. Bryant told investigators that the sexual encounter with Faber was consensual and added that his wife would be upset upon learning of the allegations. Bryant's legal defense team tried, without success, to have the interview removed as evidence because it was obtained without Bryant's knowledge. On July 4, the Eagle County sheriff issued an arrest warrant for Bryant for felony assault. Already

home in Los Angeles, Bryant returned to Colorado. Upon his arrest, he posted a bond of twenty-five thousand dollars and was released the same day. On July 18, Bryant was charged with felony sexual assault. He consistently denied the rape accusation, claimed the sex with Faber was consensual, and added that he was guilty of adultery only. He made several public appearances with Vanessa, including a tearful press conference in Los Angeles on the day he was formally charged.

Faber's sexual history was brought to light after medical tests concluded that her underwear was stained with the DNA of two men other than Bryant. The Colorado rape shield statute, which disallows the presentation of the sexual history of an alleged rape victim during legal proceedings, did not protect Faber in this instance. Her sexual contact with other men around the time of the alleged assault by Bryant was admitted as evidence for the defense. The defense argued that Faber's physical injuries were consistent with having intercourse on more than one occasion in a short period of time.

Prosecutors claimed in the months before trial that Bryant's attorneys were attempting to damage Faber's credibility. In addition, she was subjected to physical threats and faced unrelenting media scrutiny. The media eventually identified her by name. Furthermore, the transcripts of a closed-session hearing were mistakenly released to the media by a court reporter. The court issued an order to try to prevent the transcripts from being released to the public. Several media organizations claimed that because the transcripts were released accidentally and, thus, were obtained through no fault of their own, they were protected by the First Amendment to the U.S. Constitution and could release the information to the public. The Colorado Supreme Court ruled in favor of the court on July 19, 2004, but on August 2, the judge in the Bryant case decided to allow the media to publish the transcripts.

After months of preparation by prosecutors and defense attorneys, Faber told her attorneys that she would not testify in court, leading the prosecution to drop the criminal charges against Bryant on September 1. The following day, Bryant issued a statement, apologizing to Faber and her family for the

Basketball Star Kobe Bryant Is Accused of Rape

pain they have endured through the months of the case.

Before the criminal charges were dropped, Faber had filed a civil suit against Bryant, on August 10, and the two settled out of court in March, 2005. The conditions of the settlement were not disclosed.

IMPACT

Early in his career, Bryant was an intelligent and well-spoken role model to millions of sports fans. The sexual-assault scandal is now a part of his image and it follows him everywhere. Basketball fans around the United States continue to verbally taunt him in the venues of opposing teams. His MVP award in 2008 matters little to his detractors. However, his supportive fans seemed to have forgiven him for the scandal.

The accusations of rape, nevertheless, stunned American sports fans and others as well, and the ac-



Kobe Bryant being searched upon entering the Eagle County, Colorado, courthouse in May, 2004. (AP/Wide World Photos)

companying media affair led many to call for a re-examination of sports “heroes.” The infatuation with celebrity resulted in intense media presence at each phase of the case, a case filled with reports of infidelity and marked by public disgrace and disappointment. It featured a battle of words between victim’s rights groups and a powerful sports world that supports its stars at all costs. Through it all, Bryant remains a “most valuable” star, and Faber remains all but forgotten.

—*Traqina Q. Emeka*

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July 14, 2003

COLUMNIST ROBERT NOVAK LEAKS THE NAME OF CIA OPERATIVE VALERIE PLAME

CIA operative Valerie Plame’s husband, Joseph Wilson, was a former U.S. ambassador who had investigated claims of sales of uranium to Iraq before the U.S.-led invasion of Iraq in 2003. Wilson publicly claimed that Iraq had not obtained uranium from Niger and that Iraq did not have weapons of mass destruction. Newspaper columnist Robert Novak then identified Plame as a CIA agent. Critics said that Plame’s name was revealed to Novak by a White House official as revenge against Wilson.

ALSO KNOWN AS: Plame affair; Plamegate; CIA leak scandal

LOCALE: Washington, D.C.

CATEGORIES: Espionage; publishing and journalism; ethics; government; international relations; politics

KEY FIGURES

Robert Novak (b. 1931), newspaper columnist and political commentator

Valerie Plame (b. 1963), Central Intelligence Agency operations officer

Joseph Wilson (b. 1949), former U.S. Foreign Service diplomat

Richard Armitage (b. 1945), deputy secretary of state

Lewis “Scooter” Libby (b. 1950), Vice President
Dick Cheney’s chief of staff
Karl Rove (b. 1950), deputy chief of staff to
President George W. Bush

SUMMARY OF EVENT

Joseph C. Wilson, the former acting ambassador to Iraq who had diplomatic experience in North Africa, was sent to Niger on February 26, 2002, by the U.S. Central Intelligence Agency (CIA) to investigate rumors (based upon forged documents) that Iraq had purchased unrefined uranium ore in Niger. Wilson found no evidence to confirm the rumors and reported that such a transaction was highly unlikely. Furthermore, through his knowledge of and contacts in Iraq, Wilson knew of no credible evidence to support contentions that Iraq had a considerable stockpile of WMDs and an ongoing program to develop more WMDs.

On July 6, 2003, *The New York Times* published an opinion article by Wilson, “What I Didn’t Find in Africa,” that was highly critical of George W. Bush’s administration and the invasion of Iraq in March. Wilson argued that the invasion was approved using extremely shaky evidence. As many later claimed, White House officials leaked the name of Wilson’s wife, Valerie Plame, as a CIA operative as revenge against Wilson and to further justify the invasion.

As early as August of 2002, the administration of U.S. president George W. Bush began zealously to seek justification for invading Iraq and unseating the government of dictator Saddam Hussein. Bush, his closest advisers, and top-level federal officials put forth three arguments to justify their proposed attack on Iraq.

First, according to the Bush administration, Hussein’s close ties to al-Qaeda likely meant that he was involved in planning—or, at a minimum, supporting—the September 11, 2001, terrorist attacks on the United States. Second, Iraq had a large stockpile of weapons of mass destruction (WMDs) and a vigorous program of WMD development. With this stockpile, it had or soon would have first-strike capabilities against the United States. Third, Iraq had purchased raw uranium from Niger to create its own

nuclear weapons program and was continuing to search worldwide for additional nuclear bomb-making materials. Iraq’s WMD development program would be an imminent threat to U.S. security. The administration concluded that, in an act of self-defense, the United States must invade Iraq and remove Hussein from office. Furthermore, Hussein must be returned to the United States and tried for his crimes.

Regardless of the evidence, Bush reported the Niger uranium sale to Iraq as fact to the American public in his state of the union address on January 28, 2003. The CIA even had attempted to remove Bush’s claim from his speech. On October 11, 2002, the U.S. Congress had passed a joint resolution authorizing the president to go to war if he determined that it was necessary to defend the national security of the United States. In Bush’s report to Congress on March 19, 2003, the day before the attack began, he spoke only of Iraq’s weapons of mass destruction and U.S. national security as sufficient motive for the U.S.-led invasion of Iraq.

Within days of Wilson’s *New York Times* article, columnist Robert Novak learned from Richard Armitage, the deputy assistant secretary of state, that Plame was a CIA operations officer with a classified, covert identity. Novak claims Armitage mentioned her name in passing. Novak then turned to Karl Rove, Bush’s deputy chief of staff, to confirm that she was Wilson’s spouse. Armitage, in October, confirmed with investigators that he was the source of the leak.

On July 11, Novak’s column, “Mission to Niger,” was released by Creators Syndicate and distributed through the Associated Press. The column was not published, however, until July 14. In the column, Novak outed Plame, harming CIA operations and ruining her career. Most significantly, however, the leak gambled with national security. Novak remained adamant that his intent was not to reveal Plame’s covert identity but to investigate why Wilson, a critic of the Bush administration, was selected to investigate possible uranium sales to Iraq by Niger.

On October 31, a federal grand jury was called to investigate the leak. Patrick Fitzgerald, a U.S. attor-

NOVAK'S INFAMOUS ONE-SENTENCE LEAK

An excerpt from columnist Robert Novak's syndicated column of July 14, 2003, in which he revealed Valerie Plame's identity as a CIA operative.

Wilson never worked for the CIA, but his wife, Valerie Plame, is an Agency operative on weapons of mass destruction.

Source: Creators Syndicate.

ney for the northern district of Illinois, was appointed special counsel to pursue the federal inquiry for a possible violation of the Intelligence Identities Protection Act of 1982 and other federal crimes. Fitzgerald attempted to find out if White House officials had already leaked Plame's name to reporters before Novak's column appeared or if they later had simply repeated information already made public by Novak. Later testimony revealed that reporter Bob Woodward was the first person in the media to learn of Plame's identity and that the source of that leak was Armitage.

IMPACT

According to the House Committee on Government Reform, which investigated the leak, there had been a minimum of eleven Plame-related breaches of security by various White House staff. The committee's report, issued on July 22, 2005, also states that the White House did not comply with its obligations to either investigate the security breaches nor did the White House apply administrative sanctions to those who were involved. A number of White House officials broke several federal laws and acts that prohibit sharing classified government information, yet not one person in the Bush administration or in federal office was indicted. The White House itself was guilty of inertia for not carrying out its legal responsibilities. It made no attempt to investigate who had been leaking classified information.

The committee's report adds that the White House also downplayed the importance of Wilson's trip to Niger and that his subsequent report that Iraq did not buy uranium from Niger was dismissed.

Finally, the report said the White House disregarded Wilson's allegations that there was no evidence that Iraq had weapons of mass destruction.

In the end, no person was tried for violations of federal acts or statutes relating to the unauthorized disclosure of classified information. The only trial resulting from the grand jury investigation was that of Vice

President Dick Cheney's former chief of staff, Lewis "Scooter" Libby, for perjury and for obstructing justice during the grand jury investigation. According to testimony, Libby had been told by Cheney in June, 2003, that Wilson's wife (her name apparently was not yet known) was a CIA employee.

Libby was convicted on March 6, 2007, of two counts of perjury, one count of obstruction of justice, and one count of making a false statement. On July 2, President Bush commuted his thirty-month prison sentence but did not pardon him, leaving much of Libby's sentence, including fines, intact.

The leak scandal also impacted U.S. intelligence. Blowing an agent's cover compromises intelligence-gathering methods and operations, affects the safety of intelligence agents and foreign and domestic informants, and harms recruitment efforts for agents as well as potential informants. Novak's exposure of Plame's identity likely had some significant effect on national security and foreign intelligence gathering, although the exact nature of that harm will likely remain unknown, given that it is counterproductive for the CIA, or any of the other federal intelligence-gathering agency, to admit to any harm. It should be noted, however, that Plame was working in operations related to Iran's development of nuclear weapons.

—Edward J. Schauer

FURTHER READING

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September 3, 2003

MUTUAL FUND COMPANIES ARE IMPLICATED IN SHADY TRADING PRACTICES

New York State attorney general Eliot L. Spitzer filed a legal complaint against Canary Capital Partners, a hedge fund, for fraudulent late trading and time-zone arbitrage, practices that favored select clients over ordinary customers. Investigators looked at twenty-five fund companies, which led to settlements with regulators totaling over \$3.1 billion, private civil lawsuits, congressional hearings and legislative proposals, and U.S. Securities and Exchange Commission oversight reforms.

LOCALE: New York, New York

CATEGORIES: Corruption; banking and finance; law and the courts; business; government

KEY FIGURE

Eliot L. Spitzer (b. 1959), New York State attorney general, 1999-2006, and governor of New York, 2006-2008

SUMMARY OF EVENT

According to the Investment Company Institute, a mutual-fund trade group, nearly 48 percent of U.S. households were mutual-fund shareholders at the end of 2003. The total assets of mutual funds came to \$7.4 trillion. Mutual-fund growth paralleled the movement in American retirement plans away from employer-managed and -defined benefits plans and toward employee-managed and -defined contribution plans.

New York State attorney general Eliot L. Spitzer announced in a complaint filed with the New York Supreme Court on September 3, 2003, that his office had obtained evidence of illegal trading practices of New Jersey-based Canary Capital Partners, a hedge fund. According to Spitzer, the company was found to have engaged in fraudulent late trading and time-zone arbitrage with four large mutual fund companies at the expense of its ordinary, long-term mutual-fund investors. Even before this announcement, the mutual-fund industry was being

viewed with dissatisfaction. After the technology-stock bubble burst in 2000, the stock market entered a three-year bear market, and funds performed poorly. The following background discussion of the structure and operations of mutual funds will help clarify both the dissatisfaction by 2003 and the scandals that were uncovered.

Mutual funds, also known as open-end investment companies, are not run by fund employees; rather, they are overseen by a board of directors. This board contracts with service providers: the investment adviser (a management company that makes the portfolio decisions), the transfer agent (who administers purchases and redemptions of shares and keeps customer records), and the principal underwriter (who handles distribution of shares). The U.S. Securities and Exchange Commission (SEC) regulates mutual funds, primarily through rules and through its Office of Compliance Inspections and Examinations. The SEC also regulates the securities markets.

Mutual funds are designed to help their owners (the shareholders) pool their money, diversify their portfolios, and have access to expert management at a lower cost than they could as individuals. The preamble of the Investment Company Act of 1940, which created mutual funds, states that they must be organized, operated, and managed in the interests of shareholders. Thus, mutual funds have a fiduciary duty, or legal duty of care and good faith, to shareholders.

Many analyses of the scandals point to the conflict of interest and objectives inherent in the governing structure of mutual funds. Investors (shareholders) want to maximize their returns on the money held in the funds. The investment adviser (management company) wants to maximize its profits. The investment adviser is paid a percentage of assets under management as its management fee. Prior to the scandals, funds had grown larger and larger. Fees charged to shareholders had increased, even though economies of scale should have reduced fund-management costs. The expense ratio of the average equity (stock) fund rose from 0.77 to 1.56 percent between 1959 and 2004.

Analyses of the scandals also pointed to SEC regulations requiring only that a majority of the fund directors be independent (that is, not connected to the fund adviser in the preceding five years). In addition, the board chair was not required to be independent. Critics pointed out that if a fund wanted to change advisers or negotiate lower fees, having a board chair who is affiliated with the adviser would be an inherent conflict.

Some of these issues were beginning to be investigated just before Spitzer's announcement. In February, 2003, the SEC proposed new rules that would require every mutual fund and adviser to institute compliance policies that would prevent securities law violations and to appoint a chief compliance officer. In March, the U.S. House Subcommittee on Capital Markets held a hearing, the first of ten congressional hearings (none resulting in laws passed) between 2003 and 2005. This one focused on fees, sales practices, disclosure, and fund performance and governance.

The investigations that followed the September 3 complaint were brought (in various combinations) by Spitzer, the SEC, the National Association of Securities Dealers (NASD), and the attorneys general of California, Colorado, and Massachusetts. New York's Martin Act gave Spitzer exceedingly broad powers to investigate and prosecute financial fraud. Some of the most prominent actions, with settlements ranging from \$9 million to \$515 million, involved the fund advisers Alliance Capital, Invesco, Bank of America/FleetBoston, Janus Capital, MFS, Morgan Stanley, Edward Jones, and Strong Capital Management.

Although several other practices were discussed in the hearings, reports, and media coverage surrounding the scandals, most of the charges brought involved two forms of arbitrage: late trading and stale pricing. Generally, arbitrage involves exploiting short-term price differences in a security to make a profit without risk. Late trading was performed by a small number of high-dollar, sophisticated investors who had a special relationship with intermediaries and the funds themselves. Stale-price, or time-zone, arbitrage, which exploits the prices of international stocks at the time foreign

markets close, was well known and widely practiced by both large and small investors.

Coverage of the scandals often used the term “market timing”; this term can also mean rapid trading. By 2003, even many ordinary mutual fund shareholders were beginning to trade frequently. Although it did not reach the level of illegality, it certainly diluted returns for long-term shareholders, adding to the damage done by arbitrage. From 1950 to 1975, the average length of time investors held shares was twelve years; by 2002, it was two and a half years.

Morningstar, a mutual-fund rating and analysis company, identified hedge funds (which use risky investment methods to achieve large gains) as the source of most mutual fund arbitrage money and predicted that the scandals would lead to more regulation of them. Some hedge funds publicly listed “mutual fund timing” as their investment strategy. The SEC’s November, 2003, survey found that 50 percent of the eighty largest fund companies were secretly allowing timing by certain shareholders (undoubtedly including hedge funds) that was forbidden by their own prospectus disclosures.

Because many people were surprised that Spitzer, rather than the SEC or the NASD (which regulates broker-dealers), first uncovered the scandals, the U.S. Government Accountability Office (GAO) conducted an analysis of the SEC’s fund oversight program. Its April, 2005, report found that although the SEC made a good faith effort through its regulations to combat the known risks for arbitrage, it did not conduct examinations that might have uncovered this practice. Examinations are one of the SEC’s two primary oversight methods.

IMPACT

One measure of the impact of the scandals is the gain they afforded violators versus the loss to long-term shareholders. A research study by Eric Zitzewitz on stale-price arbitrage documented that this activity cost long-term shareholders \$4.9 billion in 2001 and that the cost had doubled since 1998-1999.

Another measure is the cost to the funds themselves, as investors lost trust and withdrew their

money. A research study calculated the losses suffered by the fifteen publicly traded mutual fund families investigated between September 3, 2003, and November 31, 2004. In the three days following the announcement of an investigation, funds lost, on average, \$1.35 billion.

Numerous reforms were proposed or enacted as a result of the scandals. The SEC’s new rules required fund boards of directors to designate a chief compliance officer and to conduct annual self-assessments and mandate that funds have written policies and procedures reasonably designed to prevent violations of federal securities law. Other rules relate to the disclosure of expenses as a dollar amount, the prohibition of various forms of directed brokerage using 12b-1 fees, and enhanced disclosure to shareholders of arbitrage policies. The SEC expanded its surveillance program to focus more attention on preventing wrongdoing. It instituted risk-targeted minisweeps to gather information on specific mutual fund practices, which have included soft dollars, 12b-1 fees, and revenue sharing.

The Investment Company Institute’s *Mutual Fund Fact Book* shows that in 2007, \$12.02 trillion was invested in eight thousand mutual funds owned by nearly 300,000 shareholders. Clearly, increasingly large amounts of the retirement and college savings of ordinary Americans are placed in mutual funds. Consumers represent two-thirds of the American economy. Thus, both the risks and the unfairness continue to grow when mutual funds are allowed to place corporate profits above their fiduciary responsibility to shareholders.

—Glenn Ellen Starr Stilling

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stale-price arbitrage and the extent to which it was known before the scandals.

SEE ALSO: Nov., 1929: Banque Oustric et Cie Failure Prompts French Inquiry; 1932: Insull Utilities Trusts Collapse Prompts New Federal Regulation; Nov. 28, 1967: Investor Louis Wolfson Is Convicted of Selling Stock Illegally; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Mar. 29, 1989: Financier Michael Milken Is Indicted for Racke-teering and Fraud; Aug. 27, 1990: Guinness Four Are Found Guilty of Share-Trading Fraud; 2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; Mar. 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal; Oct. 14, 2004: Insurance Brokerage Marsh & McLennan Is Charged with Fraud; Mar. 12, 2008: New York Governor Eliot Spitzer Resigns in Prostitution Scandal; Sept. 20, 2008: American Financial Markets Begin to Collapse.

October 2, 2003

NEWSPAPER CLAIMS THAT ARNOLD SCHWARZENEGGER GROPED WOMEN

As former bodybuilder and popular film actor Arnold Schwarzenegger was running for governor of California, a number of women told reporters that he had harassed or abused them years before. The Los Angeles Times published a series about the accusations, but Schwarzenegger won the election nevertheless. He promised to have the charges investigated but did not follow through on his plan.

ALSO KNOWN AS: Gropegate

LOCALE: Los Angeles, California

CATEGORIES: Publishing and journalism; politics; sex crimes; sex; public morals; women's issues; Hollywood

KEY FIGURES

Arnold Schwarzenegger (b. 1947), former bodybuilder, film actor, and governor of California, 2003-

John Carroll (b. 1941), editor of the *Los Angeles Times*

Maria Shriver (b. 1955), broadcast journalist and Schwarzenegger's wife

Susan Estrich (b. 1952), Democratic political commentator who chastised the *Los Angeles Times* for publishing the claims against Schwarzenegger

SUMMARY OF EVENT

According to biographer Laurence Leamer, the Austrian-born bodybuilder and film actor Arnold Schwarzenegger had a habit of sexual directness with women and, while usually charming, sometimes bullied his companions. Moving to the United States in 1968, Schwarzenegger soon became an American success. He arrived poor and could barely speak English. Through talent, good looks, hard work, business acumen, and skillful promotion, he became a multimillionaire. After breakups with two live-in girlfriends, he married the broadcast journalist Maria Shriver, a Democrat and a niece of former U.S. president John F. Kennedy.

Schwarzenegger, a Republican, held positions on social issues to the left of most members of the party but championed business and befriended the party's elite. During George H. W. Bush's administration, he chaired the President's Council on Physical Fitness and Sports. Then, as age worked against his ability to continue in action films, Schwarzenegger considered running in 2002 against Gray Davis, the incumbent governor of Schwarzenegger's adopted state of California. Schwarzenegger changed his mind, however, after an article in the March, 2001, issue of *Premiere* magazine reported that Schwarzenegger sexually harassed women and after the *National Enquirer* published an exposé of a sexual relationship it claimed he had with a former actress.

Nevertheless, Schwarzenegger played such a big role in the 2002 election in campaigning successfully to provide state money for after-school programs that when, in the summer of 2003, the recently re-elected Davis found himself subject to a recall vote scheduled for October 7 of that year, Schwarzenegger had become a prominent figure in California politics. Having received his wife's consent to run for governor, he announced his candidacy on *The Tonight Show with Jay Leno* on August 6.

Schwarzenegger knew that his fame as an actor would help him in the campaign but that his reputation as a womanizer would hurt, as would his inexperience with the intricacies of California government and the attitude of many voters that a celebrity candidate should not be taken seriously. He tried to keep from verbally stumbling by avoiding questions from the press, which he considered hostile.

Meanwhile, with the announcement of Schwarzenegger's candidacy, John Carroll, editor of the *Los Angeles Times*, began his newspaper's investigation of Schwarzenegger's alleged misdeeds with women, assigning reporters to determine whether the rumors were true. Carroll said that he believed the newspaper had a responsibility to report accurately the character of a candidate for the state's highest office and that it was better to publish the truth before voters cast their ballots rather than afterward. The newspaper, however, had opposed the recall in a staff editorial, and Carroll knew that supporters of Schwarzenegger would claim reportorial bias if the *Los Angeles Times* published articles accusing Schwarzenegger of inappropriate conduct against women.

After much effort to discover and substantiate accusations from various women, the *Los Angeles Times* published the first article of its series on what came to be called Gropegate. That article, "Women Say Schwarzenegger Groped, Humiliated Them," ran on Thursday, October 2, only five days before the election. It referred to incidents alleged to have occurred when Schwarzenegger was single and also when he was married. Several of the women who spoke to reporters did so only after the newspaper agreed to conceal their names; in each of those cases, the reporters received the assurance of a family member or a friend that the alleged victim had revealed the incident long before the campaign for governor began.

One woman claimed that Schwarzenegger stuck his arm under her skirt and grabbed her buttocks without her consent. Other women claimed he made unwelcome, crude sexual suggestions to them. Among the women who claimed that Schwarzenegger had grabbed their breasts were two who allowed their names to be used: E. Laine Stockton, recount-

ing a 1975 incident in California, and Anna Richardson, recounting, as she had for *Premiere*, an incident she said occurred in England in 2000. Another woman at the scene in England remembered the incident differently, saying that Richardson, and not Schwarzenegger, was the person who was being sexually forward. The article also quoted a spokesperson for Schwarzenegger, who denied any sexual impropriety by the candidate and accused Democrats of trying to wreck his campaign.

The *Los Angeles Times* article of October 2 was followed by more claims of sexual harassment by Schwarzenegger, and the paper continued its series through the election and in the weeks following. By the time of the election, the newspaper had presented the cases of more than one dozen women who claimed Schwarzenegger harassed or abused them.

IMPACT

Schwarzenegger denied the allegations against him. However, on the morning in which the first *Los Angeles Times* article appeared, he did acknowledge his poor behavior toward women in the social atmospheres of bodybuilding culture and Hollywood and agreed that he likely hurt the feelings of others. Eager to put his misbehavior as a bodybuilder and actor behind him, he offered a blanket apology to those he offended.

The new governor, however, also called the *Los Angeles Times* series an act of dirty politics, and many people agreed. One commentator who sided with him was a feminist and a Democrat, Susan Estrich, whose op-ed attacking the paper for its series' original allegations appeared on October 3, 2003, in the same newspaper. A professor of law, Estrich noted that none of the women mentioned as victims had filed charges, and that the alleged incidents from years past did not constitute sexual harassment.

Most conservatives questioned the motivation of the *Los Angeles Times* in publishing lewd stories about the leading Republican candidate only a few days before the election, even though critics acknowledged that Schwarzenegger deserved his boorish reputation. With the exception of Estrich,

liberals, and certainly feminists, rejoiced at what they considered the exposure of sexist villainy. As for the electorate as a whole, however, the scandal seemed irrelevant. According to Leamer, it was Shriver who reassured voters about her husband's character. The vote on October 7 went against Davis, and Californians chose Schwarzenegger as his replacement.

On November 6, eleven days before his inauguration, Schwarzenegger announced that he was hiring a private investigative firm to look into his alleged misconduct. Many observers doubted whether any firm he hired could be impartial. As matters turned out, however, no investigation took place. On December 8, Schwarzenegger announced that he had called it off, asserting that it would solve nothing and would merely provide fodder for his political foes.

In 2006, Schwarzenegger and two of his aides settled a libel suit filed against them by alleged victim Richardson, thus removing from media attention what little remained of the scandal that began in 2003. On November 7, he was reelected governor of California.

In earlier generations, most American political careers would have been ruined by accusations such as those leveled against Schwarzenegger. The situation was reminiscent of the scandal involving Bill Clinton and former White House intern Monica Lewinsky when Clinton had been president during the late 1990's. Schwarzenegger's recovery from the allegations made against him confirmed that public attitudes of voters toward the sexual behavior of political leaders were changing, and sexual misconduct was no longer necessarily a disqualification to holding public office.

—Victor Lindsey

FURTHER READING

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Schwarzenegger. New York: St. Martin's Press, 2005. A well-researched, balanced account of Schwarzenegger's youth and his careers as a bodybuilder, actor, and politician—with much discussion of his behavior with women.

Mathews, Joe. *The People's Machine: Arnold Schwarzenegger and the Rise of Blockbuster Democracy*. New York: PublicAffairs, 2006. A *Los Angeles Times* reporter's detailed story, in its historical context, of Schwarzenegger as a political aspirant, gubernatorial candidate, and governor.

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Welkos, Robert W., Gary Cohn, and Carla Hall. "Women Say Schwarzenegger Groped, Humili-

ated Them." *Los Angeles Times*, October 2, 2003. The article that broke the story of allegations against Schwarzenegger's physical and verbal mistreatment and harassment of women.

SEE ALSO: July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock; Oct. 11-13, 1991: Justice Clarence Thomas's Confirmation Hearings Create a Scandal; Jan. 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern; May 2, 2000: New York Mayor Rudy Giuliani's Extramarital Affair Is Revealed; May 9, 2000: Former Louisiana Governor Edwin Edwards Is Convicted on Corruption Charges; Oct. 13, 2004: Television Producer Files Sex Harassment Suit Against Bill O'Reilly; Dec. 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal; Mar. 12, 2008: New York Governor Eliot Spitzer Resigns in Prostitution Scandal.

Early November, 2003

PARIS HILTON SEX-TAPE APPEARS ON THE WEB

Paris Hilton, an heir to the Hilton Hotels fortune and actor and businessperson in her own right, became a celebrity for her famous name, beauty, and relentless partying in trendy clubs. Rick Salomon, the son of a film studio vice president, was most famous for a brief, tempestuous marriage to actor Shannon Doherty. When clips from an amateur sex tape of Salomon and Hilton appeared on the Web, it generated the first in a long line of scandals for Hilton.

LOCALE: Hollywood, California

CATEGORIES: Sex; communications and media; film; popular culture; Hollywood

KEY FIGURES

Paris Hilton (b. 1981), businesswoman, actor, and former model

Rick Salomon (b. 1968), son of a film executive

SUMMARY OF EVENT

Paris Hilton began her career as a successful model for reputable agencies in New York, Los Angeles, and London, but the very features that led to this success—her famous name and good looks—inevitably made her a favorite of paparazzi and society columnists. Soon the pop-culture cliché “famous for being famous” began to recur in media references to her, as photos and film clips of her smiling coyly at nightclubs and parties became a staple of the tabloids and celebrity television shows from the late 1990's onward.

In early November, 2003, Hilton's image was redefined when clips from a crudely filmed sex tape featuring Hilton and love interest Rick Salomon appeared on a Web site owned by the adult-film company Marvad Corp., which is based in Seattle, Washington. No longer would Hilton be merely annoyingly ubiquitous; for the rest of the decade, she

would be infamous, with the sex-tape controversy only the first of numerous scandals that helped to define the new Hilton.

A mutual friend of the former couple, Donald Thrasher, who had once been Salomon's roommate, was thought to have stolen the video from Salomon before selling it to Marvad without either Hilton's or Salomon's knowledge. The tape, filmed in Salomon's Hollywood Hills home in 2001, begins with Hilton demurely primping in a bathroom mirror and beseeching Salomon not to use profanity while he entreats her to reveal herself and have sex with him. Key scenes include Hilton performing oral sex on Salomon and, near the tape's conclusion, close-ups of Hilton's breasts taken by Hilton herself with a camcorder. News of the tape generated headlines and numerous jokes by television comedians.

Hilton was distraught over her public humiliation. One news story showed her upbraiding a clerk at a newsstand for prominently displaying periodicals featuring the scandal and expressing concern about the effect the publicity would have on her young fans. Cynics, though, pointed out that the tape had been made public scarcely a week before the debut of *The Simple Life*, a reality-television show in which Hilton and best friend Nicole Richie, daughter of R&B singer Lionel Richie, traded their indulgent West coast lifestyles for work on a farm in rural Arkansas. The series became a huge hit for Fox Television and ran for several seasons. Salomon also benefitted from the publicity stirred up by the video. He arranged for adult-film company Red Light District to market copies of the video in DVD format on the Web. Dubbed *1 Night in Paris*, the tape became a best seller and won a top award from the adult-film industry.

Despite the intense media blitz surrounding *1 Night in Paris*, it is likely that the scandal would have been short-lived; neither Hilton nor Salomon had the sort of sober, conservative reputation that would render their filming of private sex acts surprising or shocking—and by the early twenty-first century, it was not uncommon for American couples to tape themselves having sex. However, just as the initial publicity began to abate, the tape pro-

voked a heated public fight between Salomon and Hilton's parents, Kathy and Richard, who had made a number of angry public statements insinuating that Salomon was exploiting their daughter for his own fame and fortune. These comments prompted Salomon to file a \$10 million lawsuit accusing the Hiltons and their daughter's personal assistant of defaming him. Paris Hilton countersued, seeking a share of the profits her former boyfriend was making from video sales.

The legal wrangling kept the controversy alive well into 2004. The pertinent legal matters were settled when Hilton was awarded a cash settlement of \$400,000 and a share of the future earnings from sales of the DVD. As soon as these lawsuits were settled, Hilton garnered fresh attention after rumors began to circulate about the existence of a second tape, one alleged to feature Hilton and another model experimenting with sex toys.

Salomon continued to sell and promote *1 Night in Paris*, but just as his relationships with Hilton and actor and former girlfriend Shannon Doherty had been his original source of fame, it was his next relationship that kept him in the public eye. In 2007, he embarked on a tumultuous off-and-on-again affair with television actor Pamela Anderson. After much publicity on talk shows and in gossip columns, Anderson and Salomon married in Las Vegas in October of that year. Anderson left Salomon, however, after less than three months of married life, and their union was annulled in March of 2008.

For Hilton, the tape scandal was only the beginning of years of public humiliation and embarrassment. Although she continued to work as a celebrity "spokesmodel" for numerous companies and launched her own successful lines of clothing, jewelry, perfume, and handbags, a series of further misadventures maintained her public image as an indulgent, irresponsible scofflaw. Her license to drive was suspended after a drunk-driving conviction in 2006, and she was sentenced to forty-five days in jail after police stopped her in early 2007 for driving without a proper license and speeding. Television cameras recorded every minute of the resulting debacle: Hilton reporting for her jail term, leaving jail

after only a few days for medical reasons, and returning to jail after being ordered there by an angry judge upset about not having been consulted about her early release. The media also captured her crying and screaming in court, returning to jail, leaving jail, claiming to have found religion during incarceration, and claiming interest in helping starving people in the developing world.

Hilton's later attempt to launch a singing career fizzled when her debut album *Paris* was released in 2006 to poor reviews and sales. Her acting career consisted of cameos in major films and larger roles in B movies and straight-to-video releases. Her only sizeable role in a major film remained that of the character Paige in the 2005 remake of the horror classic *House of Wax*.

IMPACT

The Hilton-Salomon sex-tape scandal illustrates how celebrities are still defined—scornfully—by a pop-culture audience thought to be open-minded and nonjudgmental. Whatever one thinks about Hilton's and Salomon's lifestyles and choices, they both—especially Hilton—have demonstrated remarkable savvy as business people. Nevertheless, the public images of both Hilton and Salomon continued to be those shaped by this scandal: Hilton as a pampered beauty and “dumb blond” sex object and Salomon as a Lothario and pornographer.

Furthermore, the sex-tape scandal revealed the power of the media, especially the speed and power of the Web. Film celebrities have been subjected to the rumor mill at least since the invention of motion pictures, but these early stories were circulated only by word of mouth, by print, and occasionally by radio and television. However, the Hilton-Salomon scandal was immediate. Because of the Web, millions were able to view clips of the sex-tape on demand. Soon thereafter, anyone could buy the video on the Web as well.

—Thomas Du Bose

FURTHER READING

Angelo, Marty. *One Life Matters*. Cottesloe, Wash.: Impact, 2006. Inspirational book by the prison minister who counseled Hilton during her brief time in jail. Speculates on what Hilton might have been thinking as she waited for her release.

Fahy, Thomas. “One Night in Paris (Hilton): Wealth, Celebrity, and the Politics of Humiliation.” In *Pop-porn: Pornography in American Culture*, edited by Ann C. Hall and Mardia J. Bishop. Westport, Conn.: Praeger, 2007. Fahy explores the intersection of celebrity status and wealth and how it plays out in a culture of soft porn. The book itself starts with the premise that “Americans are addicted to porn, but are forced to disguise it as fashion, hygiene, class commentary, or other forms of entertainment.” Hilton's life is defined, in part, by these disguises.

Hilton, Paris, with Merle Ginsberg. *Confessions of an Heiress: A Tongue-in-Chic Peek Behind the Pose*. New York: Fireside, 2004. A combination autobiography and self-help book offering much insight into Hilton's perception of herself. Made *The New York Times* best-seller list.

Newkey-Burden, Chas. *Paris Hilton: Life on the Edge—The Biography*. London: John Blake, 2007. A biographical portrait of the infamous former model and tabloid celebrity. Explores the 2003 sex-tape scandal and her time in jail in 2007.

SEE ALSO: July 18, 1988: Actor Rob Lowe Videotapes Sexual Tryst with a Minor; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; Sept. 22, 1997: Sportscaster Marv Albert Is Tried for Sexual Assault; Apr. 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct; May 21, 2003: Sexually Provocative Film *The Brown Bunny* Premieres at Cannes Film Festival; July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks; June 13, 2008: Singer R. Kelly Is Acquitted on Child Pornography Charges.

December 17, 2003

SENATOR STROM THURMOND'S BIRACIAL DAUGHTER IS REVEALED

U.S. senator Strom Thurmond, a long-time proponent of racial segregation, had a daughter named Essie Mae Washington-Williams with an African American woman in 1925, a revelation made public on the CBS television news show 60 Minutes in late 2003. Correspondent Dan Rather interviewed Washington-Williams, closing the book on decades-long rumors that Thurmond had a biracial child out of wedlock.

LOCALE: New York, New York

CATEGORIES: Radio and television; social issues and reform; families and children; racism

KEY FIGURES

Essie Mae Washington-Williams (b. 1925), retired school teacher and daughter of Strom Thurmond
Strom Thurmond (1902-2003), U.S. senator from South Carolina, 1948-2003

Carrie Butler (1909-1947), Washington-Williams's mother

Dan Rather (b. 1931), *CBS Evening News* anchor and *60 Minutes* correspondent

SUMMARY OF EVENT

After seventy-eight years of silence, a biracial former school teacher named Essie Mae Washington-Williams announced in a television interview with *CBS News* correspondent Dan Rather that she was the daughter of conservative Republican segregationist Strom Thurmond, a longtime U.S. senator from South Carolina. Her mother was Carrie Butler, an African American woman. Thurmond's reputation as a segregationist made the news both startling and fascinating, although rumors about his paternity of a biracial daughter had existed for decades.

Washington-Williams agreed to be interviewed by Rather because she wished to put the decades of speculation to rest and to clarify for her own children their family legacy. According to Washington-Williams, her mother was a sixteen-year-old maid

in the Thurmond household during the 1920's. The future Senator Thurmond was twenty-two years old and soon to be a lawyer. She was conceived in Edgefield, South Carolina, where the Thurmonds lived and where her mother worked. She also revealed that she was born in 1925 in Aiken, South Carolina. At age six months, she was taken to Pennsylvania to be raised by an aunt, Mary Washington, and her husband.

Washington-Williams knew that she had "a dad somewhere," although she did not know his identity. Her mother was the only person who knew the real story about her father. In 1941, when Washington-Williams was sixteen years old, her mother, by then living in Pennsylvania, arranged for her to finally meet her father, who by this time was an attorney about to go into the armed forces. Washington-Williams, who said her mother never told her that her father was white, described her meeting with Thurmond in his law office as "very nice" and that he seemed "glad" to meet her. They talked about a variety of subjects, including what she hoped to do with her life.

After their initial meeting, Thurmond and Washington-Williams stayed in contact. His political career blossomed. He was governor of South Carolina while she was a student at South Carolina State College (later University), an all-black college in Orangeburg that Thurmond recommended she attend. As governor, he regularly visited colleges around the state. In 1947, he visited South Carolina State and met with his daughter but kept secret that she was his child. According to Washington-Williams, it was common knowledge among the black people in Edgefield that she was Thurmond's child. Inasmuch as the climate of the American South before the 1950's accepted that white men and black women had relationships—some consensual, some not—there was no outcry, no backlash, no repercussions for either Thurmond or Washington-Williams.

Thurmond contributed to his daughter's financial needs while she was in college and until she married. He did not automatically send or give her money personally, but funds were always available for tuition and room and board. Many have speculated that Thurmond's financial support amounted to nothing but "hush money," a means to keep her silent about being his daughter and thus to shield the up-and-coming conservative politician from scandal. Washington-Williams insisted she saw no advantage in revealing her relationship to Thurmond, and that she did not want to hurt his political career. She said that in spite of his bigoted, segregationist policies, she believed he had done many good things for her and for all black people in South Carolina. She said that *Ebony* magazine once sent a reporter for a story about her when she was attending South Carolina State. She refused to be interviewed for what she called a family friendship.

As a strict segregationist, Thurmond fought against racial and social progress, including school desegregation. In what was the longest filibuster in Senate history—24 hours and 18 minutes—he worked to defeat civil rights legislation. He tried to derail the nomination of Thurgood Marshall to be the first African American justice of the United States. To thwart President Harry S. Truman's plan to integrate the armed forces, he ran for president in 1948 as a Dixiecrat. His own hometown newspaper (in Edgefield) ran a front-page story in 1972 that called him "unprincipled" for naming himself a "devout segregationist" while fathering "colored offspring."

Washington-Williams insists that her father did many good things: He served meritoriously in World War II, his election to the Senate in 1954 was by an unheard-of write-in vote, he recommended a black man for a federal judgeship, and he was the first senator to hire a black administrative aide. Washington-Williams said that despite the controversial views about him, he was "very good" to her and was "a great friend."

As for Thurmond, he neither confirmed nor denied that he had a child with a black woman. He usually brushed the questions aside. When he visited Washington-Williams while she was in college, the

Strom Thurmond's Biracial Daughter Revealed

two would meet in the college president's office. Some witnesses claimed to have seen them sitting together outside in the center court of the college.

After college, Washington-Williams kept in contact with her father, by this time a U.S. senator, mostly through annual trips either to his Columbia, South Carolina, home or to his Senate office in Washington, D.C. At those times, he would give her money to help her financially, always warning her to be careful. His Senate office secretary arranged their appointments and must have known that there was some familial relationship between the two, although she never discussed that knowledge.

After his daughter married, Thurmond discontinued his financial support, except in cases of



Essie Mae Washington-Williams. (Hulton Archive/Getty Images)

emergency. She taught in the Los Angeles Unified School District for thirty years, beginning in the late 1960's. In 1964, when Washington-Williams's husband died at the age of forty-five, Thurmond once again began helping her and her four children. He met the first of his grandchildren when the baby was only six months old. Washington-Williams, who was then living in Pennsylvania, had taken the baby to Washington, D.C., for a visit with Thurmond. Thurmond did not see the other three children, however, until they were in their teens.

Washington-Williams said she believed that Thurmond "cared something" about her, which made her feel better about their unorthodox relationship. Though never publicly acknowledging her as his daughter, he said at their first meeting, "Well, you look like one of my sisters" and added that she had cheekbones like those of "our family."

By the time Thurmond died, he had slowed down considerably; he was one hundred years old. Washington-Williams, living in Los Angeles since the 1960's, had stopped making annual trips to Washington, D.C., because of her own health issues. Even as his health deteriorated and death seemed imminent, Thurmond kept his biracial daughter a secret. Upon his death in June, 2003, Washington-Williams decided to tell her story, first in an interview with *Rather* that was broadcast on *60 Minutes* on December 17, 2003. She also wrote *Dear Senator: A Memoir by the Daughter of Strom Thurmond* (2005), a book for her children, so that they would know the truth about their grandfather.

IMPACT

At the time of Washington-Williams's birth and for decades after, the races were segregated in the American South. The Confederate way of life was still very much a reality. Consequently, the revelation that Thurmond, one of the most outspoken defenders of that way of life, had fathered a child with

a black woman was scandalous, even as late as 2003, the year of his death. Thurmond built his political career on deception and secrecy. As the public learned of his hypocrisy, reactions ranged from no surprise to criticism of Washington-Williams for having kept quiet for so long, allowing a racist bigot to have a powerful political career while supporting his biracial daughter.

—Jane L. Ball

FURTHER READING

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_____. *Strom: The Complicated Personal and Political Life of Strom Thurmond*. New York: PublicAffairs, 2005. Discusses his affair with Carrie Butler and his secret relationship with his biracial daughter. Explores the contradictions of his life as a segregationist.

Washington-Williams, Essie Mae, with William Stadiem. *Dear Senator: A Memoir by the Daughter of Strom Thurmond*. New York: Regan Books, 2005. Describes Washington-Williams's relationship with a generous, even affectionate father who was also a staunch segregationist. Details his support and encouragement even as he kept the relationship secret.

SEE ALSO: May 16, 1934: General Douglas MacArthur Sues Newspaper Columnist for Libel; Jan. 25, 1984: Jesse Jackson Calls New York City "Hymietown"; May, 1999: Civil Rights Leader Jesse Jackson Fathers a Child Out of Wedlock; Dec. 5, 2002: Senator Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign.

December 18, 2003

POP STAR MICHAEL JACKSON IS CHARGED WITH CHILD MOLESTATION

In 2003, pop-music star Michael Jackson was charged with child molestation and administering an intoxicating agent to commit that felony. Jackson was later acquitted, but his career was negatively affected.

LOCALE: Santa Maria, California

CATEGORIES: Law and the courts; families and children; communications and media; music and performing arts

KEY FIGURES

Michael Jackson (b. 1958), American musician and entertainer

Gavin Arvizo (b. 1989), boy who accused Jackson of molestation

SUMMARY OF EVENT

On December 18, 2003, global pop-music star Michael Jackson was charged with seven counts of child molestation and two counts of administering an intoxicating agent to commit that felony. The crime allegedly took place in February and March, 2003, against a thirteen-year old boy, Gavin Arvizo.

In 2000, Arvizo had been diagnosed with cancer and had his spleen and a kidney removed. Jackson paid for Arvizo's medical expenses and made accommodations for Arvizo to be transported to and from chemotherapy sessions. The boy later began to visit Jackson at his home in Santa Maria, California, and he and Jackson had many telephone conversations.

The police investigation into accusations of alleged child molestation by Jackson began after a television documentary featured an interview with the singer. The documentary *Living with Michael Jackson*, with British journalist Martin Bashir, aired in the United States on February 6, 2003. The film, which included Arvizo, showed the boy holding Jackson's hand and resting his head on Jack-

son's shoulders. Arvizo told the journalist that he and Jackson often slept in the same room but not in the same bed. Jackson said in the interview that many children, including some actors, have slept in his bed, but he adamantly maintained that nothing inappropriate occurred.

Jackson is one of the most prolific entertainers in modern history. His 1992 album *Thriller* sold more than 65 million copies and put Jackson in the *Guinness Book of World Records* for producing the world's best-selling album. Although he has had monumental success in the music and entertainment industries, he has also been one of the most ridiculed entertainers, facing accusations of odd behavior and, most critically, sexual inappropriateness with boys. Some speculate that Jackson fueled the public's perception of him as a bizarre eccentric who is obsessed with recapturing his childhood after he purchased a mansion and large property in Central California and built an amusement park there. The nearly 3,000-acre property is called Neverland Ranch.

Jackson has often stated that he prefers the company of children, adding that children are more honest than adults. Jackson befriended many children and invited many of them to his home to enjoy the amusement-park rides. Some children also slept at his home as part of their visits. Jackson has always denied any sexual contact with any of children. At the time Jackson was charged with child molestation in 2003, many individuals thought he would finally be found guilty and imprisoned. However, this would not happen.

Responding to public concerns after the airing of the documentary, the Santa Barbara County district attorney stated that, under California law, even if Arvizo had slept in the bed with Jackson, such an act would not have been deemed criminal without "affirmative and offensive conduct." On February 19, in response to the Bashir documentary, Jackson produced his own documentary to disprove accusa-



Michael Jackson arriving at the courthouse in Santa Maria, California, in early 2005. (AP/Wide World Photos)

tions of child molestation against him. In the video, Arvizo and his mother, Janet Arvizo, insisted that he had not been molested by Jackson, and Arvizo's mother claimed that Jackson was like a father to her son. She also stated that she was thinking about taking legal action against Bashir.

After the rebuttal documentary, Arvizo's mother contacted Larry Feldman, the attorney who in 1993 represented Jordan Chandler, another child who had accused Jackson of child molestation. Feldman sent Arvizo and his family to psychologist Stanley J. Katz, the same psychologist who assisted Chandler's family in determining if their son was molested by Jackson. Arvizo's brother told Katz that he witnessed Jackson touching his brother, and Katz, in return, reported what he heard to authori-

ties, citing that this was protocol for someone of his profession. He stated that he is mandated to report child abuse, although he later testified in court that he did not think Jackson was a pedophile but a regressed ten year old.

In June, 2003, the Santa Barbara County Sheriff's Department started an investigation into the allegations of child abuse. The media began to descend on Santa Maria, a town of about 90,000 residents in Central California, 170 miles north of Los Angeles. In July, the sheriff's department first interviewed Arvizo and his family. On November 18, more than seventy investigators from the district attorney's office and the sheriff's department went to Jackson's home with a search warrant. Along with the warrant to search the property, they also had a warrant for Jackson's arrest. Again, the media were there, recording the entire police action on film. On November 20, Jackson surrendered to authorities.

The felony complaint stated that Jackson had committed a lewd act with Arvizo and, on two occasions, administered an intoxicating agent with the intent to enable Arvizo in the commission of the lewd acts. Jackson was arraigned January 16, 2004, in Santa Maria and pleaded not guilty.

Jackson was indicted on all seven charges following grand jury proceedings in March. Jury selection for the trial began almost one year later, on January 31, 2005. Media from around the globe camped out at the courthouse for the entire trial. Fans and critics of Jackson camped out as well, especially as the trial neared completion. The proceedings included ninety-one prosecution witnesses and fifty defense witnesses, including comedian and late-night talk-show host Jay Leno. The judge in the case allowed Leno to joke about Jackson and the case out of court, but only if the jokes were unrelated to the incident about which Leno would act as a witness during the trial.

Arvizo's claims and those of his family members were contradictory when compared during the trial. Arvizo also stated during testimony that he lied to a school administrator that Jackson had not molested him. He stated that he feared being teased at school and that he was already being teased after the airing of the Bashir documentary.

At the trial, prosecutors introduced several pornographic books and magazines (some of which were taken from Jackson during the 1993 child molestation allegations) that had been seized at Jackson's home. The prosecution argued the periodicals and books amounted to child erotica and thus proved his sexual attraction to boys. The defense, however, argued that the books were legal to possess and that a substantial number of the books and magazines had been taken from Jackson's home long before 2003. While the books featured nudity, none reportedly displayed sexual acts.

Many of the witnesses who were called to testify at trial had problems with credibility. Arvizo's mother had been accused by several celebrities of attempting to extort money from them. One prosecution witness who stated that he had seen Jackson molest children had been accused of robbing several restaurants, a toy store, and an electronics store. Another witness, who was a former maid at Jackson's home, had been convicted of stealing a sketch of Elvis Presley made by Jackson.

IMPACT

On June 13, the jury found Jackson not guilty on all charges. Fans cheered and cried outside the courthouse as the verdicts were read. After trial, the conduct of jurors during deliberations became an issue. One juror admitted to bringing in a medical textbook and stating that Jackson fit the profile of a pedophile. The juror also claimed that she winked at Jackson's mother, Katherine Jackson, even though jurors are instructed to avoid such communication. Several jurors apparently admitted they were fans of Jackson and that they would never convict him.

Even when plagued by rumor and scandal, as Jackson has been for much of his career, the pop singer has managed to translate adversity into greater fame. Some would argue that the continuous media reports on Jackson and his erratic behavior have made him more infamous. While many argue that his work as a musical artist has been uneven, his contribution to modern music and entertainment has been enormous. The sex-abuse scandals have tarnished his reputation only to the point of making him fodder for ridicule. The scandals, however,

Michael Jackson Charged with Child Molestation

have not diminished his overall status as one of the greatest entertainers of modern times.

—Ashley M. Miller and Jeffery T. Walker

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March 4, 2004

FORMER UNITED WAY CHARITY CHIEF PLEADS GUILTY TO EMBEZZLEMENT

Oral Suer, the former chief executive officer and head of United Way in Washington, D.C., pleaded guilty to having embezzled from the organization for nearly three decades. For many years, Suer stole from the charity, taking about half a million dollars. He was sentenced to federal prison and ordered by a judge to make full restitution to United Way. The scandal led the charity to make policy changes and institute a new code of ethics.

LOCALE: Washington, D.C.

CATEGORIES: Corruption; law and the courts

KEY FIGURES

Oral Suer (b. 1935), former chief executive officer of United Way, Washington, D.C., 1974-2001

Norman Taylor (fl. early twenty-first century), Suer's successor as chief executive officer of United Way

Rodney E. Slater (b. 1955), independent head of United Way's ethics and policy task force

SUMMARY OF EVENT

United Way of the National Capital Area (UWNCA), located in Washington, D.C., was created in 1974. The D.C. agency was conceived when the United Givers Fund, the United Black Fund, and the Health and Welfare Council were merged, creating the twenty-third-largest United Way office in the United States. In roughly five years, UWNCA became the first United Way branch to include national nonprofits in its annual fund-raising campaign. Some of the most noteworthy nonprofits that participated include the American Cancer Society and the American Heart Association. By the early 1990's, UWNCA was managing one of the largest United Way campaigns in the United States.

The chief executive officer (CEO) and co-founder of the UWNCA was Oral Suer. Suer took

over as the CEO of the Washington, D.C., office in 1974 and continued in that role until his retirement in 2001. During his twenty-seven year tenure as CEO, Suer helped raise more than \$1 billion for local charities in the greater Washington, D.C., area. By the early 1990's, Suer helped to establish UWNCA as the second largest local United Way office in the country. At its peak, the D.C. branch was raising tens of millions of dollars annually from both private sector and federal workers.

Despite nearly three decades of leadership, Suer did not always act in the best interest of the agency and the thousands of people it served. Members of UWNCA's board, along with previous auditors, had learned early on that Suer had taken monies from the agency and that he failed to repay those funds. However, these board members chose not to fully reveal their information on Suer's possible illegal activities, which dated back to 1986. A later audit revealed that at least one United Way director was actually alerted that Suer had not reimbursed the charity an amount over half a million dollars for various items, including sick-leave and vacation cash payments and advances on his base salary. Federal investigators, along with an independent audit of the company, later revealed that Suer's illegal activities might have dated back to 1976, just two years after his start as CEO of the organization.

A federal grand jury began to investigate UWNCA's financial operations in August, 2002, not long after a series of *Washington Post* articles revealed evidence of illegalities by the recently retired Suer and his successor, Norman Taylor. The news articles claimed that Suer took an early pension payout in which he collected thousands of dollars more than he was entitled to. Additionally, the articles also claimed that Suer charged personal expenses on United Way credit cards, expenses that included vacations and trips to see his children in college. The newspaper also found that during his

tenure as CEO, UWNCA purposely withheld from local D.C. charities more than \$1 million it had collected for them. UWNCA top officials and board members initially denied the allegations of Suer misconduct and then fired numerous employees and board members who had demanded an internal investigation.

By the end of 2002, UWNCA administrators forced the resignation of CEO Taylor, replaced its governing board of directors, brought in a new CEO, Charles Anderson, and commissioned an outside forensic audit of both Suer and Taylor. The financial investigation was carried out by the accounting firm PricewaterhouseCoopers. Although UWNCA leadership had refused to commission such an audit, the organization's board at the time overruled that decision. In addition, the new board, which was selected in January, 2003, actually expanded the scope and nature of the forensic audit to include a comprehensive look at Suer's entire career with UWNCA.

The investigation determined that Suer had received an estimated \$2.4 million from UWNCA in excess of his salary and that he repaid the agency \$961,000. More specifically, the audit revealed that Suer had reimbursed himself about \$20,000 more than he had actually pledged at various United Way annual fund-raisers. The report also indicated that under the authority of Taylor, Suer took some \$230,000 in additional retirement benefits that were not authorized by the pension regulations of the organization.

Suer received close to \$694,000 for twenty-seven years' worth of unused sick leave and vacation time, even though evidence shows that he frequently took vacations. It also was discovered that he stole more than \$400,000 in cash advances and \$180,000 in extra deferred compensation, none of which he was authorized to receive. From 1997 through 2001, estimates show that he charged more than \$80,000 in purchases without providing receipts. In fact, it was found that many of those charges were indeed personal in nature, including charges for lavish meals and weekend getaways. For example, in 1991, Suer claimed more than \$500 in expenses for a United Way conference in Tampa,

Florida; coincidentally—or not—the Super Bowl was in town that same weekend. The audit later discovered that no United Way conference had been held in Tampa for that particular weekend. The investigation concluded that Suer, along with some of his top managers, had absconded with more than \$1 million during his period in office.

The results of the forensic audit were passed along to the federal investigators, who had already commenced their own inquiry into Suer's alleged illicit activities. Finally, on March 4, 2004, Suer pleaded guilty to transporting stolen money across state lines, making false statements, and concealing facts relating to an employee retirement plan. Based on his plea, he admitted to stealing close to \$500,000 from the charity. In particular, he confessed to charging the organization for personal expenses and vacations, paying himself close to \$333,000 for annual leave he had already used, and stealing nearly \$94,000 from the charity's pension plan. On May 19, he was given the maximum sentence of twenty-seven months in federal prison and was ordered to pay \$497,000 in restitution to United Way.

Suer was not the first executive officer from United Way to be indicted by a federal grand jury. In 1995, former United Way chief executive and president of twenty-two years, William Aramony, was convicted for twenty-five counts of embezzlement and imprisoned. Aramony had taken an estimated \$500,000 during his tenure as CEO of the national agency. In total, some thirty United Way top executives over the last twenty years have been involved and subsequently punished for their illegal activities.

IMPACT

Suer's illegal activities had a grave impact on United Way donations. After his corruption became known to the general public in January, 2001, major longtime donors refused to give to the agency. By 2003, annual contributions declined by two-thirds, from \$95 million to \$34 million. A local workplace fund-raising drive among both private and government employers of the greater D.C. area in 2002 collected contributions totaling only \$19 million, a

small sum compared to the more than \$90 million raised in 2001. Additionally, UWNCA was forced to lay off more than half of its staff. The D.C. office, which formerly employed about ninety people, was reduced to a staff of thirty-five. Furthermore, several regional offices were forced to close, causing a further reduction in charitable offerings.

By the summer of 2002, United Way's national headquarters accepted that its governance structure was partly responsible for the decaying reputation of the organization. In response, United Way appointed Rodney E. Slater, former U.S. secretary of transportation, to lead a task force focused on ethics and policy restructuring of the agency. The task force was asked to create both a new code of ethics along with a set of business and financial procedures that emphasized the essential mission of United Way. By September, 2005, the task force produced its final report, recommending a reduction of board and staff members, stronger financial controls, and the creation of an ethics committee to deal with agency misconduct, all of which were eventually instituted.

—Paul M. Klenowski

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March 5, 2004**MARTHA STEWART IS CONVICTED IN INSIDER-TRADING SCANDAL**

In a stunning, but temporary, fall from grace, home-design guru Martha Stewart was convicted of multiple federal felonies for selling stocks immediately before those stocks were expected to decrease in value. Stewart was convicted not of insider trading but rather of lying to government agents about a trade that was not illegal.

LOCALE: New York, New York**CATEGORIES:** Business; corruption; drugs; law and the courts**KEY FIGURES**

Martha Stewart (b. 1941), corporate executive, editor, writer, and television-show host

Peter Bacanovic (b. 1962), financial consultant

Samuel D. Waksal (b. 1947), founder and former chief executive officer of ImClone Systems

Douglas Faneuil (b. 1975), Bacanovic's assistant

Miriam Goldman Cedarbaum (b. 1929), U.S.

district judge who presided over Stewart's trial

SUMMARY OF EVENT

On March 5, 2004, after deliberating for three days, a jury of four men and eight women convicted Martha Stewart, chief executive officer of Martha Stewart Omnimedia, of making false statements to the federal government, obstruction of justice, and conspiracy to make false statements and obstruct justice. Prosecutors argued that Stewart hindered a government investigation of suspected insider trading in a biotechnology firm called ImClone Systems, which was founded and being run by Samuel Waksal.

ImClone's business prospects depended almost entirely on its cancer treatment drug, Erbitux. On December 26, 2001, Waksal learned that the U.S. Food and Drug Administration was not going to approve Erbitux. Waksal tried to sell all of his personal shares of ImClone stock, even attempting to have his stake transferred to a family member to be

sold. Stewart, who also had shares in ImClone, sold her entire stake on that same day. The jury found that she lied to government agents about her reasons for selling her shares.

As it turned out, Waksal and Stewart shared the same financial consultant at Merrill Lynch: Peter Bacanovic. Bacanovic was on vacation at the time, but his assistant, Douglas Faneuil, called him on December 27 to inform him of Waksal's attempted sale. According to telephone records, Bacanovic immediately called Stewart's office and left a message at 10:04 A.M., which was recorded in the company's computer system by Stewart's personal assistant, Ann Armstrong, as "Peter Bacanovic thinks ImClone is going to start trading downward." Later that day, Stewart called Bacanovic's office and reached Faneuil, who informed her—as directed by Bacanovic—that Waksal had tried to sell his entire stake of ImClone. Stewart ordered Faneuil to sell all 3,928 of her shares of ImClone, which he did the same day. ImClone stock collapsed in response to the company's announcement on December 28 of the FDA decision not to approve Erbitux. Had Stewart waited until after December 28 to sell her stock, she would have lost close to fifty thousand dollars.

By early 2002, the House Energy and Commerce Committee, the U.S. Securities and Exchange Commission (SEC), the Federal Bureau of Investigation (FBI), and the U.S. Attorney's Office had all commenced investigations into Waksal's attempted stock sale and, in the process, noticed the timing of Stewart's sale as well. SEC lawyers interviewed Bacanovic on January 7, 2002, at which point Bacanovic explained that in mid-December, 2001, he and Stewart had agreed that they would sell her ImClone stock if were to drop below sixty dollars per share.

A few weeks later, SEC lawyers, FBI agents, and federal prosecutors asked to meet Stewart. However, before that meeting took place, Stewart sat at

her assistant's desk, found the record of the December 27 phone message from Bacanovic, and—in her assistant's presence—altered the message to read, “Peter Bacanovic re: ImClone.” Stewart quickly asked her assistant to restore the message to its original state. On February 4, 2002, Stewart, accompanied by legal counsel, met with government lawyers and agents. At this meeting, Stewart said that she and Bacanovic had agreed sometime before early December to sell her ImClone stock if it dropped below sixty dollars per share. She also described her December 27 phone conversation as between herself and Bacanovic, not Faneuil.

Bacanovic testified formally before the SEC on February 13 and essentially repeated his statements from his January interview. SEC lawyers, FBI agents, and federal prosecutors also interviewed Stewart again, by telephone, on April 10; she repeated that she and Bacanovic had agreed on when to sell her ImClone stock, and she said that she did not remember hearing on December 27 that Waksal was trying to dump his ImClone stock.

On June 4, 2003, federal prosecutors indicted Stewart and Bacanovic on nine separate counts. In addition, the SEC charged Stewart with securities fraud. The securities fraud charge was unusual because it was based not on Stewart's sale of ImClone stock but rather on her public statements of innocence. According to the SEC, Stewart made these

statements with the intention of deceiving purchasers of her company's stock.

The criminal trial began on January 20, 2004, and lasted for six and a half weeks. Stewart was represented by Robert Morvillo, an experienced criminal defense attorney. The lead prosecutor was Assistant U.S. Attorney Karen Patton Seymour, then head of the criminal division. The key witnesses against Stewart and Bacanovic were Faneuil, Armstrong, and Mariana Pasternak, a friend of Stewart. Pasternak testified that, while vacationing together in Mexico, Stewart mentioned that Waksal's stock was plunging and that she had sold her shares, observing, “Isn't it nice to have brokers who tell you those things?” The jury evidently credited the testimony of these witnesses (although it did acquit Bacanovic of a separate count alleging that he had forged a worksheet to bolster the claim that a prior agreement to sell existed).

On July 17, the trial judge, Miriam Goldman Cedarbaum, sentenced Stewart to five months in prison and five months of home detention, fined her thirty thousand dollars, and ordered nineteen months of supervised release following confinement. Although Stewart was freed on bail pending appeal, she opted to serve her prison sentence nevertheless. On October 8, she reported to Alderson Federal Prison Camp in West Virginia and served her sentence. Following the story outside the minimum-security facility for women was the media, which broadcast from outside the complex for several weeks. The U.S. Court of Appeals for the second circuit rejected her appeal. Upon her release from prison, the media followed her to her home in New York and watched her every move. Stewart embraced the publicity.

THE ORIGINAL INDICTMENT

The grand jury investigating Martha Stewart and Peter Bacanovic for various federal offenses issued its indictment against the two on June 4, 2003, in federal court in New York. The three charges were outlined in a section of the indictment called “The Conspiracy,” excerpted here.

From in or about January 2002 until in or about April 2002, in the Southern District of New York and elsewhere, Peter Bacanovic and Martha Stewart, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate and agree together and with each other to commit offenses against the United States, to wit: to obstruct justice . . . ; to make false statements . . . ; and to commit perjury . . .

IMPACT

Stewart's conviction had a mixed impact on her iconic image. Many credited her for accepting responsibility for her actions and requesting she enter prison before her appeals were processed. Her talk show *Martha Stewart Living* went off the air three days after the guilty verdict, but Stewart resurfaced on day-

time television with a new program called *The Martha Stewart Show*, which made its debut on September 12, 2005.

After Stewart completed her prison term, Mark Burnett, producer of the popular reality television shows *Survivor* and *The Apprentice*, approached her to star in a spinoff of the latter to be called *The Apprentice: Martha Stewart*. That show aired on NBC in the fall of 2005, but its ratings were considered sub-par and it was not renewed.

Because the trial judge dismissed the securities fraud charge, some critics of the prosecution argued that Stewart had been convicted of lying about something that was not itself a crime. Other critics perceived gender bias among prosecutors. Stewart, a powerful businesswoman, was convicted for what many considered a trivial matter, while the federally indicted male executives of scandal-ridden corporations such as Enron, Worldcom, and Tyco remained free. (Within a couple of years, however, state and federal prosecutors obtained convictions in virtually all high-profile cases involving the executive officers of these companies, who would receive prison sentences in excess of twenty years each, but for crimes much more serious and far-reaching than those of Stewart.)

On August 7, 2006, Stewart and Bacanovic agreed to settle insider trading civil charges brought against them by the SEC on June 4, 2003, for the December, 2001, ImClone stock sales. In its press release announcing the agreement, the SEC said,

Under the settlement, Stewart and Bacanovic agree to pay disgorgement and penalties. Stewart also agrees to a five year bar from serving as a director of a public company and a five year limitation on the scope of her service as an officer or employee of a public company. In August 2004, the



Martha Stewart leaves a federal courthouse in New York City after being sentenced on July 16, 2004, in an insider-trading scandal. (AP/Wide World Photos)

commission barred Bacanovic from associating with a broker, dealer or investment adviser.

Finally, in an ironic twist, the FDA reversed itself and approved Erbitux in February, 2004, for use as a cancer treatment drug. Had Waksal not panicked in December, 2001, and acted hastily to sell his company shares, neither he nor Stewart would be convicted felons.

—Tung Yin

FURTHER READING

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acy, obstruction of justice, and making false statements to federal authorities.

SEE ALSO: Jan., 1913: British Prime Minister's Staff Is Investigated for Insider Trading; 1932: Insull Utilities Trusts Collapse Prompts New Federal Regulation; Nov. 28, 1967: Investor Louis Wolfson Is Convicted of Selling Stock Illegally; Oct. 9, 1980: Bendix Executive Resigns Amid Rumors of an Affair; May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud; Jan. 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges; Aug. 27, 1990: Guinness Four Are Found Guilty of Share-Trading Fraud; Apr. 5, 1991: George W. Bush Is Investigated for Insider Trading; Apr. 15, 1992: Hotel Tycoon Leona Helmsley Enters Prison for Tax Evasion; Dec. 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; Sept. 18, 2006: *Newsweek* Reveals That Hewlett-Packard Spied on Its Own Board.

April 28, 2004

CBS BROADCASTS PHOTOS OF ABUSED AND TORTURED PRISONERS AT ABU GHRAIB

The CBS news program 60 Minutes II broadcast photographs of U.S. soldiers abusing and humiliating Iraqi prisoners at Abu Ghraib prison. U.S. officials characterized the abuse as the isolated acts of renegade soldiers. Later evidence showed that "enhanced interrogation techniques" had been approved at the highest levels of the U.S. government, leading many to believe that prisoner abuse was common U.S. military practice. Also, critics claim that U.S. officials knew about and tried to cover up the abuse months before the photos were made public.

LOCALE: Near Baghdad, Iraq

CATEGORIES: Communications and media; atrocities and war crimes; human rights; military; violence; government; publishing and journalism

KEY FIGURES

Ricardo Sanchez (b. 1951), U.S. Army lieutenant general and commander of coalition forces in Iraq, 2003-2004

Antonio Taguba (b. 1950), U.S. Army major general, who led the Army's investigation into prisoner abuse

Janis Karpinski (b. 1953), U.S. Army brigadier general, who was commander at Abu Ghraib, 2003-2004

James Schlesinger (b. 1929), former defense secretary and head of investigatory panel

Donald Rumsfeld (b. 1932), secretary of the U.S. Department of Defense, 2001-2006

SUMMARY OF EVENT

Abu Ghraib is an infamous prison near Baghdad, Iraq. It was first used as a torture chamber and exe-

cution site during Saddam Hussein's rule of Iraq. After Hussein's regime was toppled by the invasion of Iraq in 2003, the prison was transformed into a U.S. military detention facility. Soldiers from the U.S. Army's Military Police (MP) Corps abused Iraqi prisoners there, photographed their acts of torture and humiliation, and created an international scandal. The abuse came to light on April 28, 2004, when the CBS television news program *60 Minutes II* aired a story about the prison's cellblock 1A.

The *60 Minutes II* broadcast featured photographs of prisoners who were hooded and stacked in human pyramids; in positions of simulated sexual acts; chained into distorted positions; wearing women's underwear on their heads; leashed; hooded and forced to balance on a box while attached to "electrodes"; and cowering under near-attack by a dog. The photos often include U.S. soldiers smiling and flashing gestures of approval as they posed alongside the prisoners being abused. MPs Charles Graner and Sabrina Harmon, both at the rank of specialist, were shown in photos smiling and flashing an approving "thumbs up" gesture near the bruised face of a dead man on ice in a body bag. The man, Manadel al-Jamadi, died during interrogation by the U.S. Central Intelligence Agency (CIA) on November 4, 2003. Although a U.S. military autopsy established his death as a homicide, no one was charged with that death.

The compelling and troubling images, however, distinguished Abu Ghraib from other allegations of mistreatment of prisoners by U.S. troops and the CIA in Afghanistan and Guantanamo Bay, Cuba. The Abu Ghraib photos made more real the earlier claims of U.S. military abuse by military watchdog groups and human rights organizations. The photos began their journey to the public eye when a horrified MP stumbled upon them and notified the Army's Criminal Investigation Division of their existence on January 13, 2004.

The military had already been warned of inhu-



Abu Ghraib prison inmates gather outside their cells for traditional Friday prayers in May, 2004. U.S. military tents and guard towers dominate the prison landscape at the facility near Baghdad, Iraq. (AP/Wide World Photos)

mane treatment at Abu Ghraib, before the CBS broadcast in April, 2004. Internal documents show several MPs were being investigated for prisoner abuse already in late 2003. The Associated Press reported on the abuse and investigations in October, 2003. The mistreatment also came to the attention of the International Committee of the Red Cross (ICRC), which sent a team of investigators to cellblock 1A in mid-October, 2003. The team reported its findings to American officials through a confidential report, issued in February, 2004. The ICRC alleged violations of international humanitarian law that included beatings with hard objects

THE TAGUBA REPORT

The commander of coalition forces in Iraq ordered U.S. Army major general Antonio Taguba to conduct a covert internal investigation into alleged abuses at Abu Ghraib. An excerpt from Taguba's March 9 report follows.

Regarding part one of the investigation, I make the following specific findings of fact:

1. That between October and December, 2003, at the Abu Ghraib Confinement Facility (BCCF), numerous incidents of sadistic, blatant, and wanton criminal abuses were inflicted on several detainees. This systemic and illegal abuse of detainees was intentionally perpetrated by several members of the military police guard force . . . in Tier (section) 1-A of the Abu Ghraib Prison (BCCF).

The allegations of abuse were substantiated by detailed witness statements and the discovery of extremely graphic photographic evidence. Due to the extremely sensitive nature of these photographs and videos, the ongoing CID [Army Criminal Investigation Division] investigation, and the potential for the criminal prosecution of several suspects, the photographic evidence is not included in the body of my investigation. . . .

I find that the intentional abuse of detainees by military police personnel included the following acts:

- Punching, slapping, and kicking detainees; jumping on their naked feet
- Videotaping and photographing naked male and female detainees
- Forcibly arranging detainees in various sexually explicit positions for photographing
- Forcing detainees to remove their clothing and keeping them naked for several days at a time
- Forcing naked male detainees to wear women's underwear
- Arranging naked male detainees in a pile and then jumping on them
- Positioning a naked detainee on an MRE [Meal, Ready-to-Eat] Box, with a sandbag on his head, and attaching wires to his fingers, toes, and penis to simulate electric torture
- Writing "I am a Rapist" (sic) on the leg of a detainee alleged to have forcibly raped a 15-year old fellow detainee, and then photographing him naked
- Placing a dog chain or strap around a naked detainee's neck and having a female Soldier pose for a picture
- A male MP guard having sex with a female detainee
- Using military working dogs (without muzzles) to intimidate and frighten detainees, and in at least one case biting and severely injuring a detainee
- Taking photographs of dead Iraqi detainees

such as firearms, placing prisoners in stress positions for hours at a time, prolonged exposure to extreme heat or cold, and sleep and sensory deprivation.

After receiving the photos from CID, Lieutenant General Ricardo Sanchez, the commander of coalition forces in Iraq, ordered Major General Antonio Taguba on January 19 to conduct a secret internal investigation. Taguba's March 9 report concluded that between October and December, 2003, "numerous incidents of sadistic, blatant, and wanton criminal abuses" were inflicted on prisoners and that the abuse was "systematic and illegal" and "intentionally perpetrated" by MPs.

The photos of abused and tortured prisoners at Abu Ghraib dominated the world media. Furthermore, both the ICRC Report and the Taguba Report had been leaked to the media in May. In the United States, the Senate opened hearings into the matter. Investigations also were implemented by the Pentagon and the Department of Defense (DOD). James Schlesinger, former defense secretary, chaired the DOD panel; its report was issued on August 24. Testifying before the Senate Armed Services Committee, Schlesinger announced that although there had been evidence of "failures of leadership" at Abu Ghraib and beyond, through the chain of command, the responsibility for the serious mistreatment rested primarily with the MPs on duty at the prison. In a press conference the day the report was released, Schlesinger elaborated the DOD panel's findings: "There was sadism on the night shift at Abu Ghraib, sadism that was certainly not authorized. It was kind of [like the popular teen film] *Animal House* on the night shift." He added that no top military or government officials bore any direct responsibility, and that "the injunction from the top was to ensure 'humane treatment' of detainees." Furthermore, the DOD

panel found “no policy that encouraged or justified abuse.”

The soldiers directly involved in the abuse were charged, tried, convicted, and sentenced by military courts-martial for acts that included assault, battery, conspiracy, and maltreatment of detainees. Graner was sentenced to ten years in prison, Staff Sergeant Ivan Frederick received eight years, and Private Lynndie England received three years. Eight other soldiers received lesser punishments, including imprisonment and administrative penalties such as demotion, discharge, or both. Two officers were reprimanded as well. Brigadier General Janis Karpinski, the commander of Abu Ghraib prison and other detention facilities in Iraq, was removed from that post and demoted to colonel. The commander of the military intelligence brigade, Colonel Thomas Pappas, was fined and removed from his command.

IMPACT

The Abu Ghraib scandal, which became the centerpiece in the debate about fighting the global war against terrorism, provoked inquiries into how prisoners are treated during wartime. Confidential memos were leaked to the press as questions began to mount. One memo, a telling U.S. Department of Justice (DOJ) memo from August, 2002, and addressed to White House counsel, surfaced in June, 2004. John Yoo of the Office of Legal Counsel (OLC) at the DOJ, who wrote the memo, interpreted the 1994 federal statute that ratified the United Nations Convention Against Torture and applied it in the “context of the conduct of interrogations outside the United States.” Yoo’s legal analysis held that for an act to be torture, the one inflicting the torture must have intended it to cause severe pain and it must cause pain that is equivalent in



2000's

Former Iraqi prisoners of Abu Ghraib were transported from the prison by the U.S. military after their release from detention in January, 2004. Many had been abused and tortured by U.S. military personnel in a scandal that would come to light less than four months after this photograph was taken. (AP/Wide World Photos)

intensity to the pain that would accompany “serious physical injury, such as organ failure.”

The Bybee memo, as it came to be called, gave Donald Rumsfeld, the secretary of the DOD, legal latitude to develop “enhanced interrogation techniques.” The new chief of the OLC, Jack Goldsmith, was shocked to see this secret torture memo in October, 2003, and later stated that it was without legal foundation. The DOJ rescinded the Bybee memo on December 30, 2004.

While the DOD’s enhanced interrogation techniques were not created for Abu Ghraib, it appears that at least some of the practices migrated from Guantanamo Bay to Iraq. Major General Geoffrey Miller, commander of facilities at Guantanamo Bay, visited Abu Ghraib in August and September, 2003. Miller reportedly had been assigned to “Gitmo-ize” (Guantanamo Bay is referred to by the military as Gitmo) Abu Ghraib, specifically referring to the harsh interrogation practices at Gitmo that had been approved by Rumsfeld. Some of Miller’s recommendations were adopted by Sanchez for use at Abu Ghraib. Indeed, the Taguba Report concluded that the mistreatment of prisoners by MPs was a consequence of direct orders from military intelligence and other governmental agencies who “actively requested that MP guards set physical and mental conditions for favorable interrogation of witnesses,” a technique Miller used at Guantanamo.

—Kimberlee Candela

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June 2, 2004

U.N. REPORT REVEALS THAT SECRETARY-GENERAL KOFI ANNAN DISMISSED SEXUAL HARASSMENT CHARGES

United Nations staffer Cynthia Brzak claimed that the U.N. high commissioner for refugees, Ruud Lubbers, had sexually harassed her. Despite the finding of an investigative panel in support of her claim, the U.N. secretary-general, Kofi Annan, overruled the panel's disciplinary recommendations and dismissed the charges against Lubbers, head of one of the United Nations' principal humanitarian divisions.

LOCALE: New York, New York

CATEGORIES: Politics; international relations; law and the courts; sex crimes; women's issues

KEY FIGURES

Kofi Annan (b. 1938), Ghanaian secretary-general of the United Nations, 1997-2007

Ruud Lubbers (b. 1939), former prime minister of the Netherlands, 1982-1994, and U.N. high commissioner for refugees

Cynthia Brzak (b. 1952), American U.N. staff member

Stephen M. Schwebel (b. 1929), American jurist and former president of the International Court of Justice, 1997-2000

Robert W. Sweet (b. 1922), U.S. District Court judge

SUMMARY OF EVENT

The early years of the twenty-first century have in many ways been unkind to established institutions, taking their toll on the reputations of private and public bodies alike. International governmental organizations have not been spared such public tarring. In the world of public institutions at the global level, no image has been tarnished more than that of the United Nations. Indeed, the notoriety surrounding Secretary-General Kofi Annan's response in the Ruud Lubbers sexual harassment case would almost certainly have been much less had it not been

for the myriad scandals surrounding the United Nations at the time.

These U.N.-involved scandals ranged from disclosures of massive mismanagement and corruption in the institution's food-for-oil program in Iraq (including charges that the senior officer in charge of that program had taken bribes from Saddam Hussein's government), to charges that U.N. peacekeepers and relief workers have used their positions to coerce sex from local citizens in Africa, East Timor, and elsewhere, to allegations that Annan's son had been handsomely rewarded by the Swiss company for which he helped acquire a lucrative U.N. contract. Sandwiched amid these other scandals is Annan's decision to dismiss the sexual harassment charges against Lubbers, the head of the U.N. refugee relief department, a move that instantly acquired scandal status of its own.

The story behind the scandal began when Cynthia Brzak, a high-ranking aide to Lubbers and a U.N. employee for a quarter of a century, accused Lubbers of having grabbed her and rubbed up against her from behind when leaving a 2003 business meeting in Geneva, Switzerland. The charges were referred to the U.N. Office of Internal Oversight (OIOS), which on June 2, 2004, released an in-house document that supported Brzak's charges. Moreover, although Lubbers's position was that Brzak had misinterpreted a friendly gesture, the OIOS report also noted a pattern of similar, past behavior by Lubbers and recommended his official censure. Lubbers had become the United Nations' ninth high commissioner for refugees in January of 2001 and had paid his own salary while working for the United Nations.

Annan consulted American jurist Stephen M. Schwebel, a former head justice of the International Court of Justice in The Hague, the Netherlands, who found that the evidence against Lubbers did not rise to the legal standard necessary for conviction in a court of law. On July 15, Annan, basing his

decision on Schwebel's finding, dismissed the charges against Lubbers as insufficiently substantiated by the evidence. Privately, however, Annan wrote a letter to Lubbers stressing his concern over both Brzak's accusation and the pattern of behavior on Lubbers's part noted in the OIOS report.

Had the matter ended there, the scandal would have never become public knowledge and no blight would have been attached to the generally distinguished public service career of Lubbers. In October, however, evidently dissatisfied with Annan's handling of the matter, the OIOS included in the publicly released summary of the work it completed during the prior year its findings in the investigation into the charges against Lubbers and its recommendations on the matter. The media quickly seized on the story as yet another controversy engulfing the United Nations and its secretary-general. Annan's alleged tolerance of sexual harassment at the highest level in one of the premier humanitarian divisions of the United Nations quickly acquired the proportions of a scandal.

IMPACT

The OIOS report's release, and the subsequent firestorm of criticism that the United Nations received over the Lubbers matter, on the whole produced mixed results for the principal figures involved. Lubbers initially tried to retain his position, but only a few months later, on February 20, 2005, he resigned, arguing that the continuing press coverage of the sexual harassment charge against him made it impossible for him to do his job effectively. More scandalous was Annan's letter to the refugee office staff the following day that called the Lubbers affair an "unwanted distraction" and that Lubbers had "not been found guilty of any offence," a claim that was wholly incorrect. Topping off the scandal were Lubbers's own words, deemed "appalling" by the OIOS. In his "farewell" to office staff, Lubbers said he had been "harassed" and "raped and raped and raped" through the investigations.

Insofar as the refugee office was at the time investigating rumors of sexual abuses committed by U.N. peacekeeping forces, including 150 charges of rape, sexual abuse of children, and the solicitation

of sexual acts in Congo alone, Lubbers's continuing status as high commissioner for refugees had by this time become not only untenable but also an institutional embarrassment to the United Nations.

Brzak filed a federal lawsuit against the United Nations on May 4, 2006, on the grounds of sexual harassment and alleged discrimination against her for having raised the issue. On the last day of April, 2008, U.S. District Court judge Robert W. Sweet dismissed her suit on the grounds that the United Nations had a long-established immunity from legal action in U.S. courts in general and in the area of employee-related issues in particular, which outweighed Brzak's claims against the organization.

For Annan, the handling of the case remains another stain on his overall, generally commendable record of overseeing the increasingly vast operations of the United Nations around the world during his years as secretary-general. For the organization itself, however, the Lubbers case, combined with the companion controversies that involved the United Nations during the first decade of the twenty-first century, forced the body to undertake much needed reforms in overseeing the conduct of its permanent and contracted personnel in New York and Geneva and throughout its global operations. Thus, a Swiss consulting firm and other outside evaluators were hired to assess the performance of the United Nations' overseas operations.

Likewise, a zero-tolerance policy was adopted on matters of sexual harassment. The policy was implemented most famously in the case of the December, 2005, dismissal of Carina Perelli, the director of the electoral assistance division of the U.N. Election Services Office, despite the praise that the division had won during her seven-year tenure for its work in such trying locations as East Timor and Afghanistan.

—Joseph R. Rudolph, Jr.

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work and against which to evaluate his alleged harassment of Brzak.

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August 19, 2004

BLOG "OUTS" ANTIGAY CONGRESSMAN EDWARD SCHROCK

Political activist Michael Rogers claimed on his blog that U.S. representative Edward Schrock was gay or bisexual. The blog entry linked to a recording alleged to be of Schrock speaking on a phone line for men seeking other men for gay sex. The outing led Schrock to end his 2004 reelection bid.

LOCALE: Washington, D.C.

CATEGORIES: Publishing and journalism; sex; politics; public morals

KEY FIGURES

Edward Schrock (b. 1941), U.S. representative from Virginia, 2001-2004

Michael Rogers (c. 1964), political activist and blogger

SUMMARY OF EVENT

When Democrat Owen B. Pickett announced he would leave the U.S. Congress at the end of his eighth term, in 2000, voters elected conservative Republican Edward Schrock to replace him. A former U.S. Navy admiral and Vietnam War veteran, Schrock won his Virginia district largely on the military vote. Already a state senator, Schrock's election to the U.S. House of Representatives came as no surprise to political prognosticators, who noted Pickett was a conservative Democrat. Across the nation, several seats vacated by conservative Democrats were won by Republicans.

On August 19, 2004, political activist Michael Rogers claimed on blogActive.com that Schrock was a closeted homosexual or bisexual. Rogers included on his blog a link to voice data to support the



Congress members Edward Schrock, right, and Tom DeLay at the White House in January, 2004. (Hulton Archive/Getty Images)

accusation. Rogers, who has been committed to outing gay lawmakers who oppose gay and lesbian rights legislation, claimed Schrock had been placing advertisements on an interactive phone line for men seeking other men for gay sex.

It took only two weeks from the time Rogers posted the taped message for Schrock to resign. In that time, Rogers’s blog was accessed by countless politicians and others, who treated the findings like news they might encounter in the popular press. The popular press, in turn, had to scramble to keep up with the story, which grew quickly as people added their own perspectives by posting comments to the blog.

Schrock had made his name in the House as a strong opponent of gay and lesbian rights. Spe-

cifically, he cosponsored bills that would have banned same-gender marriage and barred lesbians and gays from openly serving in the military. With the failure of those bills, he strongly supported the official U.S. military policy known as Don’t Ask, Don’t Tell, a so-called compromise on the question of gays in the military. Schrock made public comments to the effect that having gays in the military was sexually dangerous, as they were impossible to recognize.

Schrock was named president of the Republican freshman House in 2001 and won a second term in the House in 2002. The Christian Coalition gave Schrock, an active Baptist, high ratings. However, his ascent came to an abrupt halt in 2004, a year marked by landslide Republican victories in Congress.

Rogers said he wanted to stop Schrock’s hypocrisy, arguing that the gay community as a whole has no obligation to protect gays and lesbians who actively oppose gay rights. When the allegations came to light, the Republican Party was supportive of Schrock, making glowing statements about his congressional record and focusing on his status in the House. Initially, it was believed that the allegations would not affect Schrock’s bid for reelection.

However, Schrock, on August 30, rescinded his bid for reelection, stating only that the allegations against him would prevent him from focusing on the real issues in his constituency. Rogers’s accusations were not supported by any material beyond the phone message, and he could not offer further proof that the voice on the call was, in fact, that of Schrock. However, Schrock’s withdrawal from the congressional race confirmed his guilt in the minds of many.

Republicans remained supportive of Schrock, who was married and had a child, and cited their disappointment that he should have to resign because of the mere suggestion of homosexuality. They claimed that his resignation was caused by Rogers’s intent to push a particular political viewpoint. However, Rogers, who said he was sorry to see Schrock resign, had a slightly different slant on the issue. Although still opposed to Schrock’s conservative politics and believing he was a hypocrite,

Rogers had believed that by the year 2004, homosexuality should not have been so much of an issue that it could end any politician’s career.

The Republican Party chose Thelma Drake to run for the post vacated by Schrock, and she won the district that year and was reelected to a second term in 2006. By December of 2004, Schrock was back on Capitol Hill, though in a much less celebrated post, working as staff director for the House Government Reform Committee. In this diminished capacity, he was unable to block gay rights legislation and actively promote antigay legislation.

IMPACT

This scandal illustrates several points about American popular culture. Both the Republican Party and Rogers seem to agree that Schrock resigned because of the rumor that he had sought homosexual sex. Rogers argued that the rumor was true, while Schrock focused on how the claim would prevent him from working on the real issues of his election campaign. In either case, Schrock’s resignation demonstrates that homosexuality remains a political nightmare for those accused of being lesbian or gay or of seeking same-gender sex. The nightmare exists in the United States, even though there are several gay and lesbian politicians who are out. Specifically, that Schrock believed he had to resign indicates the negative implications homosexuality has within the Republican Party. Though the party remained outwardly supportive of Schrock, it did so under the flag of supporting an unfairly accused colleague, not of supporting one who was potentially gay or bisexual.

Rogers’s strategy is opposed by some gay and lesbian activists as well. Groups such as the Log Cabin Republicans, whose members are gay and Republican, disagree with outing closeted government officials, whatever their politics. Opponents of outing point out that no gay rights issues have been decided after outing an official, and they suggest that it is more effective to focus on the issues rather than the politicians. In turn, Rogers argues that conservative gays who oppose gay rights are effectively double dipping, enjoying gay-rights suc-

cesses in their private lives while condemning those rights publicly. Other groups, such as the Human Rights Campaign, argue that outing often deepens the already entrenched views of conservative opponents of gay and lesbian rights.

Rogers had a different point. The entire purpose of his blog has been to out closeted gay politicians who oppose gay rights legislation. He believes they are hiding behind party dogmas to avoid taking responsibility for their own actions. His purpose in outing Schrock was to expose a man whom he believes was a conservative hypocrite and to demonstrate that gays are everywhere, regardless of political viewpoint. He argues that the gay community has a responsibility to expose gay politicians who hide their sexuality and, most important, do so while actively opposing legislation that harms the community.

Scandals such as the Schrock affair show a growing rift in the type of voters sought by the Republican and Democrat parties in the twenty-first century. For many years, Republicans have targeted right wing fundamentalist Christians, who have considered the Republican Party the only conservative option. Democrats have targeted a more left-wing group, selling themselves as the more liberal political party. Gay and lesbian rights have become so public, with issues such as gay marriage and gay military service regularly coming to Congress, that the Republicans and Democrats have taken largely opposing stances on these issues. In general, the Republicans oppose and the Democrats support gay rights. Thus, a stance in favor of gay rights is perceived as politically liberal, and for a group to be politically conservative and still favor gay rights seems contradictory to many, even though there is no reason the two perspectives cannot coexist. This means groups such as the Log Cabin Republicans are relatively rare and often find themselves on the outside when it comes to politics. Some conservative Republican politicians shun Log Cabin endorsements for fear of alienating other voters.

Finally, the scandal illustrates the importance of the World Wide Web and its influence on the media and politics in modern popular culture. Media influence on popular opinion affects politics and, with

the addition of blogs, popular opinion is increasingly influencing the media. This cyclical relationship became even more clear with the Schrock scandal.

—Jessie Bishop Powell

FURTHER READING

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September 8, 2004

60 MINUTES II REPORTS ON GEORGE W. BUSH'S EVASION OF WARTIME DUTY

CBS News correspondent Dan Rather presented documents in a 2004 report on 60 Minutes II that questioned U.S. president George W. Bush's Air National Guard service during the 1970's. The Killian documents, as they came to be called, accused Bush of having received favors to make his military record look better than it was. The documents were widely considered fakes, permanently damaging the reputations of both Rather and CBS.

ALSO KNOWN AS: Killian documents scandal; Memogate; Rathergate

LOCALE: New York, New York

CATEGORIES: Radio and television; communications and media; publishing and journalism; politics; military

KEY FIGURES

- Dan Rather (b. 1931), broadcast journalist and CBS *Evening News* anchor
- George W. Bush (b. 1946), president of the United States, 2001-2009
- Mary Mapes (fl. late twentieth century), 60 Minutes II and CBS *Evening News* producer
- Bill Burkett (fl. early twenty-first century), retired U.S. Army National Guard lieutenant colonel, who was the source for the Killian documents

SUMMARY OF EVENT

On September 8, 2004, CBS television broadcast a controversial story that was highly critical of U.S. president George W. Bush's military record with the U.S. Army Air National Guard. Almost immediately following the broadcast, reported by long-time news anchor and journalist Dan Rather, competing media sources began to question the validity of the evidence presented in the story and to criticize CBS for broadcasting the report. The Killian documents, as they came to be called, were widely considered to have been fabricated. Following the outpouring of criticism, CBS fired Mary Mapes, the producer of the segment, as well as several others who were involved in the broadcast. Rather resigned from the CBS news desk less than one year later.

At the time of the scandal, Rather was one of the most recognizable journalists of his time. He rose to become the head anchor on *CBS Evening News* in 1981 and achieved success as a contributing reporter with *60 Minutes*. He was at the top of the journalism world already during the 1960's as a hard-hitting correspondent during the Vietnam War and for his unswerving interview with President Richard Nixon during the early 1970's. He covered some of the most significant stories in the United States throughout the 1980's and 1990's, and in 2004, he broke a story that would turn out to be his most controversial yet.

On September 4, Rather decided to report a story on Bush's military record. The report presented several documents that made Bush's time in the armed services seem less than honorable. The memos, believed to be drawn up while Bush was in the National Guard during the early 1970's, documented incidences where Bush blatantly disobeyed orders by failing to report for scheduled physical examinations—leading to the revocation of his flight status—and by asking to be excused from certain activities, such as military drills. The memos also insinuated that the Bush family's political power was used to ensure that the future president's record was devoid of this negative information. In essence, the Killian documents, if real, would have proven that Bush's military record had been made to appear much better than it actually was.

Because the story was aired so close to election time, the broadcast sparked an immediate media frenzy. Many quickly stepped forward to question the validity of the documents themselves as well as the integrity and political bias of CBS and Rather. Initially, CBS stuck by the report, stating that the documents used had been well researched, but as investigations into the origin of the documents continued, it seemed more and more that the military memos were inaccurate, if not fraudulent.

As inquiries grew more tense, *60 Minutes II* segment producer Mapes came forward to defend the origin of the story's material. Mapes, an award winning journalist and long-time CBS producer, acquired the memos in question from Bill Burkett, a retired National Guard lieutenant colonel. Burkett claimed he had retrieved the memos from the personal files of the deceased lieutenant colonel Jerry B. Killian, who was President Bush's commander during his time in the National Guard. In the weeks following the story, Mapes and CBS maintained that Burkett was an accurate source and that the information he acquired regarding the president was truly from Killian's personal files.

However, as critical analysis intensified, independent researchers began to repudiate the origin of the memos and the time in which they were created. Before Rather's broadcast on September 8, Mapes and her associates had interviewed several people, in addition to Burkett, to ensure that the documents were legitimate, but this fact ultimately did not help CBS in defending its story, because the documents they had in their possession were only copies of the supposed originals. Unfortunately, Burkett told Mapes that he had burned the original Killian documents after he sent the copies to CBS headquarters, an action that fueled the argument that the documents were fraudulent.

Two weeks after the broadcast, Rather and CBS were forced to retract the story; the evidence in support of the Killian documents was simply not present. However, evidence was also lacking that the documents were faulty. Independent investigators found that the documents had inconsistencies in letterhead, signature, and date of production. Some investigators did conclude, however, that Killian's

signature seemed to match the signature on the memos. Ultimately, the investigators could not prove or disprove that the documents were fraudulent because they were copies.

What led investigators and other media sources to discredit the story were the inconsistencies in Burkett's account of how he obtained the documents. Burkett changed his story several times. Initially, he said he received the documents through a warrant officer who had access to Killian's files, but he later claimed to have collected them by other means. In the end, the documents could not be authenticated.

IMPACT

CBS, Mapes, and Rather apologized publicly for reporting the story and said that they recognize their mistakes in not researching the matter fully before its broadcast. However, the damage to CBS's journalistic reputation had already been done. In response to the accusations by outside forces that CBS was operating under a liberal bias and had been trying to sabotage the coming elections, the network fired several employees associated with the production of the story. Less than one year later, Rather resigned from his news anchor position after nearly forty years in journalism.

CBS and Rather have had a difficult time recovering from the harm that was done to their reputations. Rather filed a lawsuit against CBS in 2007, alleging that the network laid the sole blame for the story on him, which permanently damaged his career. However, the greatest damage seems to have been done to the field of journalism itself.

Further investigations have looked into the Killian documents scandal, but none have proved that the documents are real. The controversy has raised many questions about the true motivation behind news reporting in the United States. The debate continues over the scandal, and many questions remain: Was the story politically biased against Bush, and was it aired to harm his campaign? Did CBS

make a genuine mistake by airing the report? In any case, investigative journalism in the United States was left with a permanent scar.

—Jennifer L. Titanski

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October 13, 2004

TELEVISION PRODUCER FILES SEX HARASSMENT SUIT AGAINST BILL O'REILLY

Bill O'Reilly, a conservative political commentator best known for his Fox News television show The O'Reilly Factor, was sued by his show's producer, Andrea Mackris, for sexual harassment. O'Reilly was first to sue Mackris, however, claiming in his preemptive suit filed the same day that Mackris and her attorney were extorting him. The matter was settled out of court for an undisclosed amount of money. In the long term, the suits had little impact on O'Reilly's or Mackris's careers in broadcasting.

LOCALE: New York, New York

CATEGORIES: Law and the courts; radio and television; communications and media; women's issues

KEY FIGURES

Bill O'Reilly (b. 1949), host of *The O'Reilly Factor* and conservative political commentator

Andrea Mackris (b. 1971), producer of *The O'Reilly Factor*

Benedict Morelli (b. 1950), attorney for Andrea Mackris

SUMMARY OF EVENT

On October 13, 2004, Fox News talk-show host Bill O'Reilly was sued by his show's former producer, Andrea Mackris, for sexual harassment. Mackris claimed she had audiotapes of sexually provocative phone calls made to her by O'Reilly. She also claimed that O'Reilly sexually harassed her repeatedly by talking about his own sex life and fantasies and by asking her questions about her sex life, even though she expressed no interest in continuing the conversations. O'Reilly had sued Mackris first earlier on the same day, claiming she and her attorney, Benedict Morelli, a leading employment discrimination lawyer, were trying to extort him.

O'Reilly decided to file suit against Mackris and

Morelli after he received a letter from Morelli dated September 29, indicating that his law firm was representing "a young woman employee of Fox" who had "been the victim of constant and relentless" sexual harassment "by one of Fox's most prominent on-air personalities." The letter did not name names, however.

Unfortunately for O'Reilly, the details of the suit against him became readily accessible to the public on the Web. O'Reilly never denied the accusations against him, leading Mackris to amend her lawsuit on October 19. The original lawsuit against O'Reilly, Fox News Channel, News Corporation, Twentieth Century Fox Film Corporation, and Westwood One sought \$60 million.

Considered by many to be one of the top-rated cable news hosts, O'Reilly graduated college with a bachelor's degree in history and received a master's degree in broadcast journalism in 1975. He began his career as a high school teacher and then became a news anchor. By 1980, he was an anchor for his own program with WCBS. In 1986, he joined ABC News, and later that year he began working on the entertainment news show *Inside Edition*. He obtained a second master's degree that year as well and became the host of his own show, *O'Reilly Report*. In 1996, the show was renamed *The O'Reilly Factor*.

The O'Reilly Factor, like his other ventures, has been very successful with millions of viewers. On the show, O'Reilly examines highly controversial issues with a conservative bent, even though he considers himself nonpartisan and is registered as an independent. He has described himself as a "traditionalist" commentator. He has never been afraid to state his opinion, regardless of others' perceptions of him. He also has written a newspaper column and published a number of books, including *The O'Reilly Factor: The Good, the Bad, and the Completely Ridiculous in American Life* (2000), *The No Spin Zone* (2003), *The O'Reilly Factor for*



Andrea Mackris, left, with her attorney, Benedict Morelli, announce their sexual harassment lawsuit against television commentator Bill O'Reilly at a news conference in New York City on October 13, 2004. (AP/Wide World Photos)

Kids: A Survival Guide for America's Families (2004), *Culture Warrior* (2006), and *Kids Are Americans Too* (2007). He also has done some acting.

Whether the sexual harassment allegations made by Mackris are true or not, the intimate details of her complaint, including eighty-five allegations against O'Reilly, have been made public through the Web. Some of those allegations include claims that he masturbated while on the phone with Mackris, and how she was sickened by this fact. In addition, she claims he gave detailed descriptions of what he would do to her sexually if he was away with her, got her drunk, or showered with her. However, no actual tapes were ever produced in the case as evidence, and Morelli could not confirm their existence.

Initially, the parties to the lawsuits attempted to settle informally, but O'Reilly then attempted to have Mackris fired. On October 28, the case was settled out of court. Each party dropped the charges against the other, but the terms of the agreement were never made public. Mackris's attorney did state, however, that the original offer was too low to be accepted. Experts believe the settlement was probably around \$10 million.

IMPACT

Ratings for *The O'Reilly Factor* jumped after Mackris's lawsuit was filed. Critics argue that the accusations may have cost O'Reilly some of his reputation as a moralist, but viewers have not wavered in their respect for his opinion. In fact, in one of the few discussions he had with his viewers re-

garding the accusations, he thanked them for their loyalty and support.

Even though O'Reilly claimed that there was no wrongdoing on his part—he never apologized to his viewers, to Mackris, or to his employer—he was publicly humiliated and did cancel some scheduled interviews. Before the lawsuits, O'Reilly received many accolades, including Emmy Awards, for his investigative reporting, and he continued to do so afterward.

Impacting the scandal was the ease with which the public could access the complaint against O'Reilly on the Web, leading to further embarrassment for the commentator. In one unfortunate detail from the lawsuit, Mackris claimed that O'Reilly described how he would massage her with a loofah if they were to shower together. However, O'Reilly did not use the term “loofah”; instead he referred to using a “falafel thing” to massage her. As a consequence, the scandal has been comedically referred to as the falafel scandal by his critics.

It is also difficult to ignore the irony of a sexual harassment lawsuit filed against O'Reilly, the conservative moralist who has written a children's book on sex in popular culture, among other conservative topics. Some consider him a hypocrite. Mackris, too, has been criticized for failing to complain to her employer, Fox, at the time the harassment occurred and for returning to work with O'Reilly after the alleged harassment took place.

—Gina Robertiello

FURTHER READING

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Sex Harassment Suit Filed Against Bill O'Reilly

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_____. *The O'Reilly Factor: The Good, the Bad, and the Completely Ridiculous in American Life*. New York: Broadway Books, 2000. A best-selling book, offering O'Reilly's opinion about what is right and wrong in the United States. O'Reilly gives his assumptions and views on politics, culture, and society in general.

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October 14, 2004**INSURANCE BROKERAGE MARSH & MCLENNAN IS CHARGED WITH FRAUD**

Marsh & McLennan, an international insurance brokerage and professional services company, was charged with fraud in 2004 by Eliot L. Spitzer, the attorney general of New York. Confronted by pages of testimony affirming its illegal actions, the company settled out of court, paying a fine of \$850 million.

LOCALE: New York**CATEGORIES:** Law and the courts; business; corruption; government**KEY FIGURES**

Eliot L. Spitzer (b. 1959), New York State attorney general, 1999-2006

David D. Brown IV (b. 1959), head of the New York State attorney general's Investment Protection Bureau

Jeffrey W. Greenberg (b. 1951), chief executive officer of Marsh & McLennan, 1999-2004

Michael G. Cherkasky (b. 1950), chief executive officer of Marsh & McLennan, 2004-2008

William L. Rosoff (b. 1946), general counsel of Marsh & McLennan

SUMMARY OF EVENT

As attorney general for New York State since 1999, Eliot Spitzer had acquired the nickname Caped Crusader because of his relentless pursuit of white-collar crime. In 2004, his attention turned to insurance giant Marsh & McLennan (MMC) after learning that the company had been condoning inflated bids and taking commissions for steering clients toward specific companies. In other words, it had been price-fixing. Following six months of investigation, Spitzer filed a civil complaint against the company. Media attention and a resultant drop in the price of the company's stock led MMC to fire its chief executive officer. The company also announced it would no longer accept commissions and paid \$850 million into a fund to compensate policyholders.

Spitzer's action against MMC was yet another target for the attorney general, who had been waging war against corporate giants that heretofore had been protected by the concept "that's how business is done." Spitzer challenged out-of-state power plants whose emissions were polluting the skies over New York; he went after several big Wall Street investment firms, including Merrill Lynch. His actions against former New York Stock Exchange chairman Dick Grasso and other investigations into hedge funds and after-closing trading established him as a force working for consumer rights and made his name known nationally. In 2002, *Time* magazine named him its Crusader of the Year.

As the son of wealthy real-estate developer Bernard Spitzer and Anne Goldhaber Spitzer, a literature professor, Eliot was brought up in a life of privilege. He graduated from Princeton in 1981 and Harvard Law in 1984; he married Silda Wall, a fellow law-school student, in 1987. His parents instilled a strong sense of social responsibility and, following some years practicing corporate law, Spitzer ran for attorney general of New York. Following a failed attempt in 1994, he tried again in 1998 and defeated his opponent by a narrow margin.

Spitzer's crusade against MMC began with an anonymous tip. On March 30, 2004, David D. Brown, IV, in charge of the attorney general's Investment Protection Bureau, opened an envelope containing a two-page, single-spaced typed letter addressed to New York Attorney General Eliot Spitzer and signed "Concerned." The letter stated that MMC, the world's largest insurance broker, had taken two payments: first, it received commissions from its customers, those businesses it represented seeking insurance; second, it took undisclosed payments from the insurance companies that wrote the policies. Brown thought the second payment looked like a kickback and faxed the letter to

Spitzer. To ascertain the truth of the allegations, Spitzer asked Brown to subpoena the company's representatives. The subpoena was sent out three days later, and within a week William L. Rosoff, general counsel for MMC, was in the attorney general's office. Rosoff downplayed the situation and stated that although the company did take a commission, there was no harm since the customers were still getting the best deal. Spitzer was not convinced, and in April, his team began interviewing other insurance brokers and insurance companies and subpoenaed their e-mails.

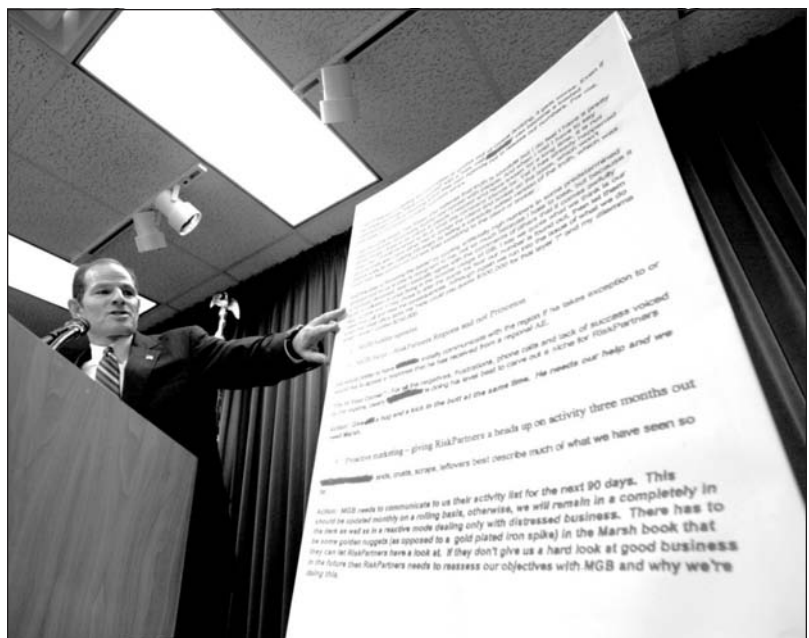
Spitzer's office hired law students to go through the boxes of e-mails, and by early summer the e-mails suggested the brokers were steering business to particular insurers, not to aid the client but to earn bonuses negotiated by the insurers. On September 9, Craig Winters, a second-year law student, found an e-mail from an MMC executive with specific details concerning a faked bid for the Greenville County, South Carolina, school district: The insurer, California Association of Non-Profits, was asked to bid deliberately high to guarantee that another company, Zurich, would get the bid. The false quotes were a pretext that the bid process had been competitive.

In the course of Spitzer's investigation, two executives from American International Group (AIG), an insurance carrier, testified how the fraud worked; they testified in exchange for a lighter sentence. When a given policy was up for renewal, MMC took the following steps to assure AIG would get the business: First, MMC provided AIG with a target premium and the policy terms for the quote. If AIG agreed to the quote, it got to keep the business, regardless of whether it could have quoted a lower premium. Second, MMC let other carriers know what the winning quote was

and asked them to submit backup quotes, or B quotes, that were higher, thus eliminating them from contention for the business.

With evidence of bid-rigging by MMC, in business since 1902, Spitzer and his lawyers met with the firm's lawyers on October 12. Rosoff denied any wrongdoing and failed to understand Spitzer's investigation. Rosoff went on to state that Spitzer did not understand how things worked in the insurance business.

Two days later, on October 14, Spitzer held a press conference. He announced that he had filed a civil complaint in the New York State Supreme Court against MMC, AIG, and other brokers for security fraud and bid-rigging. In addition, Spitzer cited the commissions, called contingent commissions or market service agreements, paid to MMC for steering volume business toward a specific insurer. In 2003, the contingent commissions amounted to \$800 million, the equivalent of more than one-half of the company's \$1.5 billion yearly income. Spitzer's office had prepared a thirty-one-page com-



New York State attorney general Eliot Spitzer displays a copy of e-mails from the insurance brokerage firm Marsh & McLennan during a news conference in New York on October 14, 2004. Spitzer announced that he was suing the firm because of widespread corruption and fraud. (AP/Wide World Photos)

plaint and almost one hundred pages of exhibits, and he warned he would be treating the company as a criminal enterprise unless MMC's top leadership stepped down. Initially, MMC planned to fight, but, following the public reaction to Spitzer's charges, saw its stock lose 48 percent of its value in four trading days. After eleven days, MMC chief executive officer Jeffrey W. Greenberg stepped down. The next day the company announced it would stop accepting commissions from insurers.

Michael G. Cherkasky, whom Spitzer had once worked for, was installed as MMC's chief executive officer on October 25. Spitzer followed by dropping all criminal charges against the company. On January 31, 2005, MMC agreed to pay \$850 million to settle the civil suit.

IMPACT

Following Spitzer's charges against MMC, the company discontinued its policy of charging commissions and fired a number of executives. Eight former MMC executives were charged with felonies for bid-rigging and price-fixing. Other companies that were also indicted by Spitzer scrambled to straighten out their business practices. Spitzer's investigation prompted similar actions by state insurance regulators and attorneys general (the insurance industry is not federally regulated). A review of business practices in the insurance industry was extended to the United Kingdom and other countries in Europe, broadening the investigation by Spitzer and his team.

In addition to inspiring a more ethical way of doing business in the insurance agency, the action against MMC confirmed the general public's view of Spitzer as their hero, fighting for the little guy against the corporate giants. His popularity led to his decision to run for governor of New York in 2006, and he won in a landslide. His first year as governor was filled with conflict and controversy, however, and in 2008, after for so long being the voice of morals and ethics in business, Spitzer was implicated in a Federal Bureau of Investigation prostitution sting. He resigned as governor on March 12.

—Marcia B. Dinneen

FURTHER READING

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Vickers, Marcia. "The Secret World of Marsh Mac." *BusinessWeek*, November 1, 2004. This cover story examines Spitzer's legal work against Marsh & McLennan and how the company's management and its attitude contributed to its problems.

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January 15, 2005

IQBAL RIZA RESIGNS FROM THE UNITED NATIONS IN OIL-FOR-FOOD SCANDAL

Iqbal Riza, chief of staff to U.N. secretary-general Kofi Annan, resigned his post after U.N. officials were investigated for suspected corruption, mismanagement, and conflict of interest in administering the U.N. Oil-for-Food Programme to help the people of Iraq. Riza had destroyed potentially relevant—and self-incriminating—documents during the investigation.

LOCALE: New York, New York

CATEGORIES: Corruption; international relations

KEY FIGURES

Iqbal Riza (b. 1934), Pakistani chief of staff to the U.N. secretary-general, 1997-2005

Kofi Annan (b. 1938), secretary-general of the United Nations, 1997-2007

Saddam Hussein (1937-2006), Iraqi dictator, 1979-2003

Paul Volcker (b. 1927), chairman of independent inquiry into the Oil-for-Food Programme

SUMMARY OF EVENT

The United Nations launched its Oil-for-Food Programme (OFFP) in 1995 to help the people of Iraq with food, medicine, and other basic necessities of life. As the program continued, questions began to arise about whether it was being managed properly. Allegations of corruption, mismanagement, and even bribery were made against U.N. officials administering the program. In April, 2004, the U.N. launched an independent investigation, and while the United Nations promised full cooperation, certain events led investigators to believe that the organization perhaps had a great deal to hide.

Over several months, Iqbal Riza, the chief of staff to U.N. secretary-general Kofi Annan, ordered the destruction of documents that could have contained information relevant to the investigation. Riza ultimately resigned from his position, which

only raised further suspicion about the destroyed documents and the United Nations as a whole.

The United Nations often acts as a peacekeeping force and attempts to use diplomacy and economics to solve problems in the international community. After Iraq invaded Kuwait in 1990, the United Nations placed economic sanctions on Iraq, which prevented the country from selling its oil on the global market. The sanctions were designed to ensure that the Iraqi government did not use its oil revenues for the development of weapons or to pursue military action against its neighbors. However, after the sanctions were in place for a time, U.N. investigators found that years of war, subsequent debt, and bad economic decisions made by the Iraqi government were leaving thousands of its citizens in need of basic amenities, such as food and medical supplies. In 1991, with the support of large nations such as the United States, the United Nations proposed a program that would allow the sale of oil on the global market in exchange for food and necessary supplies to the Iraqi dictator, President Saddam Hussein.

The program proposal indicated that the United Nations would monitor the oil revenues to ensure that all the profits were used either to get humanitarian goods to the Iraqi people or to pay war reparations that Iraq owed to Kuwait. Initially, the Iraqi government refused the proposal. Hussein and others believed the agreement took away too much sovereignty. Several proposals followed, which were all turned down by Hussein. Then, on April 14, 1995, the United Nations Security Council, at the urging of Secretary-General Boutros Boutros-Ghali, passed a resolution to create the OFFP, a program that increased the monetary value that was outlined in previously offered programs. Hussein agreed to the program, and Iraq began to export its oil again in late 1996.

The program ran for the next few years and fun-

neled, according to U.N. officials but doubted by many others, billions of dollars in oil sales to the Iraqi people. It also paid Iraq's debts. Annan, U.N. secretary-general since 1997, was forced to suspend the United Nations' operation of the program on November 21, 2003, several months after the United States had invaded Iraq. The program was transferred to the Coalition Provisional Authority. Although the program ran for nearly a decade, it underwent a great deal of criticism from the United States and other countries, who suspected that the program's funds were not being used to alleviate the suffering of the Iraqi people but instead were taken by Iraqi leadership and U.N. officials. Some critics even cast suspicion on Annan, as they questioned what benefits he may have reaped from the program.

On April 21, 2004, Annan responded to these criticisms by launching an investigation into the management of the OFFP. Riza asked the former Federal Reserve chairman Paul Volcker to lead the inquiry into whether or not the program was as corrupt as some feared. Annan and Riza swore to cooperate in full with the investigation.

A Pakistani by nationality, Riza was born in India in 1934, before Pakistan was created. He began his work with the United Nations during the 1970's and had many important assignments, including work with U.N. peacekeeping efforts to stop the Rwandan genocides. He was appointed Annan's chief of staff in 1997. Riza was never directly involved in the management of the OFFP, but he had been criticized earlier for his involvement in Rwanda and in a case of nepotism involving his son, who received a job appointment with the United Nations.

Although the suspected corruption between the United Nations and Iraqi government was scandalous in itself, the alleged corruption involving Riza and the OFFP did not come to light until after the program was terminated. On April 24, soon after empaneling the investigative committee, Riza instructed other U.N. departments to hand over all relevant documentation to the panel. However, Riza would soon order the shredding of years of documentation from his own offices (specifically, the

years 1997-1999, when the OFFP was in full swing) over the course of several months.

Riza was the center of suspicion when investigators discovered that these crucial documents had been destroyed. Annan and other U.N. officials were suspect as well. The destruction of the documents led investigators to fear that Riza was hiding incriminating information, but Riza insisted that the destroyed documents were copies of materials that the commission had already seen and that his office assistant had requested that these materials be destroyed simply to make more room in the office. Investigators did not believe Riza, and he was reprimanded.

The Volcker investigation, because it was an informal body, had no legal recourse against any U.N. official, including Riza, for shredding the documents or for mismanagement of the program. On January 15, 2005, Riza stepped down as chief of staff after losing the confidence of his colleagues. However, Annan stood by Riza, even after his resignation, stating that he knew Riza had made a mistake but that he did not believe Riza deliberately interfered with the investigation. The Volcker investigation issued its final report on September 7.

IMPACT

Few doubt that the OFFP was started with the best of intentions: That is, delivering humanitarian aid to the suffering Iraqi citizens. However, Riza's order to destroy potentially critical program documents forever harmed the reputation of the program. The United Nations, too, lost some of the public's confidence. Many began to doubt that the agency could continue in its role as an effective peacekeeping and global governing body without the potential for corruption or scandal, or without independent oversight.

—Jennifer L. Titanski

FURTHER READING

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term as secretary-general. Details the U.S. response to these policies and programs.

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January 27, 2005

GERMAN SOCCER REFEREE ADMITS TO FIXING GAMES FOR MONEY

German soccer referee Robert Hoyzer admitted to fixing games by making unnecessary or questionable calls, affecting the outcome of many matches. He also admitted to fixing games during the prestigious German Cup. However, he cooperated with police, leading to the arrests of other referees as well as players. The scandal led German soccer officials to change how referees are promoted and led to heightened monitoring of gambling within the sport.

ALSO KNOWN AS: Bundesliga scandal of 2005

LOCALE: Germany

CATEGORIES: Corruption; gambling; organized crime and racketeering; sports

KEY FIGURES

Robert Hoyzer (b. 1979), German soccer referee

Ante Sapina (b. 1976), Croatian sports gambler

SUMMARY OF EVENT

Soccer is a beloved sport in Germany and a source of great national pride, passionately followed by millions of fans. It is the nation's only major professional sport and is played by almost all school children. Indeed, soccer is the world's most popular sport, so popular that the Germans were able to use their love for the sport to win the good graces of world opinion after the savagery of World War II.

Organized soccer in Germany dates back to 1900 with the creation of the German soccer federation, the Deutscher Fussball-Bund, or DFB. The German professional soccer league, called the Bundesliga and distinguished from the federation, was established under the authority of the DFB in 1962 as a sixteen-team West German professional league. It was the hope of organizers that the Bundesliga would enhance Germany's professional competitiveness, especially in forming World Cup teams. The league more than succeeded in that goal and

was credited with helping form a West German team that became the runner-up in the 1966 World Cup.

The professionalization of German soccer also attracted an influx of money. In 1971, several players were caught in a bribery scandal. The affair, known as the Bundesliga scandal of 1971, was considered a national disgrace, which Germany hoped would never be repeated. Since 1974, the Bundesliga has been ranked into a first and second division comprising professional teams from different German cities. The soccer clubs compete against each other in the annual German Cup tournament.

The apex of international soccer is the World Cup tournament sponsored by the Fédération Internationale de Football Association (FIFA), a tournament of national soccer teams from around the globe. The FIFA World Cup is held in a different host country every four years. In 2004, Germans were looking forward to hosting the 2006 World Cup, but that excitement was complicated by an unexpected and scandalous turn of events.

Soccer referee Robert Hoyzer was questioned about his impartiality in refereeing a game in the first round of the 2004 German Cup. In the game between Paderborn and Hamburger SV on August 21, Hoyzer appeared to be favoring Paderborn with his calls. With Hamburg leading 2-0, he called several questionable penalties against Hamburg. Two calls resulted in goals for Paderborn and one expelled a Hamburg player for "insulting" behavior. Paderborn came back to win the game 4-2 and Hamburg was eliminated from the German Cup.

Four other German referees met with the DFB to discuss Hoyzer's calls during the August 21 game. Around the same time, a state-run betting company had detected unusual betting patterns in games Hoyzer officiated. One Berlin gambler had won big on an underdog team. The DFB president announced the finding of evidence that Hoyzer had rigged games, leading German prosecutors to launch their own investigation. They found that Hoyzer had fixed twenty-three soccer games from April to December, 2004.

Hoyzer's youth was filled with soccer. His father was a respected referee in the German soccer

leagues, and the young Hoyzer had a brief career as a player. When that ended he became a referee for the DFB in 2001. Handsome, confident, and well-dressed, he also was a popular official. Over the next few years, he rose steadily in the ranks of German referees. By 2004, he had advanced to refereeing in the second division of the Bundesliga.

Hoyzer at first denied the allegations made against him by the DFB. He told the *Bild* newspaper that he had never bet on a game he refereed and that he was hurt that his refereeing colleagues could think him capable of such behavior. Faced with mounting adverse evidence, however, he confessed on January 27, 2005, that he was involved with a Croatian betting syndicate based in Berlin. He admitted to fixing seven games for \$108,350. He was arrested in February and suspended from the league.

On April 29, the DFB banned Hoyzer from the sport for life. Hoyzer also began cooperating with police in establishing the guilt of other referees. He implicated referee Dominik Marks and player Steffen Karl. On March 11, Karl admitted bribing other players and was arrested. Marks was accused of earning about thirty-five thousand euros by manipulating games he was refereeing.

Hoyzer also told police about his connections to the major betting syndicate in Berlin. He said he had met Ante Sapina at Berlin's Café King sports bar, owned by Ante's brother, Milan Sapina. Ante was a shrewd gambler on German soccer, but after meeting Hoyzer, he saw an opportunity to improve his odds. He paid Hoyzer sixty-seven thousand euros and gave him a new television set to rig the games he refereed. In one game in October, Hoyzer manipulated a 1-0 victory by penalizing one team and expelling one of its players. The Sapina brothers, along with several soccer players, were arrested.

The trial of Hoyzer, the Sapina brothers, Marks, and Karl began in October. Hoyzer was charged with eleven counts of fraud. Ante Sapina was charged with forty-two counts. Given that Hoyzer had been cooperating with law enforcement in the investigation, his testimony was not surprising. He admitted to betting on soccer on a small scale until he met Ante, whom, he said, corrupted him. Ante also admitted guilt.

Investigators found that the Sapina brothers made more than two million euros by betting on rigged games. The testimonies of Hoyzer and Sapina differed at points, with the trial revealing that the Sapina brothers cleverly enticed Hoyzer into cheating with a seductive array of bribes. Prosecutors recommended that Hoyzer receive only a two-year suspended sentence, given his confession and his cooperation with their investigation. The judge in the case rejected their recommendation. In a major surprise, on November 21, the judge sentenced Hoyzer to twenty-nine months in prison. Hoyzer's crimes were well-considered, the judge explained, and Hoyzer had violated his duty of neutrality.

Ante Sapina was convicted of fraud and sentenced to thirty-five months in prison. His brothers were given suspended sentences of sixteen and twelve months, respectively. Marks was given an eighteen-month suspended sentence. The sentences of Hoyzer and the other defendants were affirmed on appeal by Germany's highest court. The chief appellate judge condemned the defendants for undermining confidence in Germany's national sport. After the trial and sentencing, German authorities announced that they would continue to investigate other players and referees. The league also ordered that most of the rigged games officiated by Hoyzer and the other implicated referees be replayed.

IMPACT

The Hoyzer scandal impacted German soccer in several ways. First, referees felt their authority and credibility had been undermined. The press began reporting that referees were making calls under a cloud of suspicion, which led to numerous refereeing mistakes. The DFB implemented new rules for referees. They are now required to serve a three-year probationary period in the lower leagues before being eligible for promotion to the higher leagues. The DFB also began using an observer to monitor all calls in games of the German Cup.

Second, the scandal impacted the betting industry in Germany. Betting is a huge business in German soccer, as it is in almost all professional sports. It is estimated that in 2004, betting on soccer amounted to 1.2 billion euros. The Hoyzer scandal

made it especially clear that corruption is a part of betting, especially when large amounts of money come into play. Although gambling is unlikely to be eliminated from professional sports, the scandal nevertheless led the FIFA and DFB to initiate stricter controls against gambling on soccer. FIFA decided to monitor betting at all World Cup tournaments, beginning with the 2006 finals in Germany.

Third, the Hoyzer scandal threatened the atmosphere of the FIFA World Cup tournament scheduled to be played in Germany in the summer of 2006. Fortunately for German soccer, its legendary former soccer star, Franz Beckenbauer, had assumed the role of president of the World Cup organizing committee. Beckenbauer was the epitome of professional integrity and success in competitive soccer. With the conclusion of the Hoyzer prosecution and Beckenbauer's adroit management, the 2006 World Cup tournament was a great success.

—Howard Bromberg

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the impassioned politics of fandom masked the significance of the Hoyzer scandal.

SEE ALSO: Apr. 2, 1915: Players Fix Liverpool-Manchester United Soccer Match; July 1, 1994:

Soccer Star Diego Maradona Is Expelled from World Cup; May 4, 2006: Media Uncover Match-Fixing in Italian Soccer; July 29, 2008: NBA Referee Tim Donaghy Is Sentenced to Prison for Betting on Games.

March 17, 2005

FORMER BASEBALL STAR MARK MCGWIRE EVADES CONGRESSIONAL QUESTIONS ON STEROID USE

After being identified as a steroid user by former teammate José Canseco, Mark McGwire was asked to testify at a U.S. House of Representatives hearing on steroid use in Major League Baseball. At the hearing, McGwire refused to answer questions about his own history with performance-enhancing drugs or their use by baseball players in general.

LOCALE: Washington, D.C.

CATEGORIES: Drugs; government; medicine and health care; sports

KEY FIGURES

Mark McGwire (b. 1963), Major League Baseball player

José Canseco (b. 1964), Major League Baseball player

George J. Mitchell (b. 1933), former U.S. senator from Maine, 1980-1995, and special counsel to the commissioner of Major League Baseball

Bud Selig (b. 1934), commissioner of Major League Baseball, 1992-

Sammy Sosa (b. 1968), Major League Baseball player

SUMMARY OF EVENT

On March 17, 2005, Mark McGwire appeared before the Government Reform Committee of the U.S. House of Representatives to testify on steroid use in Major League Baseball (MLB). Also present at the hearing were MLB commissioner Bud Selig, representatives from the Major League Baseball Players Association (MLBPA), and players José

Canseco, Rafael Palmeiro, Curt Schilling, and Sammy Sosa. Player Frank Thomas appeared through video conferencing. Also testifying were medical experts and the families of young amateur baseball players who had suffered physically and emotionally from steroid use.

McGwire's testimony became the lasting symbol of the hearings, which were broadcast on national television. After choking up while reading a written statement expressing his regret that younger players had suffered from steroid abuse, McGwire refused to answer questions asked by the committee. McGwire was asked about his own use of performance-enhancing drugs, the integrity of the game of baseball, and whether steroid use constituted cheating, among other topics. McGwire's responses rarely went beyond variations of his statement "I'm not here to discuss the past." Although he did say that steroids were bad and that players should not use them, he would not answer the question of how he knew that to be true. In the end, McGwire left the hearings disgraced and ridiculed for his failure to make pertinent or revealing statements about steroid use in baseball.

McGwire was not the only casualty of the hearings. Sosa, a native of the Dominican Republic, was criticized for his use of a translator, which many journalists claimed was a ruse by the veteran player. Palmeiro testified that he had never used steroids, but within six months of the hearings, he failed a drug test and was forced to retire. Neither player could shake the taint of having used performance-enhancing drugs.

Canseco and Schilling were also disparaged for their testimony as they recanted previous statements. Canseco renounced the prosteroid rhetoric he had used in previous interviews and writings. Schilling, a vocal critic of steroid use, said that he did not know much about the steroid problem in baseball, despite having earlier estimated that a large number of players were users. Officials for both MLB and MLBPA also had a poor showing at the hearings. Members of Congress harshly condemned the weak drug-testing program that MLB and the player's union had put in place two weeks before the hearings.

McGwire had been one of the most popular Major League Baseball players of the late 1980's and 1990's. In 1987, he set the rookie record for most home runs in a season with 49 and won the American League Rookie of the Year Award. With Oakland A's teammate Canseco, McGwire was part of one of the most productive offensive tandems of the era. Playing for Oakland until 1997 and then with the St. Louis Cardinals until his retirement in 2001, McGwire was the most prolific home-run hitter in baseball from his debut in 1986 to 2001. During those sixteen seasons, only eleven of which he played more than one hundred games, he hit 583 home runs. As spectators became infatuated with home-run hitting during the 1990's, McGwire quickly became a fan favorite. His popularity only increased in 1998, when he and Chicago Cubs slugger Sosa pursued the single-season home-run record. With a total of 70 home runs in the 1998 season, McGwire eclipsed the previous record of 61, set in 1961 by Roger Maris. The excitement surrounding the home-run race between McGwire and Sosa helped baseball recover from the damage done to its popularity by the strike of 1994-1995.

Although McGwire had always been a prodigious home-run hitter, the enormous totals he and others produced during the 1990's led to public suspicion that they

Mark McGwire Evades Questions on Steroid Use

were using performance-enhancing drugs, particularly anabolic steroids. As early as 1988, members of the press alleged that Canseco was a steroid user, and he reportedly bragged of that use around his teammates and coaches. Although Canseco later claimed that he and McGwire used steroids together during their time in Oakland, McGwire was not generally suspected by the public of using the drug. During 1998's home-run race, a journalist revealed that McGwire's locker contained a bottle of androstenedione (andro), a legal, muscle-building supplement. When McGwire and Sosa later revealed that they also used creatine, another legal supplement, many fans and sportswriters wondered if the two players had used illegal substances as



Former baseball star Mark McGwire (center, with glasses), and other players at a House committee session investigating steroid use in Major League Baseball. From left is Sammy Sosa and his translator, McGwire, Rafael Palmeiro, and Curt Schilling. (AP/Wide World Photos)

THE MITCHELL REPORT

The Mitchell Report on the use of steroids and other performance-enhancing drugs in professional baseball in the United States was issued on December 13, 2007. The report included three final recommendations on the matter to Major League Baseball.

To prevent the illegal use of performance enhancing substances in Major League Baseball, I [Special Counsel George J. Mitchell] make a series of recommendations. Some can be implemented by the Commissioner unilaterally; some are subject to collective bargaining and therefore will require the agreement of the Players Association.

- First, the Commissioner's Office should place a higher priority on the aggressive investigation of non-testing (so-called "non-analytic") evidence of possession or use, enhance its cooperation with law enforcement authorities, and make other improvements designed to keep performance enhancing substances out of major league clubhouses.
- Second, Major League Baseball needs a compelling and greatly enhanced educational program that focuses on real-life stories as well as on all the risks involved in the use of performance enhancing substances. These include health risks, career risks, and the many dangers that can result from associating with drug dealers. This program should also give significant attention to the status that major league players enjoy as role models and how their use affects the decisions of young people throughout the country. I have been warned by a number of

former players that some players will use performance enhancing substances no matter what they are told. They may be right. But I also heard from other former players who wrestled long and hard with the decision to use performance enhancing substances. An education program that effectively communicates the messages described above might not deter all players from use, but it surely will deter some.

- Third, although it is clear that even the best drug testing program is, by itself, not sufficient, drug testing remains an important part of a comprehensive approach to combating the illegal use of performance enhancing substances. The Commissioner does not have the authority to act unilaterally on drug testing, however; the agreement of the Players Association is required. The current joint drug program is part of the Basic Agreement that was agreed to in 2006 and will remain in effect until 2011. Any changes to the program therefore must be negotiated with and agreed to by the Players Association. Neither party is obligated to agree to reopen the Basic Agreement to address the program, even though that is what happened in 2005. There is no way for me to know whether that will happen again.

well. Although the story was widely reported at first, it soon lost momentum as many fans accepted that andro and creatine were allowed by MLB and easily purchased over the counter.

In 2005, McGwire was in the center of the steroid maelstrom that prompted the congressional hearings. Early that year, Canseco published his tell-all memoir, *Juiced: Wild Times, Rampant 'Roids, Smash Hits, and How Baseball Got Big*. In the book, he named numerous steroid-using baseball players, including McGwire. Despite the extraordinary and damaging claims Canseco made, MLB declined to investigate the issue. The press, however, delved deeper into Canseco's allegations and found evidence to support some of his claims. In response to the press investigations, the Government Reform

Committee announced it would hold hearings on steroid use in baseball.

IMPACT

McGwire's refusal to "discuss the past" at the congressional hearing destroyed his credibility with baseball fans. Only seven years earlier, he had been one of baseball's most beloved stars. In 2007, when he became eligible for election to the Hall of Fame, many voters and other sportswriters identified suspected steroid use and his testimony at the hearing as reasons they would not support his candidacy. Although McGwire had played at a level that justified his induction in the Hall of Fame, he only received support from 23.5 percent of voters, far short of the 75 percent necessary for inclusion.

McGwire became the only eligible player with more than 500 home runs to not be elected to the Hall of Fame.

The attention the hearings brought to steroid use in baseball forced MLB to become more proactive in preventing the use of performance-enhancing drugs. Although drug testing began three years prior to the hearings, the House Government Reform Committee criticized the lenient penalties that were in place, and at the end of the season, MLB toughened its steroid policy. In a plan proposed shortly before the hearings, players who failed tests would be suspended ten games for the first failure, and a fifth failed test was required before a lifetime suspension was even a possibility. Under the policy instituted in November, 2005, a first-time offender received a fifty-game suspension and a third failed test resulted in a mandatory lifetime ban from baseball. However, many continued to criticize MLB for having a drug policy that is lax when compared to that of the International Olympic Committee and other organizations.

On December 13, 2007, former U.S. senator George J. Mitchell, acting as special counsel to the commissioner of baseball, issued his report on MLB steroid use, naming McGwire and nearly ninety other players (those active in 2007 as well as former players) as suspected steroid users. In the wake of the Mitchell Report, Major League Baseball commissioner Selig announced his intention once again to strengthen MLB's testing program.

—Jacob F. Lee

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Mark McGwire Evades Questions on Steroid Use

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SEE ALSO: Nov. 29, 1979, and Jan. 31, 1983: Baseball Commissioner Suspends Mickey Mantle and Willie Mays for Casino Ties; Feb. 28, 1986: Baseball Commissioner Peter Ueberroth Suspends Players for Cocaine Use; Aug. 24, 1989: Pete Rose Is Banned from Baseball for Betting on Games; July 1, 1994: Soccer Star Diego Maradona Is Expelled from World Cup; Sept. 26, 2000: Gymnast Andreea Răducan Loses Her Olympic Gold Medal Because of Drugs; July 26, 2006: Tour de France Is Hit with a Doping Scandal; Oct. 5, 2007: Olympic Champion Marion Jones Admits Steroid Use.

June 22, 2005

U.S. AIR FORCE INVESTIGATES RELIGIOUS INTOLERANCE AT ITS ACADEMY

Claims that cadets and staff at the U.S. Air Force Academy were pushing cadets to accept evangelical Christianity prompted an official inquiry into the allegations. Investigators concluded that the academy faced religious insensitivity, but not discrimination. These conclusions were controversial, and debate continues over religious diversity in the military.

LOCALE: Colorado Springs, Colorado

CATEGORIES: Military; religion; education; social issues and reform; civil rights and liberties

KEY FIGURES

Michael L. Weinstein (b. 1955), U.S. Air Force Academy graduate, who notified media of religious intolerance at the academy

John A. Weida (b. 1956), U.S. Air Force brigadier general, commandant of cadets at the Air Force Academy, 2003-2005

Melinda Morton (b. 1957), U.S. Air Force captain, chaplain at the Air Force Academy

John W. Rosa (b. 1951), U.S. Air Force lieutenant general, superintendent of the Air Force Academy, 2003-2005

Roger Brady (fl. early twenty-first century), U.S. Air Force lieutenant general, who chaired an investigative panel

Kristen Leslie (fl. early twenty-first century), Yale University professor, who led an independent investigation at the academy

SUMMARY OF EVENT

A report released by a U.S. Air Force panel on June 22, 2005, concluded that even though religious insensitivity existed at the academy, discrimination based on religion did not. The Brady Report, named for Lieutenant General Roger Brady, who chaired the panel, covered the period from April, 2003, through early June, 2005, and was based on about

three hundred interviews with staff and cadets. The report, the first official recognition of religious problems at the academy, had nine findings and nine recommendations, but the recommendations were not significant and the report met with mixed reactions.

The religious atmosphere at the academy had long caused unease among some cadets, but the situation deteriorated after Brigadier General John A. Weida was appointed commandant of cadets on April 11, 2003. Weida engaged in a number of acts that upset non-Christian cadets by mixing his personal beliefs with his official duties as commandant. In one case, he told cadets that the Lord was in control, urged cadets to discuss their Christian faith with others, and introduced a "J for Jesus" hand signal to which cadets had to reply.

In December, three hundred academy staff and cadets signed a large advertisement published in the academy's newspaper, urging cadets to contact them to "discuss Jesus." The head football coach, Fisher DeBerry, referred to the football team as Team Jesus Christ. In February, 2004, after the release of Mel Gibson's controversial film *The Passion of the Christ*, zealous cadets papered the academy cafeteria with flyers that indicated the film was officially sponsored by the academy, flashed images from the film during meals, hung posters in many locations, and heavily promoted the film through e-mails.

Michael L. Weinstein, a 1977 honor graduate of the academy, heard about many discriminatory incidents, including anti-Semitic comments, at the academy and began assembling a dossier. Weinstein, who also is an attorney, a former assistant general counsel in the executive office of U.S. president Ronald Reagan, sent the dossier directly to Lieutenant General John W. Rosa, Jr., who had been appointed superintendent of the academy in July, 2003.

On Thursday, July 29, Weinstein, who is also

Jewish and the father of two cadets then at the academy, drove from his home in Albuquerque, New Mexico, to attend the academy's leadership conference, a special event to update graduates on the academy's accomplishments. At the conference he heard about more uncomfortable incidents, including proselytizing attempts, and about anti-Semitic incidents that included comments about Jews being accused of killing Jesus. He then met Rosa and received a lukewarm response to his concerns. He soon realized that Rosa likely did not receive the dossier.

In late December, an academy Protestant chaplain, Captain Melinda Morton, also alarmed over the fervent emphasis on proselytizing, invited Yale University professor Kristen Leslie to the academy to lead a team evaluating the academy's pastoral-care efforts. The team found, in part, that cadets were being told that faith in Jesus would get them through academy training and that cadets who chose not to attend church services were humiliated as heathens. The team was especially alarmed at the proselytizing of young cadets during vulnerable, severely stressful times, and criticized as divisive the academy's "overarching evangelical emphasis."

In late July, 2004, the team's report, called the Yale Report, was delivered to the academy. The academy responded by establishing the RSVP (Respecting the Spiritual Values of All People) project, with the goal of promoting religious diversity at the academy. However, RSVP was strongly opposed by evangelicals among the staff, and the project made little progress.

In September, Weinstein and Steve Aguilar released *The Religious Climate at the United States Air Force Academy*, which documented practices that were in clear violation of the First Amendment to the U.S. Constitution, which guarantees freedom of religion. Weinstein concluded that there was a major power struggle within the academy between fundamentalist evangelicals and other religious persons. He saw no internal resolution in sight, and decided to go public with his concerns.

On November 18, Pam Zubeck, chief military-affairs reporter for the *Colorado Springs Gazette*, published her first story on the controversy. Her se-

ries was picked up by national media. After months of little action, things began to move rapidly. In March, 2005, Weinstein first heard about Chaplain Morton's efforts and about the Yale Report, which had been kept secret. Zubeck found the report, wrote about it, and found herself on television, being interviewed on *60 Minutes II* and CNN. Other major national media began to cover the unfolding scandal. In the meantime, on April 28, Americans United for Separation of Church and State (AUSCS) released a report alleging systematic and pervasive religious bias and intolerance at the highest levels at the academy.

A few days after the release of the AUSCS report, the Air Force announced the formation of an investigative task force. The panel was led by Lieutenant General Brady, a born-again Christian. On June 3, Superintendent Rosa publicly acknowledged there were problems with religious diversity at the academy and said that they were so embedded that it would take years to correct. The Brady Report was released on June 22. Weida and DeBerry apologized for their actions and the Air Force chief of staff warned commanders against promoting their personal religious beliefs. *The New York Times*, in an editorial, criticized the report, arguing that its weak conclusions strained credibility.

IMPACT

The House Armed Services Committee looked into the Brady Report's findings and held a hearing on June 28, but the hearing degenerated into political debate. On July 12, the Air Force deputy chief of chaplains, Major General Cecil Richardson, said that chaplains would not proselytize but that a private chaplains'-association document gave them the right to evangelize the unchurched, ostensibly Jews and other non-Christians. On October 6, Weinstein filed a legal complaint for violations of constitutional rights against the Air Force. The Air Force withdrew the chaplains' document, but neither Weinstein nor the evangelicals were satisfied.

In early 2006, Weinstein took action and founded the Military Religious Freedom Foundation (MRFF). The foundation has received thousands of complaints of religious discrimination

from military personnel, and in September, 2007, broadening its scope, Weinstein filed a lawsuit against the secretary of defense for discrimination against non-Christians in the U.S. military.

—Abraham D. Lavender

FURTHER READING

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Weinstein, Michael L., and Davin Seay. *With God on Our Side: One Man's War Against an Evangelical Coup in America's Military*. New York: St. Martin's Griffin, 2008. The story of Weinstein's battle with evangelical fundamentalists at the Air

Force Academy and his work to keep the military secular and free of religious indoctrination and intimidation. Originally published in 2006.

Welch, Bobby. *You the Warrior Leader: Applying Military Strategy for Victorious Spiritual Warfare*. Nashville, Tenn.: Broadman and Holman, 2004. The president of the Southern Baptist Convention argues in favor of the concept of evangelical militarism as the basis of U.S. military policy.

Winn, Patrick. "Religion at Issue." *Air Force Times*, August 5, 2008. A brief but telling report on the state of religion and religious practice at the Air Force Academy in the wake of the scandal and Weinstein's work in changing the academy's policies.

SEE ALSO: Apr. 4, 1976: West Point Cadets Are Caught Cheating on Exams; June 26, 1992: U.S. Navy Secretary Resigns in the Wake of Tailhook Sexual Assault Scandal; Apr. 28, 1994: U.S. Naval Academy Expels Midshipmen for Cheating; May 20, 1997: Air Force Prosecution of Female Officer for Adultery Reveals Double Standard; Jan. 2, 2003: E-mail Message Prompts Inquiry into Air Force Academy Sexual Assaults; Feb. 18, 2007: *Washington Post* Exposes Decline of Walter Reed Army Hospital.

July 1, 2005

FEDERAL AGENTS RAID CONGRESSMAN RANDALL CUNNINGHAM'S HOME

A raid by federal agents of the home of U.S. representative Randall Cunningham in an exclusive suburb north of San Diego, California, led to Cunningham's resignation from Congress and to his criminal conviction for bribery, mail and wire fraud, and income tax evasion. He pleaded guilty to accepting bribes amounting to at least \$2.4 million from several defense contractors. He was sent to prison for eight years and four months, the longest prison sentence ever for a former member of Congress.

LOCALE: Rancho Santa Fe, California

CATEGORIES: Corruption; government; law and the courts; business

KEY FIGURES

Randall Cunningham (b. 1941), U.S. representative from California, 1991-2005
Brent Wilkes (b. 1954), defense contractor
Mitchell Wade (b. 1963), defense contractor
Thomas Kontogiannis (b. 1949), financier
Kyle Dustin Foggo (b. 1954), CIA official

SUMMARY OF EVENT

Political corruption in pursuit of economic gain is nothing new in U.S. politics, but few have carried it to the lengths of U.S. representative Randall Cunningham of California. Duke, as he was known to admirers and critics, received more than two million dollars in bribes from persons hoping to receive lucrative government contracts, the largest bribery amount in congressional history. The money allowed him and his wife to acquire a home in exclusive Rancho Santa Fe in northern San Diego County, California, as well as fine artworks, luxury automobiles, and a yacht in Washington, D.C., along the Potomac River for Cunningham's personal use.

Born in Los Angeles and raised in Fresno, California, and Shelbina, Missouri, Cunningham was one of the authentic aviation heroes of the Vietnam War, credited with shooting down five enemy planes. He thus achieved recognition as the only U.S. Navy ace pilot of the war. He was awarded the Navy Cross, two Silver Stars, fifteen Air Medals, and the Purple Heart. In 1972, he became an instructor with the Navy's fabled top-gun air-combat school near San Diego, and he later claimed that his experiences in Vietnam were the basis for the 1986 film *Top Gun*, which starred Tom Cruise. After retiring from the Navy in 1987, Cunningham became a Cable News Network commentator.

Narrowly elected to the U.S. Congress in 1990 from a previously Democratic district, Cunningham immediately received adulation and recognition because of his heroic exploits in Vietnam. He subsequently was reelected to Congress by increasing majorities through the 2004 election. In Congress, given his military background and heroic reputation, his initial national prominence came from his participation in the debates leading to the Gulf War. After the Republicans achieved majority status in the 1994 election, Cunningham chaired the House Intelligence Subcommittee on Human Intelligence Analysis and Counterintelligence.

As a member of the Appropriations Education Subcommittee, Cunningham was able to increase federal funds to public schools in San Diego. His

voting record was predictably conservative, attacking President Bill Clinton for a lack of patriotism and for appointing judges who were supposedly soft on crime. Cunningham favored the death penalty for major drug dealers, opposed the move to allow gays and lesbians to serve openly in the military, and accused his Democratic opponents of being socialists. Interestingly, he received the designation "conservation hero" from the Audubon Society for his role in banning shark finning, or the removal of shark fins, and dumping the often still-living sharks back into the sea.

Cunningham began to use the power of his congressional position for his own benefit beginning during the mid-1990's, and initially on a fairly small scale. Brent Wilkes, head of ADCS, Inc., a San Diego defense firm, provided Cunningham with limousine service, free meals, the use of a fourteen-foot motorboat, and occasional payments of \$500. In turn, the Congress member earmarked millions of dollars for Wilkes's businesses, including a \$20 million document-digitization system. Other defense contractors also benefited from Cunningham's endeavors, particularly after the terrorist attacks of September 11, 2001.

Mitchell Wade was one of those defense contractors. He provided Cunningham with private jets for holidays and shopping trips, a condominium, antiques, and a Rolls Royce. Cunningham also had the use of a yacht on Washington, D.C.'s Potomac River, where he lived when Congress was in session, paying nothing and reportedly entertaining prostitutes. Because of his influence, which included the bullying of Pentagon officials, Wade's company, MZM, was awarded numerous government contracts, including a noncompetitive \$250 million five-year contract in 2002. Wilkes provided Cunningham with \$600 prostitutes on a trip to Hawaii.

By 2003, Cunningham's material appetites had increased significantly. Wade purchased Cunningham's residence in Del Mar Heights for \$1.675 million, well over its market value, allowing the Congress member to purchase a \$2.55 million, 8,000-square-foot home in Rancho Santa Fe, a luxury community twenty-five miles north of San

CUNNINGHAM'S BRIBE MENU

The U.S. government outlined its case against Representative Duke Cunningham in a March 3, 2006, sentencing memorandum to the District Court in San Diego, California. In the following excerpt, prosecutors explain how Cunningham's infamous "bribe menu" worked.

The naked avarice that animated Cunningham's corruption is starkly framed in one of Cunningham's Congressional note cards. Under the very seal of the United States Congress, Cunningham placed this nation's governance up for sale to a defense contractor—detailing the amount of bribes necessary to obtain varying levels of defense appropriations.

In this "bribe menu," the left column represented the millions in government contracts that could be "ordered" from Cunningham. The right column was the amount of the bribes that the Congressman was demanding in exchange for the contracts. For example, Cunningham's menu offered \$16 million to Coconspirator No. 2 in government contracts in exchange for the contractor giving up his title to a boat ("BT") for which Coconspirator No. 2 had initially paid \$140,000 ("140"). The next four rows indicate that an additional million dollars in funding was "for sale" in exchange for every additional \$50,000 that Coconspirator No. 2 was willing to pay Cunningham. Once Coconspirator No. 2 had paid Cunningham \$340,000 in bribes, the rates dropped; and, as the final five rows reflect, Cunningham would charge only \$25,000 for each additional million dollars that was awarded in additional government contracts.

Diego. Several months later, Wade sold the Del Mar Heights property for \$975,000, taking a \$700,000 loss on what he paid to Cunningham, in essence a bribe for the Congress member. The mortgage on the new home was paid off by defense contractors in the amount of \$1.25 million. It is estimated that the various bribes to Cunningham totaled approximately \$3 million, making him, according to one source, the most corrupt Congressman in U.S. history, measured in monetary terms.

In early 2005, a federal grand jury, in conjunction with the Federal Bureau of Investigation, the Defense Criminal Investigative Service, and the U.S. Internal Revenue Service, began investigating Cunningham's various financial dealings with Wade. According to the federal government's Defense Information Systems Agency, Wade's

firm, MZM, received \$163 million in federal contracts (not necessarily all from his dealings with Cunningham). On July 1, federal agents raided Cunningham's home in Rancho Santa Fe, MZM offices in Washington, D.C., and the forty-two-foot Potomac yacht on which Cunningham had been living for the previous year.

A few days before the raids, Cunningham stated that he had used poor judgment when he sold his Del Mar Heights home to Wade, that he had paid \$13,000 for docking fees and other expenses connected to his use of Wade's yacht, and that he had never provided any illegal aid to the defense contractor. It also was reported that two weeks before the raids, officials at MZM shredded numerous documents.

IMPACT

On July 14, several days after the raid on his home, Cunningham announced that he would not run for reelection and that he and his wife

would sell their Rancho Santa Fe home and donate the profits to charity. In a plea bargain agreement on November 27, Cunningham resigned his seat in Congress and pleaded guilty to accepting bribes amounting to at least \$2.4 million from several defense contractors, as well as to mail and wire fraud and income tax evasion. As part of his guilty plea, Cunningham agreed to forfeit \$1.8 million in antiques and other items as well as his \$2.5 million home. Included as evidence was Cunningham's "bribe menu," in which he demanded \$50,000 for each \$1 million in value for each contract he steered to a defense contractor. In a tearful statement, Cunningham admitted that he broke the law and that he had disgraced his office, ruined his reputation, and disgraced his family and friends.

Several months later, on March 2, 2006, Cunningham was sentenced to eight years and four

months in prison. Sixty-four years old and suffering from prostate problems, he was spared the ten-year term requested by prosecutors, in part because of his military record. Nevertheless, the sentence was one of the longest ever meted out to a former Congressman. After medical examinations, Cunningham was incarcerated in the minimum-security federal prison in Tucson, Arizona. Reporters from the *San Diego Union-Tribune* and Copley News Service shared a 2006 Pulitzer Prize for their coverage of the Cunningham scandal.

Wade, named as the principal coconspirator, pleaded guilty to numerous charges, including giving Cunningham \$1 million in bribes. Wade agreed to testify against Wilkes, who was convicted of bribery in November, 2007, and sentenced to twelve years in prison. In addition to Wade and Wilkes, Long Island businessman Thomas Kontogiannis also was investigated for his role in arranging a second mortgage for Cunningham on the home in Rancho Santa Fe. Kontogiannis was sentenced to eight years in prison in 2008 for money-laundering bribes given to Cunningham. Kyle Dustin Foggo, number-three official with the U.S. Central Intelligence Agency, was indicted because of his relations with Wilkes.

Other scandals surfaced at the time as well. House Majority Leader Tom DeLay of Texas resigned as a result of his connection with the Jack Abramoff bribery affair, and California Congressman Jerry Lewis, one-time head of the House Appropriations Committee, also was investigated for his connections to Cunningham. However, Cunningham's criminal acts were more egregious and blatant.

—Eugene Larson

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Beginning August 29, 2005**GOVERNMENT INCOMPETENCE MARS HURRICANE
KATRINA RELIEF EFFORTS**

As Hurricane Katrina came ashore along the Gulf coast—most specifically near the city of New Orleans, Louisiana—an ill-prepared local, state, and federal bureaucracy was deeply criticized for its failed response to the devastation. Because many of the victims were African American, critics also claimed that racism was at the heart of government ineffectiveness and inaction. The incompetence led to reform in emergency management at all levels of government and to further questions about the role of racism in how help is administered.

LOCALES: Louisiana; Mississippi; Alabama**CATEGORIES:** Environmental issues; ethics; racism; government; politics; public morals; social issues and reform**KEY FIGURES**

Ray Nagin (b. 1956), mayor of New Orleans, 2002–

Kathleen Babineaux Blanco (b. 1942), governor of Louisiana, 2004–2008

Michael D. Brown (b. 1954), head of the Federal Emergency Management Agency, 2003–2005

George W. Bush (b. 1946), president of the United States, 2001–2009

SUMMARY OF EVENT

On the morning of August 29, 2005, Hurricane Katrina made landfall near Buras, Louisiana, as a category 3 storm on the Saffir-Simpson scale with 135 mile-per-hour winds and a storm surge between eighteen and twenty-five feet. The storm caused catastrophic damage in Louisiana, Mississippi, and Alabama, and led to the deaths of more than eighteen hundred people; the \$82 billion in damage made it the costliest hurricane in U.S. history.

Eighty percent of the city of New Orleans was inundated with water up to twenty feet deep when several levees surrounding the city failed. Local,

state, and federal governments were not prepared to respond to the widespread destruction, leaving thousands of people in need of critical aid and guidance. The controversy stemmed, in part, from a lack of communication at all levels of government, both before the hurricane and after.

On September 22, the U.S. House of Representatives convened its Committee to Investigate the Preparation for and Response to Hurricane Katrina, having been given a clear mandate by Congress: “gather facts about the preparation for and response to Katrina, at all levels of government. . . . [F]ind out what went right and what went wrong.” The committee issued its scathing, 520-page report to Congress on February 15, 2006. The report was deeply critical of how government agencies failed to anticipate disaster, despite clear warnings from the National Hurricane Center (NHC) and the National Weather Service (NWS), that disaster was imminent, and failed to take care of even the most basic of human needs after the hurricane made landfall along the Gulf coast. The report lauded only two government agencies—the NHC and the NWS—and commended the work of countless private citizens and groups in taking the initiative to help their neighbors.

Singled out for criticism by not only the committee but also critics across the United States were New Orleans mayor Ray Nagin, Louisiana governor Kathleen Babineaux Blanco, U.S. president George W. Bush, and numerous federal agencies, including the U.S. Department of Homeland Security and the Federal Emergency Management Agency (FEMA). Other critics of the preparation and response included politicians, scholars, entertainers, writers, social commentators, and the victims themselves.

During the five-day period between Monday, August 29, when the storm hit, and Friday, September 2, twenty to thirty thousand people were stranded at the Louisiana Superdome (a sporting

and entertainment venue that was used as a shelter of last resort during the storm) and the Convention Center, both in downtown New Orleans, with little or no food or medical supplies. For nearly one week, the city of New Orleans was in chaos, and some residents took advantage of a shorthanded and ill-prepared police department and a Louisiana National Guard that was focused on keeping order at the Superdome and Convention Center, by taking food and other needed items from damaged and destroyed stores. (Critics later pointed out that blacks were described by media as looters and whites as victims looking for, finding, and taking food.)

Critics soon accused Mayor Nagin for not having a comprehensive plan to evacuate city residents, especially those with special needs, such as the elderly and disabled. Critics were especially concerned that Nagin, and other officials, failed to make evacuation plans even though NHC and NWS

scientists, five years before Katrina, had predicted what would happen if a storm such as Katrina struck in or near New Orleans. Critics also said that Nagin failed to take advantage of the city's bus system to effectively evacuate those who did not have the resources to get out of the city before the storm struck. Many also pointed out that Nagin lost precious time in failing to issue a mandatory evacuation until 9:30 A.M. on Sunday, August 28, twenty-four hours before the storm came ashore. On Thursday, September 1, a tired and frustrated Nagin went on radio and pleaded with Blanco and Bush to send more assistance, imploring them to "get off [their] asses and do something," so that they could all "fix the biggest goddamn crisis in the history of the country."

Governor Blanco was accused of failing to relinquish enough power and authority in time for the federal government to respond to the needs of thou-



Search and rescue staff with the Federal Emergency Management Agency move through a flooded New Orleans, Louisiana, neighborhood on August 31, 2005. (Federal Emergency Management Agency)



Displaced New Orleans residents wait along the side of a closed freeway for FEMA assistance on September 2, 2005, five days after Hurricane Katrina made landfall. (Federal Emergency Management Agency)

sands of people. Blanco also was faulted for failing to redeploy hundreds of National Guard soldiers who were stationed in one of the most flood-prone areas of greater New Orleans: Jackson Barracks in Chalmette. Another charge leveled at Blanco was that she allowed personal political antipathy toward Nagin and Bush to affect her ability to work with them during the crisis.

President Bush was accused of failing to appreciate the magnitude of Katrina and its destructive aftermath, and that when he did, he did so too late. Katrina necessitated considerable federal assistance. On August 30, one day after the hurricane made landfall, Bush was posing for photographers with a country music singer at a naval base in Coronado, California.

Michael D. Brown, the Bush-appointed head of FEMA, also was singled out as the head of what turned out to be an inept federal agency. Most crit-

ics accused Brown of lacking the proper background and experience to manage FEMA and for not correcting the numerous bureaucratic impediments that prevented the agency from doing its job. Bush clearly showed that he did not understand the magnitude of the disaster, nor FEMA's incompetence, when he publicly praised Brown on Friday, September 2, for "doing a heck of a job." Many also said that Bush had cut funding for the upkeep of the levees that surrounded New Orleans, which the U.S. Army Corps of Engineers helped oversee and maintain.

The worst of the crisis ended on September 2, when Bush, with Blanco's consent, ordered the National Guard to join forces with thirty thousand regular U.S. Army soldiers. They were placed under the command of Lieutenant General Russel Honoré. Thousands of storm victims who were living in the squalid conditions at the Superdome and

Convention Center were bused to the Astrodome in Houston, Texas, leaving the two giant buildings nearly empty by Friday. Bush, Nagin, and Blanco met on Friday to discuss the lack of communication among responding agencies, including the local, state, and federal governments. In a heated but ultimately productive exchange, Nagin encouraged Blanco and Bush to “get together on the same page.”

IMPACT

Criticism of the governments’ response to Hurricane Katrina opened up a personal and partisan political debate, mostly involving Nagin, Blanco, and Bush. On September 12, FEMA director Brown resigned. Ten days later, the congressional investigatory committee convened, and hearings proceeded for months.

In addition to government incompetence, racism played a role in the emergency response to Katrina. The hurricane and its aftermath exposed deep socioeconomic and racial divisions in New Orleans. Critics argued that African Americans were largely forgotten in the crisis. The residents of devastated areas such as the Ninth Ward and New Orleans East were mostly black, as were most of the evacuees and those who ended up at the Superdome or Convention Center because their homes were destroyed and had nowhere else to go. Those most in need and most vulnerable, critics argued, were black, and race played a crucial role in why government officials did not move quickly enough to provide assistance. Reflecting these deep divisions, many people even accused white city officials of blowing up the levees to protect white neighborhoods. This fear was a legitimate one. During the 1927 Mississippi River flood, New Orleans city officials had dynamited several levees to save wealthier white neighborhoods at the expense of poorer African American neighborhoods. On September 2, during an NBC television fund-raiser for Katrina victims, singer-entertainer Kanye West claimed that President Bush “doesn’t care” about black people.

The political fallout hurt the careers of some elected officials, including Blanco, who chose not to run for reelection in the fall of 2007. Others, in-

cluding Nagin, continued their careers amid the controversy. In a January 16 speech, Nagin, who is black, made a racially insensitive remark, referring to the inevitability of New Orleans once again becoming a “chocolate city” (a black majority). Despite widespread criticism, he won a close mayoral election in the fall of 2006.

Three years of thinking about Katrina led to a different response by government officials when Hurricane Gustav, a category 2 storm, made landfall west of New Orleans on the morning of September 1, 2008. This time, evacuation plans were in order. Mayor Nagin and the governor of Louisiana, Bobby Jindal, ordered evacuations days before Gustav came ashore. The order led to the largest evacuation in the history of the state. Although this storm was predicted to be less strong than Katrina, officials would not take chances, especially given that the whole world was watching their response.

—Christopher L. Stacey

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ing the intersections of public policy, government, and race in the wake of Katrina. Argues that perceptions of the disaster cannot be divorced from perceptions of New Orleans as a black city.

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September 12, 2005

WESTAR ENERGY EXECUTIVES ARE FOUND GUILTY OF LOOTING THEIR COMPANY

David Wittig, the former chief executive officer of Westar Energy, Inc., was convicted, along with a company vice president, Douglas Lake, of stealing millions of dollars from the company for personal gain. For their crimes, in which they paid themselves millions of dollars in benefits and used company-owned property for personal matters, Wittig and Lake were heavily fined and sent to prison.

LOCALE: Topeka, Kansas

CATEGORIES: Law and the courts; banking and finance; business; corruption

KEY FIGURES

David Wittig (b. 1955), chief executive officer of Westar Energy, Inc.

Douglas Lake (fl. early twenty-first century), corporate vice president of strategy at Westar

Clinton Weidner (fl. early twenty-first century), president of Capital City Bank

SUMMARY OF EVENT

David Wittig was born in the middle-class town of Prairie Village, a suburb of Kansas City, Kansas. At a young age, he excelled in school, especially in the area of advanced mathematics. He eventually won a

scholarship to the University of Kansas and earned a bachelor of science degree in business administration and economics in 1977. Wittig then moved to New York City, where he began working as a stockbroker on Wall Street.

Wittig, who began working for the major Kansas-based utility company Westar Energy, Inc., in 1995, was rewarded for his aggressive business tactics with a promotion to chief executive officer (CEO) in 1998 and then chairman in 1999. For his next big acquisition, which ultimately led to his downfall, Wittig purchased 85 percent of the nation's second largest security company, Protection One, Inc., for \$1 billion. He then made plans to sell Westar's electric assets to Public Service of New Mexico, a deal that would bring Westar an estimated \$1 billion. This plan failed, along with another plan to purchase Kansas City Power & Light in 1999. However, the greatest problem for Westar became Protection One.

The U.S. Securities and Exchange Commission (SEC) began to investigate Westar's accounting practices. Additionally, Protection One customers began to complain about their services, a direct consequence of Wittig hiring managers who did not understand the businesses they were running. While Westar was losing millions of dollars, Wittig and

other company executives were amassing millions of dollars in bonuses and perks. Although these bonuses were brought to light during the second federal criminal case against Wittig, the first case against him, involved an illegal deal with a prominent Topeka, Kansas, banker in 2002.

Wittig's career on Wall Street began with the Kansas-based firm H. O. Peet & Company. Then, in 1978, he took a job with Kidder Peabody & Co. He eventually was noticed by Martin Siegel, Kidder's number-one investment banker. Siegel took Wittig under his wing and began to show him the ways of Wall Street, giving him advice on acquisitions and mergers. Siegel later left Kidder to join Drexel Burnham Lambert, Inc., and was indicted in 1987 for his involvement in the federal case against Wall Street tycoon Ivan Boesky.

Wittig stayed on at Kidder and made a name for himself as an investor. He was featured on the cover of *Fortune* magazine in November, 1986. The article was about young Wall Street successes who were considered to be the next elite social class in the United States. Wittig began to master the art of medium-size deals in the deregulated utility business of the 1980's. He became close friends with many corporate executives in the Midwest, who helped him on his way to business stardom.

In 1989, Wittig joined Salomon Brothers, Inc., where he shared duties as chief of mergers and acquisitions from 1991 to 1995. In 1995, he became the executive vice president for corporate strategy for Western Resources, Inc. (later named Westar). He quickly became a major player in purchasing businesses that would be free from the regulations of the utility industry. During 1996 alone, he made a hostile takeover bid for Kansas City Power & Light and bought Westinghouse Security Systems for \$368 million. Additionally, Wittig attempted a hostile \$2.6 billion takeover of ADT, the nation's largest residential-security company. Although Tyco International would purchase ADT, Westar netted \$864 million from the sale of the ADT shares that Wittig managed to acquire before the Tyco deal.

The first federal investigation against Wittig occurred in the fall of 2002. The case centered around

Westar Energy Executives Are Guilty of Looting

an illegal business deal between Wittig and the former president of Topeka's Capital City Bank, Clinton Weidner. Weidner needed a \$1.5 million loan to invest in a potentially lucrative real estate project in Scottsdale, Arizona. Wittig agreed to loan Weidner the money in return for increasing Wittig's personal credit line by \$1.5 million and making another \$20 million in loans available to other Westar executives.

Wittig and Weidner were tried in 2003 and found guilty on July 14, 2004, of four counts of making false bank entries and one count of money laundering. Weidner was sentenced to six years and six months in federal prison. Wittig was given a lesser sentence of four years and three months and fined \$1 million.

During this same time frame, Wittig and one of his vice presidents Douglas Lake, resigned from Westar amid accusations of theft of company assets and funds. Federal investigators alleged that the two former executives had undeservedly paid themselves millions of dollars in benefits and used company-owned property for personal matters. In fact, after becoming CEO of Westar, Wittig leased two luxury jets along with a full-time aviation staff. It was discovered that Wittig had inappropriately used these aircraft to take his family on numerous shopping trips to major U.S. cities and even to Europe on occasion. Westar corporate jets also were used to fly his family and friends to popular summer vacation spots, including Wittig's luxurious rental home in Southampton, New York. Furthermore, Wittig purchased and renovated the mansion of former Kansas governor Alf Landon. The renovations alone for this project cost an estimated \$2 million. Additionally, Wittig had his executive office suite redesigned for \$6.6 million, a bill paid for, ultimately, by investors.

In late 2004, Wittig and Lake were indicted on thirty-nine counts for looting Westar. The counts included those for conspiracy, forfeiture, circumvention of internal controls, wire fraud, and money laundering. Wittig and Lake's first trial lasted more than two months, but jurors deadlocked on many of the charges, forcing the judge to declare a mistrial in December. In the summer of 2005, a retrial led to

guilty verdicts. On September 12, Wittig was convicted of thirty-nine counts and Lake was convicted of thirty. A fortieth count ordered them to forfeit the millions of dollars in stocks and cash they looted from the company.

On April 4, 2006, Wittig was sentenced to eighteen years in prison and ordered to pay a \$5 million fine in addition to \$14.5 million in restitution. He could have received a maximum sentence of 455 years in prison. Lake was given a fifteen-year sentence and ordered to pay \$2.7 million in restitution and was fined \$5 million. On January 5, 2007, an appeals court overturned their convictions, citing the government's lack of evidence on the charge that Wittig and Lake failed to comply with federal regulations in using corporate property. The court also ruled that they could not be retried on the most serious charges because of legal protections against double jeopardy. However, the court ordered a retrial on the conspiracy and circumvention charges and on the forfeiture order.

IMPACT

Wittig's crimes had a dramatic impact on the public perception of the company, investors and local citizens alike. Wittig's questionable business deals, coupled with his insatiable greed, put more than an entire company at grave financial risk; it also placed the people of Kansas at risk. Nearly two thousand local citizens worked for Westar, making the company one of the largest employers in Kansas.

Many Westar employees, along with thousands of customers, reported feelings of anger, betrayal, and sadness, the same emotions felt by workers and consumers who were robbed and deceived by corporate executives of other notable companies, such as Enron and Worldcom. However, Wittig and Lake were somewhat different from Kenneth Lay of Enron and Bernard Ebbers of WorldCom. Wittig and Lake were concerned mainly with their own personal gain and not the economic growth of their company.

As a result of the Wittig scandal, Westar implemented debt-reduction and restructuring plans. Furthermore, the company sold non-core-related assets, including Protection One and power plants in

China and India, and remains an active utility provider in the Midwest.

—Paul M. Klenowski

FURTHER READING

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September 30, 2005

DANISH NEWSPAPER'S PROPHET MUHAMMAD CARTOONS STIR VIOLENT PROTESTS

In response to self-censorship in Europe by those fearing reprisal for expressing an opinion on Islam, the Danish newspaper Jyllands-Posten published a cartoon feature depicting artists' conceptions of the Prophet Muhammad. Critics declared that the cartoons constituted hate speech and were insulting to Muslims. While scandalized by the publication, many Westerners were scandalized by the violence of the protests as well.

LOCALE: Copenhagen, Denmark

CATEGORIES: Publishing and journalism; religion; violence; popular culture; colonialism and imperialism; public morals

KEY FIGURES

Flemming Rose (b. 1958), editor at the *Jyllands-Posten*

Kåre Bluitgen (b. 1959), Danish writer

Vebjørn Selbekk (b. 1969), editor who first reprinted the cartoons

Anders Fogh Rasmussen (b. 1953), prime minister of Denmark, 2001-

SUMMARY OF EVENT

Political cartoons have a long history in Western culture, and by the early twenty-first century, almost any aspect of Western culture had become fair game for cartoonists' visual wit. Even Roman Catholic popes, patriarchs, and Jesus Christ were no longer considered sacrosanct. The first decade of the twenty-first century also marked an intensification of conflicts between Western secularism and radical Islamic fundamentalism, particularly after the September 11, 2001, terrorist attacks on the World Trade Center in New York and the Pentagon in Washington, D.C.

On one hand, U.S. president George W. Bush and other Western leaders were careful to avoid any statement related to the global war on terrorism that

sounded like an attack on Islam rather than on the terrorists themselves. Western leaders frequently spoke positively about Islam as a religion. By contrast, Islamic fundamentalist leaders such as Osama bin Laden had openly referred to the Islamic struggle as one against not merely Western governments but Western secularism in general, which the fundamentalists condemn as decadent and immoral.

Islamic fundamentalist leaders have a history of reacting to any criticism of Islam or its prophet, Muhammad, in a manner considered to be inappropriately defensive and thin-skinned by Western standards. To leaders such as the Ayatollah Khomeini, who issued a fatwa (Islamic religious pronouncement) of death against Indian-born British novelist Salman Rushdie for his blasphemous novel *The Satanic Verses* (1988), any reference to Muhammad that was not 100 percent reverential was an insult to Islam. To dare suggest that Muhammad might be imperfect or that Islam has flaws is blasphemous, and any person who does suggest these things should be destroyed.

The potential for violence and even death deeply affected writers and artists, especially those who were Muslim or who were raised in Muslim countries. Many writers and artists felt it necessary to self-censor whenever touching on subjects related to Islam, Muslims, or the Middle East, largely as a result of fear that they too might become targets of the wrath of a radical cleric or clerics. Some people, however, took the chance to voice their opinions, knowing that criticism of Islam was problematic and controversial.

In Denmark on September 17, 2005, the newspaper *Jyllands-Posten* (Jutland post), concerned about self-censorship among intellectuals, artists, writers, and the media on the topic of Islam, published an article examining the work of writer Kåre Bluitgen and his inability to find an illustrator for his children's book *Koranen og profeten Muhammeds liv* (2006; the Qur'an and the life of the Prophet Mu-

hammad) because of fears of reprisal. On September 30, the *Jyllands-Posten* decided to take concrete action against that fear by publishing twelve political cartoons, commissioned by cultural editor Flemming Rose, on Muhammad and Islam. The one-page feature, “Muhammeds ansigt” (the face of Muhammad), included a cartoon that showed the prophet with a bomb in his turban and another that showed him with a crescent hanging over his turban, which could be seen either as a partial halo or a pair of devil’s horns. Other cartoons even mocked the anticipated response to the cartoons.

The text that accompanied the cartoon feature, written by Rose, highlighted an unwillingness by some Muslims to accept the concept of freedom of speech and, in particular, the idea that one must be willing to accept the speech rights of others, even if that person’s speech is offensive. The text also explained that the cartoon feature was a form of integration, that by publishing the cartoons, Muslims were being accepted into Danish society rather than treated as perpetual strangers.

The earliest objections to the cartoon feature, which came from Danish Muslims, were reasoned and peaceful, even after Vebjørn Selbekk, editor of another Danish newspaper, reprinted them in January, 2006. Critics were concerned that the cartoons unfairly stigmatized a Danish minority and placed into danger those Muslims who deplored the terrorism committed by a few coreligionists and those Muslims who wanted only to integrate peacefully into Danish society. They also suggested that the cartoons had imperialist overtones reminiscent of the late nineteenth and early twentieth century, when European great powers carved out colonial empires in the Middle East and ruled with little sensitivity to the cultures and traditions of local peoples.

The response to the cartoons turned violent, however, as some were reprinted in newspapers



Demonstrators march to the Danish embassy in London in February, 2006, months after the Danish newspaper Jyllands-Posten published political cartoons of the Prophet Muhammad. (AP/Wide World Photos)

around the world. First, the reactions came in the form of public protest. In Gaza, demonstrators desecrated not only the flag of Denmark but also those of Norway, the Netherlands, and Germany. As more and more demonstrations around the world—namely in the Middle East—turned violent, hundreds of protestors were killed by police. The flames of anger were further fanned by two Danish imams who assembled a dossier of other images they considered offensive to Islam, including doctored photographs of a Muslim being mounted by a dog while praying (dogs are considered unclean animals by most Muslims). Another example in the dossier referred to a contest in France in which participants put on rubber pig snouts and squealed like hogs while wearing turbans and other garments that suggested the participants were Muslim.

The responses to the cartoons then turned official, as Muslim leaders issued death threats against the cartoonists and even offered rewards for their murder. These threats were considered sufficiently serious that the artists went into hiding. In February, 2008, three people were arrested by Danish police for conspiring to murder cartoonist Kurt Westergaard, whose work depicted the Prophet Muham-

mad with a bomb in his turban. Boycotts against Danish goods were answered with calls to buy Danish products as a way of showing support for free speech. Denmark's prime minister, Anders Fogh Rasmussen, refused to issue a public apology, insisting that he would not compromise Denmark's commitment to freedom of speech.

In January of 2006, the controversy had become so severe that the *Jyllands-Posten* published an open letter to its readers. In the letter, the editorial staff explained that the cartoons had been presented soberly as a form of political and social commentary, and that they were not intended to insult or offend. The artist who had drawn the cartoon of Muhammad wearing a turban with a bomb explained that his intent was not to attack Islam but to protest that small segment of Muslims who, by committing terrorist attacks in the name of their religion, bring disrepute upon Islam as a whole. The open letter, which *Jyllands-Posten* put on its Web site to make it available worldwide, failed in its intent. Many considered the letter nothing more than arrogant and self-justifying.

IMPACT

The cartoon feature reinforced perceptions already held by many. Muslims consider the cartoons further evidence that Western secular culture has no respect for the sacred, specifically the sacred in Islam, while Westerners believe the ensuing riots and protests prove that Islam is antithetical to free speech. The scandal nevertheless impacted Western reporting on Islam and representations of the sacred.

In late 2006, on the first anniversary of the publication of the controversial cartoons, related controversy erupted when a videotape of members of a right-wing political youth group showed group members drawing pictures that insulted Muslims. The artists in the group had to go into hiding because they were threatened with death.

In November of 2007, a British primary school teacher in Sudan was arrested and tried for having insulted Islam by allowing her students to name a teddy bear Muhammad as part of a class project. Although the *Jyllands-Posten* cartoon controversy

Prophet Muhammad Cartoons Stir Violent Protests

was not specifically cited in coverage of the Sudan case, the coverage included the same themes of cultural misunderstanding, Muslim outrage, and international political pressure. The issue was further complicated because Muslims do not consider the name Muhammad too sacred for ordinary use, as long as the name is used for a person. Muhammad is believed to be a particularly lucky name (unlike many Christians who believe that the name Jesus is too sacred to be given to any child). Using the name Muhammad for a toy or animal is considered offensive.

—Leigh Husband Kimmel

FURTHER READING

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November 17, 2005

LIBERIAN WORKERS SUE BRIDGESTONE FIRESTONE OVER SLAVE LABOR

Workers at the world's largest rubber plantation, in Liberia, brought a federal lawsuit against their employer, Bridgestone Firestone, in a U.S. court. Organized by the International Labor Rights Fund on behalf of some six thousand people who lived and worked on the plantation, the suit alleged a litany of abuses including low wages and poor working conditions, forced labor, and the use of children as workers.

LOCALES: Harbel, Liberia; Indianapolis, Indiana

CATEGORIES: Law and the courts; colonialism and imperialism; human rights; environmental issues; business; labor; social issues and reform

KEY FIGURES

Terry Collingsworth (b. 1956), executive director of the International Labor Rights Fund
Daniel J. Adomitis (b. 1955), president of Firestone Natural Rubber Company
David F. Hamilton (b. 1957), U.S. District Court judge

SUMMARY OF EVENT

Bridgestone Firestone, the largest tire manufacturer in the world, is an American-Japanese conglomerate with head offices in Nashville, Tennessee. In addition to its tire manufacturing concerns, the company produces a host of latex products for use in industry and construction. The company was founded in Akron, Ohio, as the Firestone Tire and Rubber Company in 1900. In 1988, Firestone was bought by the Japanese tire manufacturer Bridgestone, and the company was named Bridgestone Firestone (BF) in 1990 after the two entities merged.

At the beginning of the twentieth century, the British government held a global monopoly on rubber. In an effort to supply the growing domestic automobile market with cheaper rubber, Firestone, with the encouragement and full support of the U.S.

government, explored opportunities to break Great Britain's hold on Africa. In 1926, Firestone invested in the West African nation of Liberia. It embarked on a ninety-nine-year lease with the Liberian government for a natural rubber plantation and founded the city of Harbel in Margibi County, near Monrovia. By the early twenty-first century, BF was Liberia's largest employer and held a concession on more than 1 million acres of land throughout the country. The plantation in Harbel alone measured more than 240 square miles and officially employed six thousand people.

The character of natural latex harvesting is highly labor-intensive, requiring the hand tapping of rubber trees with relatively simple tools and the collection of raw latex in portable buckets. Coupled with an impoverished local population and BF's high demand for the natural latex, perhaps it is not surprising that serious charges of abusive labor practices surfaced again in 2005. Each worker, referred to as a "tapper," had to meet a daily quota of 450 pounds of latex.

Acting on information provided by Liberian environmental law activists, Terry Collingsworth, a lawyer and executive director of the International Labor Rights Fund (ILRF; now the International Labor Rights Forum), traveled to Liberia in early October, 2005. The ILRF is a United States-based advocacy organization that focuses on working conditions and workers' rights worldwide, particularly in the developing and least developed world. Collingsworth visited the BF plantation and interviewed more than one hundred laborers about not only working conditions but also housing, sanitation, utilities, and environmental practices. Upon his return to the ILRF's offices in Washington, D.C., Collingsworth filed an Alien Tort Statute (1789) class-action lawsuit against BF on behalf of twelve adult and twenty-three child plaintiffs in the U.S. District Court in Los Angeles on November 17. The Alien Tort Statute allows non-U.S. citizens

to file suit in U.S. courts for international law violations, including slavery and forced labor, that are unrecognized as law violations in the country of the plaintiff or plaintiffs.

The twelve-count claim in *John Roe I et al. v. Bridgestone* alleged that plantation conditions constituted forced labor because tappers labor up to fourteen hours per day and must enlist others (often children as young as six years old) as unpaid help, swelling the workforce to an estimated sixteen thousand people. For their work, the tappers earned the equivalent of \$3.19 per day, before deductions. These wages were docked 50 percent if tappers failed to meet their quotas. In addition, because many of the tappers lived on the plantation, they relied upon BF for housing, food, access to water and electricity, education, and health care. If provided at all, these necessities were well below standard. In short, the lawsuit alleged that BF was engaged in modern-day slavery, forcing the Liberians to work in deplorable conditions by the coercion of poverty.

The suit against BF was filed in the United States, not Liberia, for several reasons. Principally, Collingsworth was able to bring suit in the United States not only because of the Alien Tort Statute but also because of the Trafficking Victims Protection Reauthorization Act of 2003, which, in part, created a civil right of action for human trafficking victims in U.S. courts, irrespective of geographic location of the offense or the nationality of victims or perpetrators. Furthermore, by filing in the United States, Collingsworth hoped to protect the plaintiffs (identified only as John, James, and Jane Roe) and the other plantation workers from retribution and a corrupt legal system in Liberia.

Predictably, BF responded immediately and aggressively to the allegations, employing its substantial legal and public relations resources. In addition to standard-

ized sound bites from a host of BF media liaisons, Firestone Natural Rubber Company president Daniel J. Adomitis was frequently cited in the media not only disputing the veracity of the charges and expostulating on the company's corporate beneficence but also alleging that the ILRF was more interested in generating media attention than in serving the interests of Liberian rubber workers.

On the legal front, BF's team of attorneys simultaneously filed motions to transfer the venue from California to the Southern District of Indiana and to dismiss the case. The court granted the motion to transfer venue based on the case's lack of connection to California and the fact that the company's headquarters are located within the jurisdiction of the Southern District of Indiana. However, the court did not address BF's motion to dismiss.

The case was heard by Judge David F. Hamilton. Again, BF filed a motion to dismiss, for lack of subject-matter jurisdiction. The court denied the motion. On June 26, 2007, the court decided the matter, largely in favor of BF, and dismissed eleven of the twelve counts. In his ruling, Judge Hamilton deemed that the adult workers' principal claim of



Workers in Liberia carry buckets of newly tapped rubber over long distances at Firestone's vast estate in 1978. (Hulton Archive/Getty Images)

forced labor in violation of international law was undermined by their allegations that they are afraid of losing the same jobs they claim they are being forced to perform. Furthermore, his decision specified that forced labor cannot be equated only with low wages and difficult working conditions. In short, it was the opinion of the court that the adults' working conditions on the plantation, while harsh, did not violate the specific, universal, and obligatory norms of forced labor under international law.

In a victory for the ILRF and its plaintiffs, however, the count pertaining to the child workers survived the legal challenge. Hamilton determined that BF actively encouraged parents to require children to work full-time at dangerous jobs on the plantation. The case continued as one of forced child labor.

IMPACT

The allegations that prompted the lawsuit had an immediate impact. Though the treatment of workers on Liberian rubber plantations has been suspect from the early 1930's, when it was first investigated by the League of Nations, the dire conditions have remained largely unknown in North America to all but a small cohort of labor and human rights attorneys, environmentalists, and developing-world solidarity activists.

The ILRF's case has garnered the renewed attention of the United Nations and alerted people in the developed world to the human and social costs of postcolonialism and to cases of corruption and abuse by multinational corporations. More directly, the scrutiny of BF has driven the company to address a host of labor and related issues in Liberia, including better enforcement of the company's own labor regulations, improved basic services on the plantation, and a greater investment in the commitment to provide education and training for the populace. On August 6, 2008, BF signed an agreement with the Firestone Agricultural Workers Union of

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—Stephen L. Muzzatti

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December 6, 2005

SPOKANE, WASHINGTON, MAYOR RECALLED IN GAY-SEX SCANDAL

Spokane mayor James E. West was a conservative Republican Washington State senator and a staunch leader against gay and lesbian rights while in the legislature. In May, 2005, local media reported that West had chatted online with a seventeen-year-old boy about having sex with him. The media also said that West had sexually molested boys years earlier and that he had been having sex with young men whom he met on the Web. West was recalled from office in 2005.

LOCALE: Spokane, Washington

CATEGORIES: Sex crimes; sex; corruption; politics; law and the courts; families and children; public morals; publishing and journalism

KEY FIGURES

James E. West (1951-2006), mayor of Spokane, Washington, 2003-2005

Shannon Sullivan (b. c. 1968), leader of the recall campaign against West

Ryan Oelrich (b. 1980 or 1981), a beneficiary of West's political favors

SUMMARY OF EVENT

In May, 2005, the *Spokane Spokesman-Review* broke a story that it had been investigating for a considerable time. Mayor James E. West, a conservative Republican, was accused of attempting to elicit sexual favors on the Web from a young man in return for an internship at Spokane City Hall. What made this accusation even more startling was that in his twenty-plus years in the Washington State legislature, West had been a staunch voice against gay and lesbian rights. Among the causes he had championed were barring gays and lesbians from working in schools, day-care centers, and some state agencies, and defining marriage as a union only between a man and a woman.

In his powerful post as Washington senate ma-

jority leader, West had effectively killed a bill that would have banned discrimination against gays. He also introduced legislation outlawing sexual intercourse between consenting teenagers. Additionally, as mayor of Spokane, he indicated that he would veto a measure to offer benefits to domestic partners of city employees. Although some of his family-values causes never became law, they were indicative of West's political leanings and presumptive evidence of his hypocrisy.

One of the most shocking aspects of the breaking story was that it involved a boy whom West believed to be only seventeen years old. In reality, the event was a sting; the presumed teenager with whom he had been in contact was someone hired by the *Spokesman-Review*. During one of their online chats, for which he called himself Right Bi-Guy, the mayor admonished the youth to remember that he was "very closeted" and that no one knew he liked men sexually.

The *Spokesman-Review* published the Web exchanges in copious detail. Even more seriously, the article accused the mayor of having molested at least two young Cub Scouts (both of whom later became convicted felons) almost twenty-five years earlier when he was a sheriff's deputy. To minimize the damage, West immediately issued a statement apologizing for the "shame" he brought to the city but vigorously denied any molestation. He did resign from a Boy Scouts council and admitted to frequenting gay Web sites and having sexual relations with adult men. Although denying he was gay, he did allow that he might be bisexual. (He had married at a relatively late age, was in that relationship for about five years, and then was divorced.)

Despite the accusations against him, West vowed to complete the mayoral term to which he had been elected in 2003, the same year he was diagnosed with colon cancer. Among the accusations was that he had promised city jobs to those with whom he hoped to have sex. One person who re-

ceived a city job in exchange for sex was twenty-four-year-old Ryan Oelrich, whom the mayor did appoint to Spokane's Human Rights Commission. Oelrich resigned after six months because he claimed West would not stop pressuring him for sex. Eventually, the Federal Bureau of Investigation (FBI) stepped in to investigate the charges of public corruption.

Although West believed that he was safely closeted, rumors about his sexuality had existed for many years. In general, outrage against the mayor greeted the article, but there were people who questioned its timing. Some thought it had political overtones, and there were those who thought it was unfair entrapment. West threatened to sue the paper for invasion of privacy, but he did not do so. After admitting to the sexual indiscretions, he defended his prior antigay opinions as representing the will of the constituents who had elected him and said they were not necessarily his own beliefs. He also expressed regret about the way he had voted on some of these issues. At a news conference, he averred that the events had "helped me straighten out my personal life" but also complained he had been "brutally outed."

Shortly after the allegations surfaced, Mayor West said he would take a short leave of absence to fight the molestation charges. During an appearance on NBC television's *The Today Show*, he again claimed that he was just following the will of the voters in his antigay proposals. The city of Spokane began looking into West's use of city computers and e-mail accounts. It hired an independent investigator, who determined that West had violated city policy when he downloaded images from a gay Web site onto his office computer. The police did not immediately comment on any possible criminal charges resulting from his actions. For one thing, the statute of limitations for molestation had expired.

Although fellow Republicans and Spokane city leaders distanced themselves from the mayor, they did not push for his resignation. It was left to a single citizen, Shannon Sullivan, to instigate a recall petition. She gathered more than the required 12,600 valid signatures. The thirty-seven-year-old mother maintained it was not an antigay move but

that she just wanted a mayor whom her young son could be proud of. A Superior Court judge ruled against two counts of the petition but left a third intact. West then appealed to the Washington State Supreme Court, which ruled against him. Although not a lawyer, Sullivan herself had made the oral arguments before the court. A special mail-in recall election was then ordered and held on December 6, 2005.

During the recall campaign against him, West had few public defenders, but when a gay rights group offered him a forum to tell his side of the story, he declined. West was recalled from office by a 65 to 35 percent margin (approximately 40,000 votes for the recall and 21,500 against it). Sometime before his death from colon cancer at the age of fifty-five in July, 2006, West told a Seattle newspaper that he no longer visited gay Web sites and had been refraining from gay sex. This revelation could well be related to his hopes to run for office again.

IMPACT

Toward the end of his life, West still hoped to be rehabilitated, but his political career was finished. Although he had characterized being the mayor of Spokane as his "dream job," he apparently harbored ambitions to run for governor. (He did run for lieutenant governor in 1996 but was defeated in his party's primary.) The Republican leadership of Washington State avowed that the scandal would not reflect on their party, but it is possible that some political fallout resulted. Another right-leaning antigay conservative within the party was revealed to be a hypocrite on the issue.

The local lesbian and gay community used the West scandal to demonstrate the damage that being closeted caused to those who felt they had to conceal their sexuality. They also wanted to highlight the hypocrisy of those politicians who espoused family-values rhetoric in public but who lived very different—indeed, deeply opposed—lives in private. This case engendered much discussion in Spokane about the problems that gays and lesbians faced. A gay spokesperson said that the city had learned that "lives lived in dishonesty are lives not well-lived."

Overall, the gay and lesbian communities in Spokane and elsewhere were generally less than sympathetic to West. *The Advocate*, a leading gay news periodical, decried as “pathetic” those people, including West, who denied their sexuality.

—Roy Liebman

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Spokane Mayor Recalled in Gay-Sex Scandal

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January 21, 2006

BRITISH POLITICIAN RESIGNS AFTER GAY-SEX ORGY

Politician Mark Oaten, an up-and-coming Liberal Democrat, was forced to relinquish his seat in the British parliament when it was revealed that he had been linked with male prostitutes and participated in gay orgies. He attributed his behavior to a midlife crisis instigated by the aging process, including the rapid loss of his hair.

LOCALE: London, England**CATEGORIES:** Prostitution; government; politics; sex; public morals**KEY FIGURES**

Mark Oaten (b. 1964), member of the British parliament

Tomasz (b. c. 1980), prostitute and former ballet dancer from Poland

Belinda Oaten (b. 1968), Mark Oaten's wife

SUMMARY OF EVENT

In January of 2006, the British tabloid *News of the World* published a story about the sexual peccadilloes of forty-one-year-old Mark Oaten, a Liberal Democrat member of Parliament (MP) from the constituency of Winchester, England. The titillating account described his six-month liaison with a "rent boy," the English term for a male prostitute. Identified only as Tomasz, the latter was allegedly a former ballet dancer from Poland.

It was reported that Tomasz also occasionally participated in orgies with the MP along with at least two other rent boys. The article cited "a bizarre sex act too revolting to describe" as one of Oaten's predilections. This bizarre act was later determined to involve coprophilia, a rather extreme form of sexual gratification or humiliation, or both. He also had a predilection for having the rent boys dress in soccer uniforms.

Oaten was an ambitious up-and-coming politician when the scandal broke. Born in the small town of Watford, England, he worked in public relations and as a lobbyist before entering politics when he

was elected to the Watford District Council. At the age of twenty-two, he was one of the youngest town council members in England. His eight-year service apparently gave him a taste for higher office. In 1992, he ran unsuccessfully for Parliament, but it was only a temporary setback. Five years later he won a seat for the Liberal Democrats by the very narrowest of margins—two votes—by unseating the Conservative incumbent in his new constituency of Winchester, the home of the famous cathedral.

Not unexpectedly, such a narrow voting margin was challenged, and the election was rerun. This time Oaten triumphed by the convincing margin of more than twenty-one thousand votes. His political career seemed assured. He was reelected in 2001 and 2005, albeit by decreasing margins of victory, and was considered one of the future leading lights of his party's right wing. Among his posts were those as party spokesperson for disabilities and membership on the foreign affairs and defense team.

Ultimately, Oaten became the chairman of the Parliamentary Liberal Democrats. He served in other capacities as well before becoming the party's shadow home secretary, a sign of the esteem in which the party held him. In late 2005, the alcoholism of the Liberal Democrats' leader, Charles Kennedy, was revealed and the party fell into crisis. Oaten, although publicly supporting Kennedy, was seen as maneuvering to succeed him behind the scenes.

In January, 2006, Oaten declared himself in the running for the position of party leader. If successful he would be in line to be prime minister should his perennially also-ran party ever form a government. Just a week later, Oaten withdrew from his leadership quest amid increasing rumors about his private life, although he claimed he withdrew because he did not have adequate support from his party. On January 21 the gathering storm broke with the publication of the *News of the World* story about Oaten's gay sex life.

The married father of two daughters, Oaten had used his seemingly staid “family man” image to his political advantage. He was now reviled as a hypocrite. Additionally, he had previously criticized a judge who had been fired for cavorting with rent boys. Although he would confess only to “errors in judgment,” Oaten later blamed his misfortune on a midlife crisis, examples of which were the rapid loss of his hair and turning forty years of age. He did not admit to being gay even though he apparently had been a habitué of male prostitutes for at least one and one-half years before being discovered. One of the prostitutes was quoted as saying that the MP was “a very troubled man leading a very dangerous double life.”

For a while after the scandal began developing, Oaten had to weather being the object of scatological jokes. One joke asked how he and Charles Kennedy were alike. The punch line (referring to one’s assumed sexual practice and the other’s alcoholism) was “They both like to get s—t-faced in the evening.” Oaten also was derided a few months after the scandal for apparently trading in on his notoriety by appearing on a daytime-television fitness program.

Oaten apparently rose above his problems and, even though no longer in government, he staged a modest comeback. He became active in prison reform circles and became a member of the Council of Europe and the Western European Union. He also lectured on politics at Oxford University and at universities in the United States. Oaten’s well-received book, *Coalition: The Politics and Personalities of Coalition Government from 1850*, was published in 2007.

IMPACT

Oaten’s own political career lay in ruins. He resigned his party posts and said he would not run again for his Parliament seat in the next election; he stood very little chance of winning, according to polling data. His disgrace affected his party as well; the so-called “Oaten effect” was blamed for his party’s loss of the majority on the Winchester Council.

This scandal, coming just two weeks after party

leader Kennedy’s resignation, greatly harmed the Liberal Democrats. Their ratings in the polls dropped to the lowest level in eight years, and it was reported that the second-place Conservative Party was hoping to gain some defectors from its ranks.

On a personal level, Oaten’s marriage of thirteen years was severely affected, and his wife vented her anguish in public. Unlike many political wives in the United States whose husbands have been involved in scandal—such as the spouse of former New York governor Eliot L. Spitzer—Oaten’s wife, Belinda, at first declined to play the role of the supportive spouse. According to Oaten himself, his statuesque wife threw her wedding rings at him and struck him several times. To journalists she declared that his betrayal had plunged her into “unimaginable horror.” They did reconcile later, but not until after Belinda Oaten had taken the children and left home for a period of time.

The gay community in Great Britain was somewhat energized by this case. Even though Oaten did not actually come out as gay, or even as bisexual, at least one politically active gay organization in England challenged his party. The group stated that other members of the gay-friendly Liberal Democrats should now take the opportunity to go public with their own homosexuality.

—Roy Liebman

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Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant; July 25, 1987: Novelist-Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*; Dec. 18, 1989: Prince Charles's Intimate Phone Conversation with Camilla Parker Bowles Is Taped; Aug. 23, 1992: Princess Diana's Phone Conversation with Her Lover Is Made Public; Sept. 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair; Jan. 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock; Aug. 31, 1997: Princess Diana Dies in a Car Crash; Sept. 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major; Apr. 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary.

March 14, 2006

DUKE LACROSSE PLAYERS ARE ACCUSED OF GANG RAPE

The Duke University men's lacrosse team received scandalous national attention when an exotic dancer accused three of the team's players of raping her during a party. The case led to heated public debate about rape, racism, and press coverage. It also led to the firing of the team's head coach, to the cancellation of the lacrosse team's season, to the disbaring and public disgrace of the prosecutor, to the exoneration of the three indicted players, and to civil lawsuits.

LOCALE: Durham, North Carolina

CATEGORIES: Law and the courts; sex crimes; publishing and journalism; women's issues; racism; social issues and reform; education

KEY FIGURES

Crystal Gail Mangum (b. 1979), exotic dancer and North Carolina Central University student
Mike Nifong (b. 1950), Durham, North Carolina, district attorney

Reade Seligmann (b. 1985), Duke lacrosse player
Collin Finnerty (b. 1986), Duke lacrosse player
David Evans (b. 1984), Duke lacrosse player
Mike Pressler (b. 1960), Duke lacrosse team head coach
Richard H. Brodhead (b. 1947), president of Duke

SUMMARY OF EVENT

On the evening of March 13, 2006, the student body of Duke University had been enjoying spring break. Remaining on the Durham, North Carolina, campus were members of the university's lacrosse team, which had games scheduled during the break. Players gathered at the rented house of a teammate at 610 West Buchanan Boulevard, opposite Duke's east campus. The house was owned by the university.

Earlier in the day, team member Dan Flannery hired two exotic dancers to provide entertainment for a party scheduled for that evening. Kim Roberts, who was African American-Asian, and Crystal Gail

Mangum, who was African American, were set to arrive at the party at 11 p.m. They were scheduled to dance for two hours and were paid eight hundred dollars in advance for their services. Kim (the two dancers used their first names only when working) arrived shortly after the scheduled time and Crystal arrived shortly before midnight. By that time the party was well under way, and many members of the team had been drinking for some time.

Shortly after midnight, Crystal and Kim locked themselves in the house's only bathroom before leaving the house around 12:20 on the morning of March 14. Kim left the property entirely but Crystal, a student at North Carolina Central University, also in Durham, remained in the yard. Perhaps intoxicated, she was photographed lying on her side at 12:37, having fallen down. At 12:41, she was photographed as she entered a car belonging to Kim, who had returned to the property. At 12:53, Kim called 911 complaining that men outside the house were shouting racial epithets at them. Two police cars arrived within five minutes, but because all was quiet, they left the residence.

At 1:22, Kim again called the police because Crystal was drunk and unconscious in her black Honda. The police arrived, removed Crystal from Kim's car, and took her to Duke University Medical Center, where, during initial screening, Crystal answered "yes" when asked whether she had been raped. One hour later, she told a police officer that she had not been raped. He called headquarters to inform the watch commander that Crystal withdrew her rape allegation. However, Crystal then told a sexual-abuse nurse that she had been raped, so her accusation of rape was not withdrawn by police.

Although Crystal's account was inconsistent, the rape charge was investigated nonetheless. On March 16, the accuser was asked to identify the alleged rapists from photographs of all forty-six members of the lacrosse team. She singled out three white men. One of the men, Reade Seligmann, had a persuasive alibi and could prove that he was not in the house at the time the rape allegedly took place. He had left the house and was taped by a surveillance camera using an automatic teller machine (ATM) some distance from Buchanan Boulevard,

Duke Lacrosse Players Are Accused of Gang Rape



Duke University lacrosse player Reade Seligmann, right, speaks with his attorney in court in Durham, North Carolina, on May 18, 2006. Seligmann and two teammates were indicted for rape but were later exonerated. (AP/Wide World Photos)

the site of the party. His ATM transaction was made at 12:24 a.m. on March 14.

As the case developed, all forty-six lacrosse players voluntarily provided DNA samples to investigators. These samples were compared to the DNA collected from semen that was in Crystal's vagina and on her underclothing the night of the alleged rape. The samples from the lacrosse players did not match the DNA of the semen, suggesting that Crystal had sexual intercourse—consensual or by means of rape—with someone on the evening in question, but not with any of the accused.

Duke University president Richard H. Brodhead first heard of the accusations on March 20. On March 24, Coach Mike Pressler met with Duke ad-

ministrators and supported the accused players. The following day, Brodhead met with advisers to discuss how best to handle the case. On March 28, Brodhead suspended the lacrosse team pending the outcome of the investigation.

Mike Nifong, acting Durham County district attorney at the time of the incident, was running for election as district attorney. He was courting the black vote, so he had a personal interest in impressing the black community with his ability to serve their interests. As he became more fully involved in the case, he won increasing support among black voters. He capitalized on the strained relations between Duke, often portrayed as a rich person's school, and the surrounding, somewhat impoverished, black community.

By March 29, the Duke scandal had received national attention when it was reported in a front-page article in *The New York Times*. On that day, Brodhead met with members of the Duke faculty senate, who urged him to suspend the lacrosse team, dissolve the lacrosse program, and fire coach Pressler. On April 5, Brodhead canceled the team's season and demanded that Pressler resign. The following day, eighty-eight members of the Duke faculty signed a statement condemning the alleged gang rape and published their statement in the *Duke Chronicle*.

On April 17, players Collin Finnerty and Seligmann were indicted on charges of first-degree forcible rape, first-degree sexual offense, and kidnapping. If found guilty, the two would have received life sentences. Senior player David Evans received his bachelor's degree on May 14 and was indicted the following day on similar charges.

As the case proceeded, Nifong's prosecution turned scandalous. He withheld from defense counsel such items as the surveillance videotape showing Seligmann using the ATM at the time the alleged rape occurred. He minimized the importance of inconsistencies in Crystal's account of the alleged rape. Most critically, he withheld the results of the DNA tests that would have instantly exonerated all three defendants.

Four days before the election, the judge in the case ordered Nifong to turn over the DNA results to

the defense, but Nifong ignored this order. On November 7, he won the election. Glaring irregularities in the prosecution's case increasingly became apparent, and the rape charges against the three defendants were dropped on December 22.

On December 28, the North Carolina State Bar filed ethics charges against Nifong, claiming in its report that his conduct in the case was "prejudicial to the administration of justice." The bar's report also said that Nifong had engaged in "conduct involving dishonesty, fraud, deceit, or misrepresentation."

Nifong was sworn in as district attorney on January 2, 2007. Ten days later, he asked North Carolina attorney general Roy Cooper to take over the case. On June 16, Nifong was disbarred. In April, all remaining charges against the players were dropped by Cooper. In August, Nifong was sentenced to one day in jail and fined \$500 for criminal contempt of court.

IMPACT

The initial scandal in this case was the gang rape allegations against three Duke lacrosse players. As the case moved forward, the scandal grew to include the university's rush to judgment in canceling the lacrosse season, suspending players, firing the team's head coach, and issuing a statement by its faculty senate that condemned the alleged gang rape. President Brodhead acted precipitously in suspending Finnerty and Seligmann without convincing evidence that they were guilty. The forced resignation of Coach Pressler, who helped raise the team to national prominence during his sixteen years at Duke, was brought about by external pressures and the fear of bad publicity such a case would bring to the university. Even had the three players been found guilty, Pressler's forced resignation would have been unjustified.

Even more scandalous was the self-serving prosecution of the case by a civil servant—acting district attorney Nifong—who was desperately attempting to establish his worth as a politician. His unethical actions came close to destroying the lives of three innocent university students. In the end, Duke University was forced to pay damages to

those harmed by the case. Durham County and Nifong were sued for damages as well.

—R. Baird Shuman

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April 26, 2006

BRITAIN'S DEPUTY PRIME MINISTER ADMITS AFFAIR WITH SECRETARY

After Deputy Prime Minister John Prescott admitted that he had a two-year affair with his secretary, Tracey Temple, she went public with her story and maintained that he used his power to get her into a sexual relationship, and that the two often had sex in his office. This abuse of power constituted sexual harassment, but the media focused on the relationship.

LOCALE: London, England

CATEGORIES: Sex; sex crimes; government; politics; public morals; women's issues

KEY FIGURES

John Prescott (b. 1938), British deputy prime minister, 1997-2007

Tracey Temple (b. 1962), Prescott's diary secretary

Tony Blair (b. 1953), British prime minister, 1997-2007

SUMMARY OF EVENT

John Prescott had been a key figure in Tony Blair's Labour Party government since the election of 1997. Before this time, Prescott was a combative figure in union affairs and in public debates with Conservatives. He had moved from old-style Labour to join Blair's New Labour, and for this he was valued by the new prime minister. He had been a senior cabinet minister, first as combined transport and environment minister, then picking up the employment portfolio. In 1997, he succeeded

Michael Heseltine as deputy prime minister.

In late 2002, Prescott began an affair with his newly appointed diary secretary, Tracey Temple, an affair that lasted about two years. Temple was thirty-seven years old and Prescott was sixty-one. However, it was not until 2006, some two years after the affair had ended, that Temple decided to go to Max Clifford, a leading British publicist, with her story. Clifford negotiated a \$500,000 deal with the *Daily Mail* to buy her story. It was published on Sunday, April 30. The popular and competitive Sunday papers in Britain have traditionally given themselves over to scandal of all kinds, and they are always prepared to pay large sums for any story about the disgrace of a public figure. The Prescott story filled nine pages.

Prescott discovered the immanent deal between Temple and the newspaper, a deal not completed until Saturday, April 29. He decided to go public first, and on April 26 admitted to his two-year affair. Prescott's admission was followed on the Saturday of the deal with a television interview of Temple, in which she stated that she had to let people know the truth, but added, "But I never, ever thought I would actually have to do anything like this." She claimed that news of the affair was going to break anyway, that she had had minimal support from Prescott, and therefore she had decided to make her move. She claimed to have been manipulated and said that falsehoods about her were circulating.

Prescott himself denounced the publication of her story and the press's raking through details of politicians' private lives, and he also accused Temple of making up much of it. He threatened to sue. Much of this could be seen as typical bluster. More significant, the government immediately announced its continuing support for Prescott, claiming he still had a vital role to play and that the affair was a private matter that had no effect on the course of government.

The material Temple supplied to the *Daily Mail* was based on a diary she had kept, which was frequently quoted by the newspaper. The most sensational part of the diary was the rendezvous the lovers kept, which were often in government buildings or buildings occupied by Prescott on a "grace and

favor" lease as part of his job. Thus, they met in his apartment in Admiralty Arch, just down the road from Whitehall, where Prescott had his office. Some of the affair was conducted in his own office, while his staff were working outside, sometimes even with the door open. More damaging, she claimed they had sex immediately after a significant public event: a memorial service for the war in Iraq, held in St. Paul's Cathedral, London, in October, 2003. They also had sex in a hotel room while Prescott's wife, Pauline, was waiting downstairs.

Prescott had made little attempt to be discreet about the relationship. He invited Temple to escort his wife to the state opening of Parliament in 2002, soon after the affair had begun at a Christmas party. This was an inappropriate invitation, given that Temple was only his diary secretary, a somewhat junior position. He had also engaged in sexual banter with her in front of other colleagues and had caressed her in public elevators in his office building.

Temple stated that she enjoyed the attention. Her boyfriend at the time, Barrie Williams, had more to tell another popular newspaper, the *Daily Mirror*. He stated that Temple's sexual appetite was large, and after a few drinks she became very adventurous and flirtatious. He had been quite unaware of the affair, even though Temple asked him to marry her just after embarking on the affair with Prescott. He thought Temple had reveled in her power, though she explicitly denied this.

IMPACT

The immediate impact of the scandal for Temple was that she was shifted to a minor position as a gardener for two months. She was then given a low-key post at the University of Westminster. Finally, in January, 2007, she was given back her old job in the deputy prime minister's office, but with no immediate contact with Prescott. In fact, very soon after, Prescott resigned and was not involved with the cabinet of the new prime minister, Gordon Brown.

For Prescott, the scandal could have cost him his job. He held a delicate position in the government, as a sort of point of contact between Blair and his chancellor, Brown. While not in Blair's innermost circle of advisers, Prescott was in a very senior posi-

tion. Although there was no breach of security, and none suggested, he did become something of a figure of fun as a result of the affair, and he lost a good deal of credibility. Previous displays of inappropriate behavior made Prescott something of a liability for a while, but Blair was typically loyal to old colleagues and was prepared to protect him.

Prescott's forty-four-year marriage remained intact, though there were stories of Pauline Prescott's fury over the affair. Prescott himself asked for privacy for his family, though a television comedy about the affair, *Confessions of a Diary Secretary* (February, 2007), was hardly the answer he wanted. Rumors of an earlier affair threatened but never came to light. Prescott was thus able to remain in office.

For the government, the affair came on the heels of other embarrassing faux pas, especially the Home Office minister's admission that criminals recommended for deportation at the end of their prison sentence were not being sent back to their country of origin, and earlier sexual scandals involving Robin Cook, a former foreign secretary, and others. Many believed that Blair was losing his grip on his government ministers. However, Blair kept his equilibrium and resigned in 2007, a time of his choosing, after ten years in power.

—David Barratt

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Deputy Prime Minister Admits Affair with Secretary

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May 4, 2006**MEDIA UNCOVER MATCH-FIXING IN ITALIAN SOCCER**

The Italian media revealed wire-tapped conversations between the former team manager of the popular Juventus soccer club, Luciano Moggi, and Italian Football Association officials about appointing particular referees to particular games. Four of the premier clubs in Italian soccer were implicated in the scandal, and several sports executives were convicted and imprisoned. Most shocking was the demotion of Juventus to a lower division of play.

LOCALE: Italy**CATEGORIES:** Corruption; sports; organized crime and racketeering**KEY FIGURES**

Luciano Moggi (b. 1937), general manager of the Juventus soccer team

Antonio Giraudo (b. 1946), chief executive of the Juventus soccer team

Silvio Berlusconi (b. 1936), owner of AC Milan and prime minister of Italy, 1994-1995, 2001-2006, 2008-

SUMMARY OF EVENT

The corruption scandal that struck Italian soccer in 2006 enveloped four of the most famous and successful teams in the history of the sport. In soccer-crazed Italy, Juventus stands as the most storied team in the country and is the third most successful soccer team in all of Europe. Formed in 1897, the Turin-based club has won more than fifty trophies. Prior to the 2006 scandal, the team spent its entire history in Serie A, the upper division of Italian soccer. Accordingly, it has the largest fan base in all of Italy with about 11 million fans, as well as 28 million registered fans throughout Europe and an estimated 170 million fans worldwide. It is the most popular soccer team in the world.

The soccer club Associazione Calcio Milan, commonly known as AC Milan or Milan, formed in 1899 and also spent most of its history in the top

ranks of soccer. It has won eighteen international titles, more than any other soccer team in existence. In 1986, entrepreneur Silvio Berlusconi acquired the team and retained ownership while he served three terms as prime minister of Italy. Berlusconi owned the club during the scandal.

Società Sportiva Lazio, known as SS Lazio or Lazio, formed in Rome in 1900. Although not as successful as Juventus or AC Milan, Lazio has spent most of its history in Serie A and is not a stranger to scandal. A 1980 incident involving illegal betting resulted in the club being temporarily demoted, along with AC Milan, to Serie B. Lazio suffered a loss of season points in 1986 for illegal betting by a player. In 2002, the club's owner, Sergio Cragnotti, was involved in a financial scandal with his food-services company, which forced him to reduce spending and ultimately sell the club. By 2006, Lazio had rebounded and was enjoying a successful season with a roster of inexpensive players.

ACF Fiorentina, generally known as Fiorentina, formed in 1926 in Florence. The club has also spent most of its existence at the Serie A level. The club went bankrupt in 2002 and essentially ceased to exist for two months until being revived by a new owner. Beginning at the Serie C level, Fiorentina worked its way back to Serie A by the end of the 2003-2004 season. By 2006, the club was struggling to avoid being relegated back to Serie B and desperately needed every victory that it could obtain.

On May 4, details of match-fixing between Luciano Moggi, general manager of Juventus, and an official responsible for refereeing assignments were printed on the front page of Italy's largest newspaper. Moggi and Antonio Giraudo, a Juventus chief executive, were accused of creating a network of soccer federation officials, team owners, referees, and journalists to influence refereeing assignments and thus the outcome of league games. Moggi pressured the vice chairman of the Union of

European Football Associations (UEFA) referees committee to favor Juventus. He also spoke to Italy's interior minister to persuade him to allow Juventus to play a game with Fiorentina after that game had been postponed following the death of Pope John Paul II.

Moggi and Giraudo also were accused of detaining and berating a referee for not favoring Juventus during a November, 2004, game. Television pundits were implicated for having suppressed discussion of controversial decisions that favored Juventus. Moggi and Giraudo resigned later in the month, along with Juventus's entire board.

The Italian Football Federation (FIGC) began investigating forty-one people. In July, 2006, a FIGC prosecutor charged four teams with sports fraud. Juventus, AC Milan, Lazio, and Fiorentina were ordered before the largest sports tribunal ever held in Italy in an improvised courtroom in Rome's Olympic Stadium. The tribunal, which included a panel of six judges and twenty-six officials, including referees, was not, however, a criminal proceeding.

The prosecutor asked Italian judges to punish the clubs in a way that would deter others from thinking about corrupting soccer. He demanded that Juventus be dropped two divisions and that the other clubs also be demoted. However, justice minister Mario Clemente Mastella declared himself and many other fans to be in favor of amnesty for the clubs as a way of holding on to those star Italian players who would possibly flee abroad. After Mastella's pronouncement, other politicians aligned on the question of amnesty according to their allegiance to the various clubs. Berlusconi lobbied against a demotion for any of the teams.

A team's relegation to a lower division would result in a significant financial setback. Juventus, with stock sold on the Milan stock exchange, faced the risk of bankruptcy, as major sponsors would flee a club that no longer played Serie A. The other teams, less prominent, also would lose sponsorships and the ability to pay the salaries of top players. The four implicated teams included thirteen players from Italy's World Cup team. A number of top European soccer clubs, including England's

Chelsea, Arsenal, and Manchester United, and Spain's Real Madrid, eagerly hoped for the opportunity to snag these star players.

IMPACT

On July 14, a sports tribunal announced a verdict that was not as severe as expected, perhaps because Italy defeated France in the World Cup final earlier in the week, thereby sending the entire nation of Italy into euphoria. The sentences fell short of what the prosecutor had sought, yet the fall of Juventus still struck Italy as the collapse of a monarchy.

The tribunal demoted Juventus from Serie A to Serie B for its role in the game-fixing scandal. The club also was docked 30 points, the equivalent of ten losses, which made it very difficult for the team to advance to the championship and move back to Serie A. Juventus also lost the championships it had won in 2004-2005 and 2005-2006. Fiorentina and Lazio also were demoted to Serie B and penalized 12 and 7 points, respectively. AC Milan remained in Serie A but lost 15 points. Moggi and Giraudo received five-year suspensions and fines. The vice president of AC Milan received a one-year ban from the game, and the president and honorary president of Fiorentina were suspended for several years. Lazio's president was banned for three and one-half years. Several referees were suspended.

The teams had three days to appeal the court's decision. With the verdict upheld, Juventus, AC Milan, and Fiorentina would be barred from the Champions League and Lazio would be banned from the UEFA Cup. Milan appealed and had its penalty reduced to 8 points, while keeping its Champions League participation. Milan won the competition in 2006-2007. The other teams also had their punishments reduced. On appeal, Fiorentina won reinstatement to Serie A, with a 15-point penalty. Lazio also remained in Serie A, with a 3-point reduction and a retroactive 30-point deduction that cost them qualification for the UEFA Cup. Juventus played in Serie B in the 2007-2008 season for the first time in the club's history. The team sold many of its players.

—Caryn E. Neumann

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May 12, 2006

SCIENTIST IS INDICTED FOR FAKING HIS RESEARCH ON CREATING STEM CELLS

South Korean biomedical researcher Hwang Woo-suk was charged with faking data in two landmark papers that described the production of the first cloned human embryos, the first embryonic stem cells derived from cloned embryos, and the first patient-specific embryonic stem-cell lines. Furthermore, the unfertilized human eggs used for these experiments were procured through unethical means, and Hwang misused the research funds secured for this work.

LOCALE: Seoul, South Korea

CATEGORIES: Hoaxes, frauds, and charlatanism; publishing and journalism; science and technology

KEY FIGURES

Hwang Woo-suk (b. 1952), stem-cell researcher and a former professor at Seoul National University

Gerald Schatten (b. 1949), stem-cell researcher, University of Pittsburgh School of Medicine

Chung Un-chan (b. 1946), president of Seoul National University

Roh Sung-il (b. 1952), fertility specialist, MizMedi Hospital, Seoul

Roe Jung-hye (b. 1957), dean of research, Seoul National University

Kim Sun-jong (b. 1969), biologist and former Hwang collaborator

Han Hak-soo (b. 1969), producer with the investigative news television show *PD Su-cheop*

SUMMARY OF EVENT

On February 12, 2004, Seoul National University (SNU) biologist Hwang Woo-suk and his colleagues announced that they had successfully used somatic cell nuclear transfer (SCNT) to generate thirty cloned human embryos and derive an embryonic stem cell line from one of these cloned embryos. Hwang's report represented the first time SCNT was successfully used to make cloned human embryos and derive human embryonic stem

cells. The results were published as “Evidence of a Pluripotent Human Embryonic Stem Cell Line Derived from a Cloned Blastocyst” in the March 12, 2004, issue of the renowned journal *Science*.

SCNT involves the removal of the nucleus (the cellular compartment that houses the chromosomes) from an unfertilized egg, followed by transplantation of a nucleus from another cell into this egg and artificial activation to initiate embryonic development. After growing in an artificial culture medium for approximately six days, surviving cloned embryos grow into semihollow spheres called blastocysts. Blastocyst-stage embryos consist of external trophoctoderm cells and internal inner-cell mass cells; the inner-cell mass cells are isolated and cultured to derive embryonic stem cell lines. The supplementary material to Hwang and colleagues’ *Science* article stated that the 242 unfertilized human eggs used for these experiments were collected from sixteen female volunteers, who provided them without financial compensation.

In May, 2004, the British scientific journal *Nature* discovered that some of the eggs used by Hwang’s group were donated by junior members of his own research team. Korean activists for citizens’ rights and bioethicists protested, because it appeared that an overbearing boss coerced his female graduate students to undergo a potentially painful and risky procedure. Nevertheless, Hwang denied any wrongdoing.

Hwang’s group announced yet another landmark advance in May, 2005. They claimed to have established eleven genetically matched patient-specific embryonic stem-cell lines. For SCNT they used nuclei from cultured fibroblasts (a cell from skin biopsies that grows well in culture) taken from nine patients who suffered from spinal cord injury, diabetes, or a disorder of the immune system. The fibroblast nuclei were transferred into nucleus-



Hwang Woo-suk, center, is escorted by members of his research team after a press conference in Seoul in January, 2006. (Hulton Archive/Getty Images)

deprived eggs from female volunteers and grown to the blastocyst stage. These blastocyst-stage embryos were cultured to make patient-specific embryonic stem-cell cultures that were genetically identical to the patients from whom the fibroblasts had been isolated. These patient-specific embryonic stem cells could potentially be used to treat catastrophic diseases that require regeneration of hopelessly damaged tissues, without rejection by the patient’s immune systems. These results, published in the paper “Patient-Specific Embryonic Stem Cells Derived from Human SCNT Blastocysts” on June 17, 2005, in *Science*, were hailed throughout the international scientific community as a major breakthrough.

Although Hwang was a national hero by the time the article appeared, troubling questions and accusations arose nonetheless. On June 1, an investigative news program from the Seoul-based Munhwa Broadcasting Company (MBC) called *PD Su-cheop* had received a tip from a former Hwang research associate that there were enormous ethical problems with Hwang’s egg procurements and technical problems that made the production of patient-specific stem cells impossible. Four months later, on October 15, *PD Su-cheop* producer Han Hak-soo interviewed former Hwang collaborator

Kim Sun-jong, who admitted that he had falsified two of the photographs in the 2005 *Science* paper under instructions from Hwang.

The following month, on November 12, Hwang's American coauthor, Gerald Schatten of the University of Pittsburgh, announced that he was cutting all ties with Hwang and SNU, citing significant bioethical violations in egg donor recruitment for the 2004 *Science* paper. On November 21, Roh Sung-il from MizMedi Hospital in Seoul, who supplied eggs for Hwang's research, announced that in 2002 he had paid at least twenty women approximately \$1,430 each for eggs that were used in the 2004 study. These egg collections occurred before the South Koreans had passed their bioethics laws that made it a crime to pay for eggs. Roh insisted that Hwang did not know about these payments, but on November 24, Hwang admitted that he had used these eggs with full knowledge of this impropriety. He resigned his directorship of the World Stem Cell Hub but remained at SNU and vowed to continue his research.

On November 22, *PD Su-cheop* had reported the results of its preliminary analysis of Hwang's 2005 *Science* paper. MBC had acquired five samples from the patient-specific cell lines allegedly made by Hwang in his 2005 *Science* paper and sent the samples, along with tissue samples from the patients whose nuclei supposedly were used to construct the patient-specific embryonic cell lines, to an independent lab for corroboration. DNA analyses from this independent lab showed that the DNA from one of the patient-specific cell lines did not match the tissue sample as it should, which raised the distinct possibility that the embryonic stem-cell lines were not made from cloned embryos. For its efforts at exposing Hwang's fraud, the news program was taken off the air for more than one month after the public condemned its report as too harsh against the researcher.

On December 7, thirty SNU faculty members delivered a petition to SNU president Chung Un-chan, requesting that the university launch its own investigation into the results of Hwang's 2005 *Science* paper. The university began its investigation on December 12 and carefully examined all the materials

allegedly generated by Hwang and his colleagues. This inquiry ended on December 29, when Roe Jung-hye, SNU dean of research, announced that "there are neither patient-specific stem-cell lines in Hwang's laboratory nor any scientific evidences to support the claim that such cell lines ever existed."

Further investigations showed that the untruths in Hwang's landmark 2004 and 2005 papers could only be the result of deliberate fabrication. Additionally, it was clear that Hwang had pressured female lab workers to donate their eggs. *Science* officially published the retraction of Hwang's 2004 and 2005 papers on January 20, 2006.

On March 6, Hwang admitted that he ordered his fellow researchers to falsify data for the 2005 *Science* paper. On March 20, SNU fired him, and he was indicted on charges of fraud, embezzlement, and violations of bioethics laws on May 12; several of his collaborators were indicted on similar charges. He reportedly opened animal-cloning laboratories near Seoul and in Thailand.

IMPACT

Hwang's faked research stifled international embryonic stem-cell research. Many labs ceased trying to clone human embryos after Hwang announced his success. After news of Hwang's fraud came to light, stem-cell labs were forced to restart the complicated task. Furthermore, the scandal led scientific journals to reevaluate the peer-review system to more effectively detect fraud before it gets published.

Hwang's ethical improprieties with egg donor recruitment also generated extensive discussions about standards for regulating egg procurement for embryonic stem-cell research. Some argue that egg donations, as is the case with organ donations, should be free of financial considerations. Others counter that because the hormonal induction used to hyperstimulate the ovaries during egg donation carries significant short- and long-term health risks, it is inappropriate to ask women to endure such risks without remuneration.

Another effect of Hwang's prevarication was its impact on the public, including investors. For example, the fraud revelation led to the temporary

cancellation of *PD Su-cheop* for airing its exposé and led to the abrupt fall in stock prices of several South Korean biotechnology companies. Also, Hwang's blatant dishonesty—and the dishonesty of his colleagues—will be added to the arsenal of those opposed to embryonic stem-cell research.

—Michael A. Buratovich

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Summer, 2006-March 16, 2007

MANUFACTURER RECALLS PET FOOD THAT KILLED THOUSANDS OF AMERICAN PETS

In response to reports of the deaths of thousands of pets in the United States who consumed tainted pet food, the Chinese government and the U.S. Food and Drug Administration identified two Chinese companies that manufactured adulterated food additives with harmful chemicals to maximize their profits.

ALSO KNOWN AS: Menu Foods scandal

LOCALES: China; Canada; United States

CATEGORIES: Trade and commerce; business; law and the courts; government; medicine and health care; international relations

KEY FIGURES

Rosa L. DeLauro (b. 1943), U.S. representative from Connecticut

Richard J. Durbin (b. 1944), U.S. senator from Illinois

Paul Henderson (fl. early twenty-first century), Menu Foods president and chief executive officer

Andrew C. von Eschenbach (b. 1941), commissioner of the U.S. Food and Drug Administration

Zheng Xiaoyu (1944-2007), head of China's food and drug administration

SUMMARY OF EVENT

On March 16, 2007, Menu Foods, a producer of private-label pet foods based in Ontario, Canada, announced that it was recalling sixty million cans and packets of nearly one hundred brands of its products because of the deaths of a reported seventeen animals who were fed the products. Initially, the contaminant was unknown, and the actual number of affected pets remains unknown as well.

For weeks, as the recall continued to grow, both Menu Foods and the U.S. Food and Drug Administration (FDA) could not identify the problem and insisted that there had been no more than a handful of deaths. Veterinarians, however, reported thousands of pet deaths—cats and dogs—from causes such as kidney failure, while bloggers steadily tracked death tolls and developments. Later, two manufacturing plants in China were found to have added the nitrogen-rich chemical melamine, which is used in the production of fertilizer, plastics, and other inedible products, to wheat gluten and rice-protein concentrate to inflate their protein content. Wheat gluten and rice-protein concentrate are used as thickeners for wet pet food. Menu Foods was the leading manufacturer of wet pet-food products in North America at the time the scandal broke.

Lawsuits and mainstream media coverage of the scandal were followed—too late, many thought—by an FDA prohibition against the importation of Chinese wheat gluten and by congressional hearings into the FDA's response to the crisis and its oversight of the food supply. For a time U.S.-Chinese relations seemed threatened, but after the Chinese government identified at least one of the individuals responsible for the melamine contamination, the largest pet food recall in American history subsided.

The scandal began in the summer of 2006, when tainted wheat gluten first reached the United States, according to the FDA. Menu Foods began incorporating some of this contaminated food additive into its products on November 8. Reportedly, within six weeks, the company began receiving reports of pets being sickened by pet food produced at its plants in Streetsville, Ontario, Canada, and Emporia, Kansas, although Menu Foods said it had not received

such reports until February 20, 2007. Seven days later, the company began routine feeding trials with forty to fifty cats and dogs; the same day, Menu Foods' chief executive officer, Paul Henderson, sold 12,700 of his shares in the company.

On March 7, the first of nine animals in the feeding trial died from acute renal failure. Further deaths prompted the company to switch wheat gluten suppliers four days later. However, roughly two weeks passed before Menu Foods sent samples of its products to Cornell University for testing. Unable to locate the source of the animal poisoning, Cornell in turn forwarded samples to the New York State Food Laboratory, which soon identified the chemotherapy agent aminopterin as a contaminant.

After sending food samples to Cornell, Menu Foods, on March 16, announced its first giant recall but failed to report the deaths of its test subjects. As Wall Street reacted and pet owners panicked, Menu Foods' stock declined 45 percent and its Web site was shut down. Consumers, unable to reach the company via the Web or by telephone, also were stonewalled by the FDA, which would only officially recognize the deaths of the nine animals in Menu Foods' feeding trials. The official death toll was revised to include a few pets, but it remained at fourteen even as blogs were posting reports of hundreds of deaths and veterinarians were estimating that deaths actually numbered in the thousands. By the end of March, retailers were pulling all Menu Foods products off their shelves, the company's New Jersey plant was under suspicion, and the FDA had announced that melamine was the major contaminant of the pet food.

Within hours of the FDA's announcement, other pet-food makers began announcing recalls. Still, the death toll mounted, and the announcements continued. On March 30, the FDA imposed an import restriction on wheat gluten produced by the Xuzhou Anying Biologic Technology Development Company in Jiangsu province, China. However, the public was not notified of this development until it was discovered days later by bloggers. U.S. senator Richard Durbin and U.S. representative Rosa DeLauro issued a press release on April 1 that criticized the FDA's laxity, but the release



Menu Foods president and chief executive officer Paul Henderson, right, and executive vice president Richard Shields listen as a woman questions them at a news conference in March, 2007, about the death of her dog from eating Menu Foods dog food. (AP/Wide World Photos)

stated the obvious. The animal rights group People for the Ethical Treatment of Animals, or PETA, followed the next day with a public demand for the resignation of FDA commissioner Andrew C. von Eschenbach.

On April 3, tensions increased when the mainstream press speculated that tainted wheat gluten had been sold to suppliers of human food. Two days later, Durbin announced congressional hearings into the scandal. China followed with its own investigation into melamine-contaminated wheat gluten. Around April 10, investigators found that rice protein concentrate, another thickener used in food production, had been contaminated with melamine, prompting a new round of pet-food recalls and the identification of a second suspected Chinese manufacturer, in Shandong province. By the end of the

month, it was feared that contamination had reached the human food supply through surplus-tainted pet food given to chickens, hogs, and farmed fish.

On April 20, the FDA announced that it had opened a criminal investigation into the crisis. Chinese officials gave FDA inspectors permission to enter China, but they were not allowed to interview anyone involved with exporting the contaminated food products. Also, the suspect production facilities had been shut down before U.S. inspectors arrived. Around the same time, recalls of pet foods were announced in South Africa, after the deaths of animals who had consumed food laced with melamine-contaminated corn gluten. Within two months, melamine contamination was found in European products containing Chinese-produced corn gluten and rice-protein concentrate. On May 29, facing a worldwide problem, the Chinese government announced that the former head of China's food and drug administration, Zheng Xiaoyu, had been sentenced to death for accepting bribes in connection with the approval of faulty products. On June 27, Chinese officials announced a shutdown of 180 food factories accused of having improperly used industrial chemicals and expired food products. Zheng was executed on July 10.

IMPACT

Menu Foods estimated that the 2007 pet-food recall cost the company between forty-five and fifty-five million dollars. The costs to affected pet owners—in the thousands—are far higher, in both financial and emotional terms, leading to changes in U.S. law. Pet owners, both individually and collectively through class-action lawsuits, have filed countless suits against pet-food makers. Traditionally, pets have been accorded little monetary value by the courts, and as a consequence few suits concerning pets have been filed. The courts' valuation of pets—and the courts' realization of the emotional and financial ties of owners—has increased, however, and there appears to be a shift in perspective.

Pet-food manufacturers, too, suffered a major setback: eroded customer confidence. Companies have been building their own manufacturing plants and engaging in greater oversight of imported in-

gredients. The FDA, which was slow to react to the crisis, now takes seriously the issue of tainted animal food because of possible contamination of the human food supply.

Subsequent revelations of contaminated Chinese-produced medicines and health and beauty aids not only sparked a minor trade war between China and the United States over American products but also led to the realization that inadequate U.S. oversight of imports such as pet-food ingredients signals a possible threat to homeland security.

—Lisa Paddock

FURTHER READING

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Kearns, Nancy. “Moving on, Moving Up: Pet Food Executives Tell Us How the Industry Has Changed, Post-Recall.” *Whole Dog Journal* 10 (September, 2007). Although none of the executives interviewed for this piece were affiliated with companies implicated in the 2007 recall, the article describes how the scandal affected pet-food manufacturers, who beefed up not only production facilities but also customer relations.

Martin, Jonathan. “When a Pet Dies of Suspected Food Poisoning—What Is Its Value?” *Seattle*

Times, March 22, 2006. The first class-action lawsuit filed against Menu Foods was filed in Seattle. This feature explains how the case affects pet-related laws.

Nestle, Marion. *Pet Food Politics: The Chihuahua in the Coal Mine*. Berkeley: University of California Press, 2008. A noted expert on the politics of food and food consumption investigates the pet-food scandal of 2006-2007.

Swaminathan, Nikhil. “The Poisoning of Our Pets: Scientists and Government Agencies Home in on the Cause of More than One Hundred Pet Deaths from Tainted Food.” *Scientific American*, March 28, 2007. A good article outlining the course of the tainted-food case and how the scientific community and the federal government have handled the issue.

SEE ALSO: Sept.-Oct., 1937: Prescription Elixir Causes More than One Hundred Deaths; 1956-1962: Prescription Thalidomide Causes Widespread Birth Disorders; Oct. 20, 1978: Firestone Recalls Millions of Defective Car Tires; Sept. 17, 1985: Media Allege Canadian Officials Allowed Sale of Rancid Tuna; Feb. 4, 1996: Whistle-Blower Reveals Tobacco Industry Corruption; Nov. 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood; Aug. 20, 2007: Football Star Michael Vick Pleads Guilty to Financing a Dogfighting Ring.

July 14, 2006

NEW YORK TIMES EXPOSES GRADING SCANDAL AT AUBURN UNIVERSITY

A sociology professor at Auburn University contacted The New York Times to report that his colleague was granting directed-study classes to athletes so that they could raise their grade point averages and remain eligible to play. The student athletes were given inflated grades in courses with virtually no academic work—a practice that also led to a misleading academic ranking of the university by the NCAA.

LOCALE: Auburn, Alabama

CATEGORIES: Publishing and journalism; education; corruption; hoaxes, frauds, and charlatanism; sports

KEY FIGURES

James Gundlach (fl. early twenty-first century), chairman of the Department of Sociology, Auburn University

Thomas A. Petee (fl. early twenty-first century), professor of sociology at Auburn University

Tommy Tuberville (b. 1954), Auburn University football coach

Pete Thamel (fl. early twenty-first century), reporter for *The New York Times*

SUMMARY OF EVENT

On July 14, 2006, *New York Times* reporter Pete Thamel broke the story of a possible grading scandal involving athletes at Auburn University in Alabama. The scandal was brought to Thamel's attention by Professor James Gundlach, chairman of the Sociology Department at the university. Gundlach was reportedly watching a televised football game and heard that one of the players was a scholar-athlete with a sociology major. Because neither he nor two other full-time professors in the department had ever had the player in their respective classes, Gundlach began researching the department's academic records. He discovered that another profes-

sor, Thomas A. Petee, was offering an exorbitant number of directed-study classes that required very little course work and no class time. Though Gundlach had attempted to deal with the problem through appropriate institutional channels, reporting the issue to the provost's office months earlier, lack of attention to the problem led him to bring the issue to the media.

Concerns regarding the Auburn athletic department involved primarily the football team, which had eighteen players taking almost one hundred credit hours of Petee's directed-study courses. Though both athletes and nonathletes were enrolled in the courses, approximately 25 percent of Petee's students were athletes. One player even took as many as seven directed-study courses from Petee. Another problem for the athletic department that resulted from the study of these courses was the discovery that these eighteen players were receiving higher grades in Petee's directed-study courses, grades that raised the players' overall grade point averages to acceptable academic standards set by the National Collegiate Athletic Association (NCAA). Another issue that came to the university's attention was Petee allowing one athlete to join a course two-thirds of the way through the semester and rewarding a high grade to that student for little effort.

Whether the courses were linked specifically to the athletic department was questionable. Despite one athlete's report that the director of Auburn's Student Athlete Support Services had arranged the courses, this was not confirmed. Regardless of the large number of football players who were advanced because of these courses, Coach Tommy Tuberville repeatedly stressed his confidence that the issue was academic rather than one of athletics. He denied the involvement of the athletic department in manufacturing the courses, in advising students to take the courses, or in pressuring professors to inflate the grades of student athletes.

Auburn's academic standing in the NCAA was top for its division for public universities, and it ranked behind only Stanford University, the U.S. Naval Academy, and Boston College in the entire division. The academic standing of Auburn athletes prompted other institutions to question how the NCAA evaluated academic standards and ranked colleges and universities based on those evaluations.

The Auburn directed-study courses were investigated by university officials after the story broke in *The New York Times*. Despite challenging areas such as statistics and theory that would better be taught in a classroom because of required intensive content, the university discovered that Petee was offering a wide variety of courses in this format. Gundlach reported that Petee had offered directed-reading courses to over 250 students the previous year (2004-2005). This load included fifteen different directed-reading courses, which put Petee's teaching load at three times the normal full-time load. Other professors and department chairs at the university confirmed that the workload Petee carried was ridiculously high, even impossible.

At the orders of university president Edward R. Richardson, Auburn conducted an internal audit. The audit discovered a number of additional problems in the Sociology Department, including alleged grade changes that brought several students' grade point averages to an acceptable level for graduation. In one instance, Professor Paul Starr was contacted about a change of grade he allegedly gave to a scholarship athlete (not a football player) never enrolled in any of his classes. The student's grade was changed from an incomplete to an A, one of four A's given to the student (the other A's were awarded by Petee, Starr's department chairman). The A grades raised this student athlete's grade point average to the university's standard for graduation. The internal audit confirmed that Petee changed approximately thirty-three grades above the average departmental grade changes in a particular semester. He was reprimanded for lack of appropriate record keeping. Auburn did share some findings with the NCAA, but the university did not expect to share the complete results of the audit.

The NCAA agreed that the problems were academic and not with the athletic program.

The internal audit and press coverage of the bogus classes and the grade inflations led to the implementation of several new requirements at Auburn. First, the directed-readings program was overhauled. The curriculum was made more challenging, and fewer courses were allowed in this format. The maximum number of courses and students per professor was limited, with a student requiring multiple signatures before he or she could sign up for more than nine hours of directed-readings and before an individual professor could supervise more than three students per semester in such courses.

Second, Petee and James Witte, the director of adult education who also awarded athletes higher-than-normal grades, lost their departmental leadership positions but not their status as classroom teachers. Petee, however, was later suspended with pay, and he refused to discuss the matter with the media. His only defense for directing so many of the reading courses was that they were necessary because the university lacked departmental resources—teachers—to cover the heavy load of courses that needed to be taught.

Auburn tried to dismiss Petee, who then countersued. He settled with the university, retained his salary, and retained his position as interim chairman of the sociology department. Gundlach had retired shortly after he brought the corruption to the media's attention, citing departmental division as his reason for leaving the university.

IMPACT

The bogus-course and grade-inflation scandal at Auburn, deemed more of an issue of academics rather than of athletics, reinforced concerns over the NCAA's ranking of academics at a given institution. Even with the scandal in the news, the NCAA ranked Auburn fifth in the United States among Division I-A public universities, leading to questions about how the NCAA ranking system worked. After the Auburn affair, the NCAA was encouraged to change its ranking system to account for academic differences among schools, that is, among those that are academically challenging and

those that only pretend to be or those whose ranking was based on inflated grades and nonexistent classes.

—Theresa L. Stowell

FURTHER READING

Lipka, Sara. "Auburn Alters Policy on Independent Study." *Chronicle of Higher Education*, September 1, 2006. Simple overview of Auburn University's revised policies regarding directed-study classes. Especially relevant because the scandal led to academic reform at the university.

Mandel, Stewart. *Bowls, Polls, and Tattered Souls: Tackling the Chaos and Controversy That Reign over College Football*. Hoboken, N.J.: John Wiley & Sons, 2007. This book provides a detailed, behind-the-scenes look at notorious university scandals involving student athletes and college athletics.

Staurowsky, Ellen J. "Piercing the Veil of Amateurism: Commercialization, Corruption, and U.S. College Sports." In *The Commercialization of Sport*, edited by Trevor Slack. New York: Routledge, 2004. Staurowsky discusses how amateur athletics in the United States has become a commercialized and corrupt spectacle.

Thamel, Pete. "Top Grades and No Class Time for Auburn Players." *The New York Times*, July 14,

Tour de France Is Hit with a Doping Scandal

2006. Original article that broke the story. Reports on James Gundlach's concerns over Thomas Petee's directed-study courses offered to athletes at Auburn. Highlights the number of courses offered and specific students involved, and discusses Petee's response to the accusations against him.

Wasley, Paula. "Auburn U. Settles with Professor Who Handed Out Easy Grades to Athletes." *Chronicle of Higher Education*, August 10, 2007. Brief article detailing the results of Petee's lawsuit against Auburn University and the university's dismissal proceedings against him. Good for studies of the impact of the scandal on student athletics and student-athlete scholarship.

SEE ALSO: Jan. 17, 1951: College Basketball Players Begin Shaving Points for Money; Apr. 27, 1980: Mobster's Arrest Reveals Point Shaving by Boston College Basketball Players; Feb. 25, 1987: NCAA Imposes "Death Penalty" on Southern Methodist University Football; Mar. 27, 2002: Georgia Basketball Coach Jim Harrick, Sr., Resigns over Fraud Allegations; May 3, 2003: University of Alabama Fires New Football Coach in Sex Scandal; Sept. 13, 2007: New England Patriots Football Team Is Fined for Spying on Other Teams.

July 26, 2006

TOUR DE FRANCE IS HIT WITH A DOPING SCANDAL

The Tour de France, a grueling three-week bicycle race that is one of Europe's most popular sporting events, was hit with a major drug scandal in 2006. American cyclist Floyd Landis, who won the race, was stripped of his championship and banned from riding for two years after testing positive for a performance-enhancing drug. Landis maintained his innocence and appealed the rulings, but to no avail.

LOCALE: France

CATEGORIES: Sports; drugs; corruption; medicine and health care ethics

KEY FIGURES

Floyd Landis (b. 1975), American professional cyclist

Oscar Pereiro (b. 1977), Spanish professional cyclist

Tom Simpson (1937-1967), British cyclist whose death led to the implementation of drug testing in professional cycling

SUMMARY OF EVENT

Throughout its more than one-hundred-year history, the Tour de France, competitive cycling's most prestigious event, has been plagued by scandals and doping incidents. Early tour riders were believed to have consumed alcohol and used other substances to dull the pain of competing in endurance cycling. Riders also began using drugs and other substances to increase their performance rather than dull their senses. Organizing bodies, such as the Tour and the International Cycling Union, followed with policies designed to combat the illegal practices. The death of the British champion Tom Simpson on Mount Ventoux during the 1967 tour led to the implementation of drug testing policies.

American professional cyclist Floyd Landis, who joined the Phonak Cycling team after riding for several years with seven-time Tour de France champion Lance Armstrong, another American,



Floyd Landis at a press conference in Madrid, Spain, on July 28, 2006. (Hulton Archive/Getty Images)

started the 2006 season impressively with overall wins in the Amgen Tour in California and the prestigious Paris-Nice race. Landis won for a third time at the Ford Tour de Georgia just prior to start of the Tour de France. Despite these early successes, Landis was not a favorite to win cycling's most prestigious race.

On the eve of the tour's start, July 1, nine riders, including pre-race favorites Jan Ulrich from Germany and Italy's Ivan Basso, were disqualified. Their names turned up on a list of fifty-six cyclists who allegedly had contact with a Spanish doctor at the center of a doping probe in Spain. During the early stages of the tour, Landis was able to keep up with the pace set by the riders of the Rabobank team. Landis positioned himself in the overall lead until stage 13, when he and his team started a breakaway led by his former teammate, Oscar Pereiro of Spain, who took the overall lead by 89 seconds. In stage 15, on the slopes of Alpe d'Huez, Landis out-rode Pereiro by almost two minutes and regained the fabled yellow jersey (worn by the tour leader) and a 10-second overall lead in the standings. Landis performed poorly during stage 16, as he fell from first to eleventh place. Pereiro took the overall lead and was eight minutes ahead of Landis with only three stages remaining.

In the following day's stage 17, Landis amazed the cycling world with a breakaway attack considered "one of the most epic days of cycling ever seen." At one point he led Pereiro by 9 minutes 4 seconds and ultimately won the stage. His win in this stage took more than 7 minutes from Pereiro's overall lead. The next stage was a 57-kilometer individual time trial. Landis's strength in time trials worked for him in this stage as he came well within striking distance of regaining the tour lead. He finished third in the time trial of stage 19, which put him 89 seconds ahead of Pereiro and 3 minutes 31 seconds ahead of Spanish rider Carlos Sastre, reclaiming the yellow jersey with a lead of 59 seconds. On July 23, Landis retained the lead through stage 20, the famous procession into Paris to end the tour, by 57 seconds.

Only days after winning the tour, Landis's team announced that its top rider had tested positive, after

stage 17, for an unusually high ratio of the hormone testosterone to the hormone epitestosterone (T/E ratio). Under World Anti-Doping Agency (WDA) regulations, a ratio of testosterone to epitestosterone greater than 4:1 is considered a positive result. Any rider found to have these hormones in their system, at this ratio or greater, is to be disqualified from a race and suspended from racing for two years. Landis denied that he was doping and placed faith in a second test using his backup, or B, sample. Testing had been performed by the French government's antidoping clinical laboratory, the National Laboratory for Doping Detection (LNDD). Following the reported positive result on his A sample on July 26, Landis suggested that the results had been improperly released under the rules of the International Cycling Union (UCI). Phonak Cycling announced that Landis would be dismissed if the backup sample also tested positive. The backup sample did test positive as well, and Landis was fired from his team on August 5.

Under UCI regulations, the determination of whether or not a cyclist violated any rules must be made by the cyclist's national federation, in this case USA Cycling, which ultimately transferred the case to the United States Anti-Doping Agency (USADA). Landis claimed that he was not guilty of using banned performance-enhancing drugs. He argued that the processing of the A and B urine samples did not meet the established WDA criteria for a positive doping offense. Landis maintained the positive results on the B sample came from a sample number not assigned to him. He also claimed that the same two technicians analyzed both the original and the second validating samples. International laboratory standards forbid the same individuals from participating in both tests to prevent them from validating their own findings.

IMPACT

On May 14, 2007, the USADA and Landis began arbitration. In a bitterly contested nine-day hearing, Landis and his lawyers insisted that the French lab did not follow WDA rules in testing his urine samples. A three-person panel agreed with them, in part. The panel's eighty-four-page decision concluded

the presence of problems with the way the French lab conducted some of its tests, filled out its paperwork, and handled the urine samples. Nevertheless, two of the three panelists concluded that the lab errors in question were not significant enough to dismiss the positive test. On September 20, Landis was stripped of his Tour de France title and suspended from cycling competition for two years. Second-place rider Pereiro became the official winner of the 2006 tour.

Landis appealed the decision to the Court of Arbitration for Sport, based in Lausanne, Switzerland, for his last chance at appeal. The hearings opened in New York in March, 2008. On June 30, the CAS announced from Switzerland that it was upholding the September decision to ban Landis for two years.

The Landis doping scandal affected the overall popularity of bicycle racing in the United States, placing the world's premier cycling event under a dark cloud. Fans and the media have become more cynical, and businesses are reconsidering whether it is worthwhile to invest in the sport as sponsors of team or events. The governing bodies of cycling around the world have promised more assertiveness in cleaning up the corruption.

—Mary McElroy

FURTHER READING

- Hood, Andrew, and John Wilcockson. *The Tour de France 2006: Triumph and Turmoil for Floyd Landis*. Boulder, Colo.: Velo Press, 2006. An analysis of the race that covers every aspect of the grueling three-week event with maps, stage reports, and profiles of the riders. Photographs enhance the visual experience of the road race.
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- Thompson, Christopher S. *The Tour de France: A Cultural History*. 2006. New ed. Berkeley: University of California Press, 2008. This new edi-

tion, with an updated preface, explores the cultural history of the Tour de France. Includes discussion of the doping scandals that have plagued the tour from its early days into the twenty-first century.

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SEE ALSO: Feb. 28, 1986: Baseball Commissioner Peter Ueberroth Suspends Players for Cocaine Use; June 30, 1994: Tonya Harding Is Banned from Skating After Attack on Rival; July 1, 1994: Soccer Star Diego Maradona Is Expelled from World Cup; Sept. 26, 2000: Gymnast Andreea Răducan Loses Her Olympic Gold Medal Because of Drugs; Feb. 11, 2002: French Judge Admits Favoring Russian Figure Skaters in Winter Olympics; July 1, 2003: Basketball Star Kobe Bryant Is Accused of Rape; Mar. 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use; Oct. 5, 2007: Olympic Champion Marion Jones Admits Steroid Use.

July 28, 2006

ACTOR MEL GIBSON IS CAUGHT MAKING ANTI-SEMITIC REMARKS

Star film actor Mel Gibson was stopped for erratic driving and speeding and then arrested for drunk driving on Pacific Coast Highway in Malibu. During the traffic stop, he made anti-Semitic remarks to the sheriff's deputy who detained him. Gibson's arrest and vulgar rants were detailed by the media within hours of his arrest. The actor made several public apologies, but the scandal did not affect his career.

LOCALE: Malibu, California

CATEGORIES: Racism; law and the courts; social issues and reform; public morals; Hollywood

KEY FIGURES

Mel Gibson (b. 1956), American film actor and director

James Mee (fl. early twenty-first century), Los Angeles County Sheriff's Department deputy

SUMMARY OF EVENT

Actor and director Mel Gibson's profanity-filled, racially charged rant at Los Angeles County sher-

iff's deputy James Mee, who had stopped Gibson on Pacific Coast Highway in Malibu, California, for driving erratically and speeding, made headlines around the world in a matter of hours. Although Gibson's career seemed to hang in the balance for the next few days, he ultimately walked away from the incident relatively unscathed. His professional survival stemmed not only from his public expressions of regret but also, ironically, from his reputation as an already rough-edged and somewhat tarnished star long before Mee pulled him over in the predawn hours of July 28, 2006, and arrested him for drunk driving.

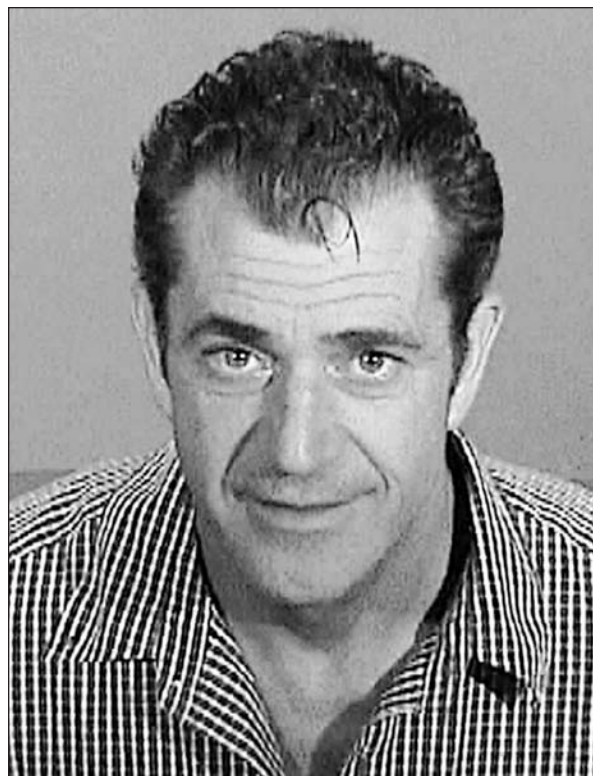
Born in New York State to an American father and an Irish-Australian mother, Gibson moved with his family to Australia just as he was about to enter his teenage years, when his father decided to relocate to his wife's homeland. Although he first drew worldwide attention among the so-called Australian New Wave filmmakers and actors of the 1970's and early 1980's, Gibson's success in a science-fiction film series in which he played an antihero named Mad Max, struggling to survive in a post-

apocalyptic wasteland, made him a superstar in action films far removed from the art-film dramas favored by his early colleagues.

In addition to the *Mad Max* films, Gibson also starred with Danny Glover in the wildly popular *Lethal Weapon* series of seriocomic police movies. In 1990, Gibson surprised his fans with a switch to the most serious sort of drama imaginable—an adaptation of William Shakespeare’s *Hamlet* directed by Franco Zeffirelli. The film was successful with both critics and viewers, encouraging Gibson to embark on a series of ambitious, serious-minded pictures, sometimes as actor, sometimes as director, and sometimes as both. Each of these films—which constituted an unofficial trilogy of historical epics—created controversy and drew attention to Gibson’s beliefs about and attitudes toward various minority groups.

The hugely popular *Braveheart* (1995), which Gibson both directed and starred in, was the story of Scottish national hero William Wallace, and it drew accusations of hatred of the English as well as homophobia because of its unsympathetic and stereotyped depiction of the homosexual English king Edward II. Gibson then starred in *The Patriot* (2000), a revolutionary war drama that again drew accusations of Anglo bashing because of its one-sided portrayal of the English as vicious and wholly despicable. His pet project, *The Passion of the Christ* (2004), a film detailing the final week in the life of Jesus, incited much debate in the media, as some felt that Gibson, in an age-old slander, was placing the blame for the crucifixion of Jesus on the Jews. The film was also criticized for depicting Jesus receiving far more brutalization at the hands of his captors than is supported by New Testament texts.

All these prior controversies, centered on Gibson’s perceived prejudices, haunted—but perhaps also helped—him in the wake of his drunken encounter with Mee. The deputy wrote in his arrest report that Gibson belligerently demanded to know if Mee was Jewish and subsequently went into a paranoid tirade in which he blamed Jews for every war that had ever occurred in the history of humankind. Also, Gibson allegedly insinuated that he would use



Los Angeles County Sheriff’s Department booking photograph of Mel Gibson on the morning of his arrest. (Hulton Archive/Getty Images)

his power and influence in California to carry out reprisals against Mee. Gibson refused to cooperate with deputies and, at the Malibu-Lost Hills sheriff’s station, he came close to relieving himself publicly on the station floor. During all this brouhaha, according to Mee, Gibson made frequent use of “the F-word.” Later, rumors circulated that, according to some unnamed source other than Mee, Gibson also made a crude, sexist remark to a female deputy at the sheriff’s station. Despite all this drama, within five hours, Gibson was released on bail. Within twelve hours the story of his arrest and reprehensible behavior had hit the news services, and what seemed to be written copies of Deputy Mee’s original arrest report were posted on the celebrity-news Web site *tmz.com*.

For the next month, debates raged in the media. Was the sheriff’s department report posted on the Web authentic? If so, how was it obtained? Had

someone at the sheriff's station leaked the report? Had Gibson been given preferential treatment because he was a celebrity? Had Mee's superiors tried to coerce him into downplaying or denying Gibson's alleged bigoted statements? Is Gibson truly an anti-Semite? Many people in the entertainment industry and prominent Jewish Americans made public statements either attacking or defending Gibson. The actor also found himself being widely spoofed in editorial cartoons, in comic routines, and on television.

Gibson's initial response was to issue a public apology the next day, July 29. However, this statement of shame never specifically addressed the charge of anti-Semitism and seemed to blame the incident on drinking and his long-term problems with alcohol. When public opinion deemed this mea culpa unsatisfactory, Gibson offered another on August 1. In this second attempt at redress, he directly denied his alleged religious bigotry and denounced not only anti-Semitism specifically but all forms of hate and prejudice. He also offered to get together with Jewish people offended by his outburst and discuss the matter openly, a ploy he had used earlier when crude, homophobic remarks he made in an interview with a Spanish reporter outraged gays and lesbians in 1991. Gibson did not contest the charge of driving while intoxicated, and on August 18 he was given three years of probation, fined thirteen hundred dollars, and ordered to take part in various alcohol rehabilitation programs.

IMPACT

In spite of the attention it received and the heated debate it sparked, the inebriated blather that Gibson spewed at Deputy Mee in July of 2006 ultimately did little damage to the star's career. He continued to make and release films and to be a powerful entertainment figure. In part, this outcome derived from the somewhat soiled and tattered reputation that Gibson brought with him to the scandal. He had already been accused of being intolerant. After media scrutiny dissipated, most people retreated to opinions that they had reached long ago about his attitudes and behavior, leaving his fans to decide to accept his excuses and apologies and his detractors

to ask themselves if they could expect anything less from him.

No doubt the scandal would have seriously jeopardized the career of a celebrity with a tamer, more level-headed public persona, as the shock would have been far keener and the additional charge of hypocrisy would have been incredibly damaging. In fact, the only concrete outcome of the incident was that it inspired the state of California to pass a law in 2007 making it a crime for law enforcement or court officials to sell or solicit for sale any information, including photographs, about the arrest of a celebrity or other high-profile detainee.

—Thomas Du Bose

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- SEE ALSO:** Jan. 18, 1923: Actor Wallace Reid's Death in Drug Rehab Shakes Film Industry; Feb. 6, 1942: Film Star Errol Flynn Is Acquitted of Rape; Jan. 14, 1943: Film Star Frances Farmer Is

Jailed and Institutionalized; Aug. 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession; May, 1955: Scandal Magazine Reveals Actor Rory Calhoun's Criminal Past; Feb. 25, 1977: Film Producer David Begelman Is Found to Have Forged Checks; 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy; Jan. 25, 1984: Jesse Jackson Calls New York City "Hymie-

town"; Dec. 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed; July 18, 1988: Actor Rob Lowe Videotapes Sexual Tryst with a Minor; July 26, 1991: Comedian Pee-wee Herman Is Arrested for Public Indecency; June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct; June 22, 2005: U.S. Air Force Investigates Religious Intolerance at Its Academy.

August 12, 2006

NOVELIST GÜNTER GRASS ADMITS TO YOUTHFUL NAZI TIES

One of Germany's leading writers, Günter Grass was long an outspoken critic of his nation's reluctance to come to terms with its criminal Nazi past. He thus created a scandal when he admitted that when he was a teenager he himself had been a member of a Waffen-SS paramilitary unit, after more than sixty years of silence about this episode in his life.

LOCALE: Germany

CATEGORIES: Publishing and journalism; literature; social issues and reform; military; ethics

KEY FIGURE

Günter Grass (b. 1927), German novelist and writer

SUMMARY OF EVENT

In an interview with the *Frankfurter Allgemeine Zeitung* (FAZ) about his memoir *Beim häuten der Zwiebel* (2006; *Peeling the Onion*, 2007), Günter Grass discussed his revelation in the book that he had been a member of the Waffen-SS, the combat division of the elite Nazi paramilitary force, for a brief period in 1944-1945. The SS was responsible for the majority of the atrocities perpetrated by the Nazi regime, including the Holocaust, and was condemned as a criminal organization at the Nuremberg Trials (1945-1949); the Waffen-SS, however, which included conscripted soldiers, was exempted from prosecution.

Although Grass had never concealed his enthusiasm for the Nazi movement as a teenager, he had always maintained publicly that his involvement in World War II was limited to service with FLAK, Germany's antiaircraft service, in 1944. One biography, Michael Jürgs's *Bürger Grass: Biografie eines deutschen Dichters* (2002; citizen Grass: biography of a German poet), is based on countless hours of interviews with Grass about his youth, and it perpetuates the story of his wartime service. Jürgs revised the biography and addresses Grass's Waffen-SS service and the attendant scandal in *Günter Grass: Eine deutsche Biografie* (2007; Günter Grass: a German biography). Within his private circle, Grass had confided the truth only to his wife, though not to his children, and to a small group of colleagues, including Austrian writer Robert Schindel. Schindel affirmed in a statement to the Viennese daily *Die Presse* that Grass had told him about his Waffen-SS service more than twenty years earlier and talked about it on numerous occasions.

In the FAZ interview, Grass addressed his treatment in *Beim häuten der Zwiebel* of his childhood in Danzig (now Gdańsk) at the beginning of the war, his involvement in the Hitler Youth, his application to join a submarine mission as a fifteen-year-old boy eager to leave home, and his unexpected summons to active, though fairly uneventful, service two years later in the Frundsberg division of the Waffen-SS. Grass's activity in the Waffen-SS was

limited; he never fired a single shot in combat and spent the majority of his time either sick with jaundice or training on outmoded weaponry. Grass has affirmed that he was unaware that his assignment was to be with the Waffen-SS until he arrived in Dresden, yet even then he was willfully blind to the real nature of the organization and felt no sense of guilt or shame for his affiliation until after the war. Since then, however, he had reproached himself heavily for his susceptibility to Nazi propaganda and his failure to ask the necessary questions.

Interestingly, *Beim häuten der Zwiebel* had been distributed to reviewers several weeks prior to the publication of Grass's interview in *FAZ* on August 12, 2006. Evidently, none had been eager enough in his or her reading to come across the sparse passages devoted to Grass's recollection of his service in the Waffen-SS. The record of Grass's internment in a U.S. POW camp in Bavaria, undiscovered for over sixty years, was quickly retrieved after his admission had been made public. Similarly, several months after the scandal broke, German biographer Klaus Wagenbach came across his notes from an unfinished Grass biography from 1963 that con-

tained references to the dates, locations, and nature of Grass's military service. It would seem, therefore, that Grass had not elected to conceal his past with the Waffen-SS until after the year 1963. As it was, however, the public was completely unprepared for the "global shock" that was unleashed by the publication of the *FAZ* interview.

The prevailing immediate reaction was one of anger and disillusionment, particularly in Germany and Poland, Grass's birthplace, where the term "SS-man" is held synonymous in the Polish language with the devil and the incarnation of pure evil. Numerous literary figures and intellectuals felt compelled to speak out in defense or condemnation of their colleague. While some lauded Grass's courage in his voluntary public disclosure of his past, others joined in the general outcry against Grass's protracted silence, attacking his past indictments of Germany's repression of its criminal past—for instance, his vehement denunciation of the visit by Ronald Reagan and German chancellor Helmut Kohl in 1985 to the Bitburg military cemetery, which contained the graves of SS soldiers—as evidence of gross hypocrisy and moral duplicity.

The timing of Grass's revelation likewise gave rise to mistrust and speculation as to his motives. In the *FAZ* interview, Grass had explained simply that the truth had weighed heavily on him and had to come out, adding that the need to break his silence had, in part, motivated the writing of *Beim häuten der Zwiebel*. However, the theory that Grass deferred his announcement until after securing the Nobel Prize in Literature quickly gained widespread currency, as did the notion that his interview with *FAZ* was a publicity stunt to promote his new book. Certainly, whatever damage Grass's revelation may have done to his reputation and standing as a moral authority, it was a boon for the sales of *Beim häuten der Zwiebel*.



Press photographers swarm Günter Grass during a reading of his revealing book *Peeling the Onion* in December, 2007, in Prague. (Hulton Archive/Getty Images)

IMPACT

In the light of the tremendous interest aroused by the *FAZ* interview, the release date of the memoir was moved from September 1 to August 15. By August 31, all 150,000 copies of the first edition had been sold, and the second printing, consisting of 100,000 copies, was already on its way to bookstores. The memoir immediately soared to the top of the best-seller lists in *Der Spiegel* and *Focus* magazines. By the same time, translations for England, the United States, France, and Denmark were already under way, with plans being made for a translation conference in December with the author and the representatives of approximately twenty European and non-European languages.

In view of Grass's admission of his involvement in the Waffen-SS, many critics called for him to be stripped of some of the many honors he had acquired over the course of his long career; most notably, of the Nobel Prize in Literature and of his honorary citizenship in the city of Gdańsk. Both of these campaigns were short-lived, however. The Nobel Foundation in Sweden issued an announcement on August 15 that the conferment of a Nobel Prize was irrevocable. Lech Wałęsa, former president of Poland, a recipient of the Nobel Peace Prize, and one of the first and most outspoken advocates for rescinding Grass's honorary citizenship, changed his position after reading Grass's explanatory and conciliatory letter of August 23 to the mayor of Gdańsk.

Other proposals for Grass's punishment or atonement quickly followed but met with little response. These proposals include those by literary critic Hellmuth Karasek, who suggested to the German broadcaster ZDF that Grass should donate his Nobel Prize money to a charitable organization for the victims of the Waffen-SS regime. Conservative German politician Erika Stein called for Grass to turn over his honorarium for *Beim häuten der Zwiebel* to Polish victims of Nazism. The Polish vice minister of national education called for Grass to use the book's proceeds to finance the printing of

A SENSE OF SHAME

In his 2006 memoir Beim Häuten der Zwiebel, or Peeling the Onion (2007), Günter Grass introduces readers to his days as a member of the Waffen-SS military unit during the final year of World War II. In this excerpt, he admits to feeling shame but also to the burden of carrying that shame for close to sixty years.

My new marching orders made it clear where the recruit with my name was to undergo basic training: on a drill ground of the Waffen SS, as a Panzer gunner, somewhere far off in the Bohemian Woods. . . .

[F]or decades I refused to admit to the word [Waffen], and to the double letters [SS]. What I had accepted with the stupid pride of youth I wanted to conceal after the war out of a recurrent sense of shame. But the burden remained, and no one could alleviate it.

True, during the tank gunner training . . . there was no mention of the war crimes that later came to light, but the ignorance I claim could not blind me to the fact that I had been incorporated into a system that had planned, organized, and carried out the extermination of millions of people. Even if I could not be accused of active complicity, there remains to this day a residue that is all too commonly called joint responsibility. I will have to live with it for the rest of my life.

Source: Peeling the Onion, translated by Michael Henry Heim (Orlando, Fla.: Harcourt, 2007), pp. 110-111.

history books for Polish children. Grass did, however, voluntarily refuse the prestigious Brückenpreis (Bridge Prize) from the Polish city of Görlitz that was offered to him at the end of August, out of the fear that the conferment would ultimately be revoked under the pressure of public protest.

—Jennifer Driscoll Colosimo

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September 17, 2006

NEW ZEALAND PRIME MINISTER'S HUSBAND IS "OUTED" AS GAY

In 2006, Peter Davis, the husband of New Zealand's prime minister, Helen Clark, was outed as gay when the Star-Times newspaper and the magazine Investigate published pictures of him kissing a gay man. The magazine implied Davis, too, was gay, but Davis and the prime minister both denied the allegations. The slander was likely launched by a right-wing fundamentalist Christian group seeking to smear Clark's political career.

LOCALE: Auckland, New Zealand

CATEGORIES: Publishing and journalism; sex; politics; government; public morals

KEY FIGURES

Peter Davis (b. 1947), professor of sociology at the University of Auckland and husband of Prime Minister Helen Clark

Helen Clark (b. 1950), prime minister of New Zealand, 1999-

Ian Scott (fl. early twenty-first century), medical doctor and longtime friend of Clark and Davis

SUMMARY OF EVENT

On September 17, 2006, not long after her reelection as New Zealand's prime minister, Helen Clark and her husband, Peter Davis, were the foci of a vicious smear campaign that alleged Davis was gay. The controversy was touched off when New Zealand's *Star-Times* newspaper and an alternative magazine, *Investigate*, ran photographs of Davis kissing Ian Scott, a medical doctor and longtime friend of Davis and Clark. Scott was out as gay.

Immediately, the couple's entire marriage came under scrutiny, even though they had been typically low key about their private relationships. Over the next several days, their entire marital history was played out in the newspapers, though none of the revelations amounted to anything particularly scandalous. Instead, the press was rehashing old debates about the couple, both of whom are generally regarded as quite unconventional. Davis and Clark met in 1977 and, after four years of dating, married in 1981, not long after Clark's first election to Parliament, largely because they already shared a

home and believed they would be inviting moral criticism if they remained unmarried.

Over the years, Clark and Davis spent a good deal of time apart, with one or the other commuting home on weekends. The press, of course, implied that these separations indicated emotional rifts, but Davis and Clark insist they were entirely job related. Socially, they are also opposites, with Clark displaying a composed outer shell in nearly every situation and Davis remaining introverted and awkward. Davis, whose academic work is unquestionably high in quality, is nonetheless stereotyped as a househusband because he tends to more of the domestic matters. Clark also employs several women in her office who are lesbian, leading the press to speculate about her sexuality. Davis and Clark shared an embarrassing public kiss in 1994 that became front-page fodder and was used to imply a bad relationship.

In 2005, the race for the prime minister's seat was extremely tight. The National Party garnered quite a bit of support against Clark's Labour Party by focusing its campaign on tax cuts. However, Labour won a narrow victory at the polls, and Clark celebrated her reelection. However, she remained a controversial figure and retained enemies who wanted to see her ouster. Thus, when the kiss her husband received from Scott reached the press, the media immediately began hinting that Davis was gay. Clark, Davis, and Scott all denied these rumors, explaining that Scott, a family friend attending Clark's postelection victory party in 2005, was drunk and the kiss was celebratory in nature. However, the media storm outlasted the initial articles, and both Clark and Davis had to repeatedly defend their marriage in the press.

Throughout the scandal, the media granted the unspoken acceptance of homosexuality as aberrant. Even though Scott is openly gay, he, Davis, and Clark all found themselves protesting Davis's heterosexuality. In other words, if Scott had been a woman, the scandal would have been less dramatic. A simple extramarital affair would not have garnered so much attention. None of the three devoted any energy to arguing that Davis was not having an affair with Scott. Instead, they were all forced to de-

fend Davis's heterosexuality, just as Clark had been forced to defend her own heterosexuality in the past. By implying that Davis was gay, the press effectively implied that not only was the Clark-Davis home devoid of love, but the entire marriage also was a front to conceal both parties' closet homosexuality.

The slander was probably launched by a right-wing fundamentalist Christian group called the Raven-Taylor-Hales Brethren, seeking to smear Clark's political image. An offshoot of another Christian group called the Exclusive Brethren, the Raven-Taylor-Hales Brethren oppose the Labour Party's liberal politics. Although Brethren members, who support a separatist position, do not vote, they are politically active. For instance, in 2005, they spent between \$500,000 and \$1 million on anti-Labour Party campaigning that hinted at support for the National Party. They also regularly campaign for conservative candidates.

After the allegations became public, Davis and Clark learned the group probably had hired a private investigator. Clark initially believed the National Party had impelled the Brethren's actions, as the attack came soon after a minor scandal in which a conservative member of Parliament was accused of having an extramarital affair. However, the Nationals adamantly denied any such participation and sympathized with the unfair situation the prime minister and her husband faced. Scott expressed his outrage, as did Davis's colleagues and friends, who maintained that the prime minister and her husband have been a devoted couple, deeply in love.

Even after the scandal had died down, the media were still gleefully looking for evidence of the couple's nontraditional lifestyle. For instance, when Davis turned sixty years old, magazines reported that Clark did not get her a gift, as he did not want one (at least one magazine hinted that her gifts were too practical for him), and that he brought her tea in bed.

IMPACT

In all reality, the scandal was barely a blip on Clark's professional record. From her perspective, it was simply an attack upon a public figure who

chooses to keep her private life out of the limelight as much as possible. No charges were filed against the Brethren, and no public hue and cry was raised against Clark. However, the event is nonetheless noteworthy for several reasons.

First, the sexuality of public figures will remain a public topic. Therefore, the speculation about Clark's or Davis's being homosexual, no matter how unfair, represents a form of sport in New Zealand and, indeed, around the world. Other famous and powerful women sometimes perceived as lesbians include former U.S. first lady Eleanor Roosevelt and U.S. senator and former First Lady Hillary Rodham Clinton, among others. Second, both Clark and Davis stand well apart from stereotypical gender roles, which are more politically palatable to some. It is much harder to find potential homosexuality in a family with a domestic wife and an outspoken husband. Therefore, in spite of Clark and Davis's protestations of heterosexuality, their lifestyle will certainly grace the front pages of New Zealand's papers again.

—Jessie Bishop Powell

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Hallett, Greg. *New Zealand: A Blackmailer's Guide*. Auckland, New Zealand: Prince of New Spain, 2007. Covers the Davis-Scott scandal along with other smear campaigns and dirty politics that have plagued the island nation.

SEE ALSO: Dec., 1982: Julie Andrews and Blake Edwards Deny Being Gay; Jan. 12 and May 11, 1987: Media Reports Spark Investigation of Australian Police Corruption.

September 18, 2006

NEWSWEEK REVEALS THAT HEWLETT-PACKARD SPIED ON ITS OWN BOARD

Newsweek magazine revealed that Patricia Dunn, the chairperson of technology giant Hewlett-Packard, had arranged for electronic surveillance of board members and journalists to stop corporate leaks to the press. Through the use of pretexting, company investigators lied to illegally obtain telephone records. The resulting scandal led to a criminal case in California, a congressional investigation, federal criminal charges, and several company resignations.

LOCALE: Palo Alto, California

CATEGORIES: Espionage; publishing and journalism; business and labor; corruption; law and the courts; trade and commerce

KEY FIGURES

Patricia Dunn (b. 1953), chairperson of Hewlett-Packard, 2005-2006

George A. Keyworth II (b. 1939), physicist and HP board member

Tom Perkins (b. 1932), venture capitalist and HP board member

David A. Kaplan (fl. early twenty-first century), *Newsweek* reporter and attorney

SUMMARY OF EVENT

Founded in 1939 by Stanford University classmates Bill Hewlett and Dave Packard, Hewlett-Packard Corporation (HP) became one of the most successful and admired of American businesses. It grew

into a global company dealing in information technology infrastructure, personal computing, and information access. In 2004, HP had revenues of nearly \$80 billion, and by 2006 it employed 150,000 people in 170 countries.

Patricia Dunn assumed the chair of HP's board on February 7, 2005, when Carly Fiorina, arguably the most prominent female chief executive officer in the United States at the time, left the company under pressure after accusing two board members of leaking information to the press. Dunn had joined the HP board of directors in 1998 as part of an effort to diversify the firm's board, which was dominated by family members and friends of founders Packard and Hewlett. Dunn had been cochair of Barclays Global Investors, an investment banking firm. She had also served as co-chief executive officer of Wells Fargo Investment Advisers. As chair of HP's audit committee since 2002, she had earned the disdain of board members Tom Perkins and George A. Keyworth II for her detail-oriented style and enthusiastic support of the Sarbanes-Oxley Act of 2002, which established standards for corporate boards.

As a non-executive chairperson, Dunn presided over board meetings, recommended board committees and committee chairs, and made herself available for consultation with the interim chief executive officer. Dunn was told by other directors that her most important duties would be to preside over the choice of a new chief executive officer and to stop leaks of information from HP to the media. While leaks of information to the media are nearly impossible to halt, such unauthorized disclosures infuriate corporate leaders concerned about the images of their companies and the impact of such disclosures upon stock prices as well as other business dealings. A series of damaging leaks had preceded Fiorina's departure and had nearly derailed the selection of Mark Hurd, the new chief executive officer who began working in his new position on April 1, 2005. As Fiorina stated when she learned about a



Patricia Dunn in a Santa Clara County courtroom in October, 2006.
(Hulton Archive/Getty Images)

leak of information from one board meeting, such disclosures are also a breach of trust—and no management team can operate without trust. Fiorina believed that Perkins and Keyworth had leaked corporate information during her tenure.

Dunn, too, was soon immersed in a leak investigation, in this case a disclosure to *The Wall Street Journal*. She turned to an HP security manager for help in proceeding, but he referred her to an outside investigator with the Boston-based company Security Outsourcing Solutions (SOS). This company, which had been under contract with HP for ten years, often hired subcontractors to carry out specific investigations, such as obtaining private telephone records. Dunn requested an investigator from SOS, which assigned Ronald R. DeLia to the job.

Dunn code-named the investigation Project Kona. She advised the board of the investigation and obtained support from a majority of the directors, though she did not provide specific details of the inquiry because board members themselves were under investigation.

In the meantime, Dunn and Perkins began to clash over company control issues. Dunn opposed

Perkins's nominees to the board while Perkins resented Dunn's focus on governance. Disagreements between the two became so frequent that Dunn coined the phrase "chairman abuse" to describe Perkins's remarks. Supporting Dunn was the chief executive officer, Hurd, who had been informed of the leaks by Dunn. In response, he warned HP managers that they would be summarily terminated for leaking information.

On June 15, private investigator DeLia informed Dunn and Ann Baskins, HP's attorney, that he had obtained the private phone records of reporters from *Businessweek* and *The New York Times*. De-

Lia said that his investigators had used "pretexting"; that is, they presented themselves, in this case, as board directors to obtain "their own" phone records. Baskins expressed concern over the legality of the tactic, but DeLia informed her that he was aware of no laws banning the practice.

In January, 2006, Keyworth had lunch with reporter Dawn Kawamoto of CNET, a technology-review Web site. The two had become friends, and Keyworth thought that the lunch was purely a social occasion. However, some of Keyworth's discussion with Kawamoto subsequently appeared on CNET, in a piece by Kawamoto that presented Hurd

ACCEPTING RESPONSIBILITY?

Former Hewlett-Packard chair Patricia Dunn testified before a subcommittee of the House Committee on Energy and Commerce on September 28, 2006. Representative Cliff Stearns of Florida wanted to know if Dunn felt any sense of responsibility for the pretexting "fiasco" at Hewlett-Packard. His questions, and her responses, are excerpted here.

Mr. Stearns. Ms. Dunn, your written testimony is 33 pages long. You go into great detail explaining why the investigation was necessary and how you were assured that these aggressive tactics were legal. You even advocate congressional action to produce clear-cut rules on pretexting, a suggestion that this committee has endorsed. However, conspicuous by its absence in your testimony is any degree of contrition or acceptance of responsibility.

And I have listened to this testimony in my office, and you have just indicated it is wrong. You indicated you had been briefed three times, and yet, there is no suggestion that you are going to accept any responsibility and no sense that what you did was wrong. So I get the sense after reading your testimony that you still do not really believe that you did anything wrong here.

And I guess that is a question. Do you feel that you are totally innocent here and with no culpability?

Ms. Dunn. My understanding is that my opening statement is a part of my full submission.

Mr. Stearns. . . . The question I want is yes or no, do you think that your—have any culpability in this whole fiasco? Just yes or no.

Ms. Dunn. I will repeat what I said in my opening statement. I deeply regret that so many people were badly affected.

Mr. Stearns. We are not talking about other people. We are talking about you personally.

Ms. Dunn. Including me, that was said in my opening statement. And I would like to tell you what I would do differently—

Mr. Stearns. But regret is one thing, but culpability that you accept blame is another, and I am just trying to think—and I know, I mean, you could say you are not blamable. You can say that, but I am just trying to put on the record whether you think you are at fault for anything, other than regrets and you are sorry and things like that.

Is it just possible you could say yes or no, that you feel you have some culpability?

Ms. Dunn. If I knew then what I know now, I would have done things very differently and there are some specific things I would have done very differently. . . .

Mr. Stearns. I am interpreting what you say is that knowing what you know today it was wrong?

Ms. Dunn. Absolutely.

Mr. Stearns. And knowing what you do today that you have to accept responsibility, you have to accept personal responsibility for what happened. That is my interpretation of what you are telling me. Is that a correct interpretation?

Ms. Dunn. Sir, I do not accept personal responsibility for what happened.

and HP in a positive light. Keyworth liked the report but Dunn nevertheless launched another investigation to track down the leak. HP employment attorney Kevin Hunsaker headed the investigation, named Kona II, and reported weekly to Dunn and Baskins.

Kona II examined more than ten thousand articles published about HP in the preceding six years. The inquiry included pretexting to obtain telephone records and created a fictitious employee to leak news to Kawamoto. The Kona team also trailed Kawamoto and her daughter, staked out the homes of Kawamoto and Keyworth, and examined Kawamoto's phone records. They discovered several calls from Kawamoto to Keyworth. In May, Keyworth admitted to the board that he was the source of the leak to CNET. He was asked by the board to resign, but he refused. However, Perkins resigned from the board in anger and then sought legal counsel.

In July, Perkins received a letter from AT&T about an online account that he had never established. On August 14, he informed the HP board that he had direct proof of illegal hacking of phone records. He demanded that HP notify the U.S. Securities and Exchange Commission (SEC) because he was legally obliged to publicly disclose the reasons for his resignation. HP refused to notify the SEC. Perkins's legal counsel then notified the SEC, U.S. attorney offices in Manhattan and San Francisco, the California attorney general, the Federal Trade Commission, and the Federal Communications Commission. In response to these notifications, HP amended its SEC filing on September 6 to acknowledge that investigators had engaged in possibly illegal pretexting. On September 18, *Newsweek* magazine featured a cover story by reporter David A. Kaplan on Dunn and her tactics at HP, bringing the entire affair to the public. Hurd announced Dunn's resignation on September 22, effective on January 18.

IMPACT

Initially, the HP board strongly supported Dunn. The company ordered an independent investigation that concluded that she had acted properly. How-

ever, the board then asked Dunn to resign. Several resignations followed, including those of Keyworth, Baskins, and Hunsaker. Perkins charged that the entire investigation was an attempt by Dunn to eliminate the friends of Packard and Hewlett who remained on the board. The board reimbursed Perkins for \$1.5 million in legal fees.

On October 4, the California attorney general charged Dunn with four felonies: fraudulent wire communication, wrongful use of computer data, identity theft, and conspiracy. She pleaded not guilty at her arraignment. Hunsaker, DeLia, and two private investigators also were charged. On January 12, 2007, one of the investigators pleaded guilty to federal charges of identity theft and conspiracy. The charges against Dunn were dropped in March, possibly in part because she was diagnosed with advanced ovarian cancer. Charges against Hunsaker, DeLia, and the second investigator were dropped after they completed community service. In December, 2006, HP had paid a \$14.5 million civil settlement to the state of California, with most of the money slated to fund investigations into privacy rights and intellectual property violations.

On February 28, 2008, HP announced that it had settled for undisclosed sums the claims brought against the company by the *BusinessWeek* and *New York Times* journalists whose phone records were illegally obtained through HP pretexting. Other lawsuits were filed against HP, including one by CNET reporter Kawamoto.

—Caryn E. Neumann

FURTHER READING

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September 29, 2006

CONGRESSMAN MARK FOLEY RESIGNS IN SEX SCANDAL INVOLVING A TEENAGE PAGE

Congressman Mark Foley resigned from the U.S. House of Representatives when it was discovered that he sent sexually explicit e-mails and text messages to at least one teenage boy who was serving as a congressional page. The resignation triggered investigations into how House leadership addressed earlier accusations. Dennis Hastert, Speaker of the House, did not return for another term, and Republican seats in the House may have been lost because of the scandal.

LOCALE: Washington, D.C.

CATEGORIES: Government; politics; sex crimes; public morals

KEY FIGURES

Mark Foley (b. 1954), U.S. representative from Florida, 1995-2006

Jeff Trandahl (b. 1964), clerk of the House of Representatives, 1999-2005

Dennis Hastert (b. 1942), U.S. representative from Missouri, 1987-2007, and Speaker of the House, 1999-2007

SUMMARY OF EVENT

The House Page Program, a unique opportunity for students in their junior year of high school to live in Washington, D.C., allows students to experience the inner workings of the U.S. House of Representatives. Pages run errands for House members, assist with telephone calls in the cloakroom, and assist on the House floor as needed. In addition to working on Capitol Hill, pages also attend academic classes.

The program has been in place for more than two hundred years. At its inception, only males could serve as pages, but in 1973, female pages earned a permanent place in the program. Until the early 1980's, pages were responsible for finding their own lodging and were largely unsupervised after leaving work. In 1982, however, a page commission recommended creating a residence hall near Capitol Hill for all pages so they could be properly supervised. Concurrently, the commission also recommended the establishment of a page board, comprising current members of the House, to oversee the program and to provide adequate supervision and protection for the pages. Approximately seventy-

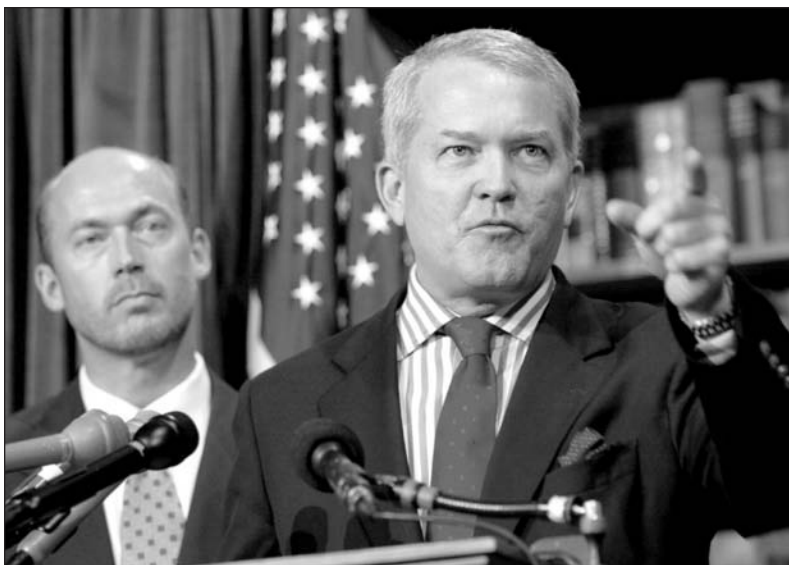
two pages serve in a given year, and the program is administered by the clerk of the House. The daily activities are overseen by the residence-hall staff and school and work staff.

Pages serve on the House floor and are in contact with members on a regular basis. Many members become mentors to the pages, providing a unique glimpse into the life of a representative. As early as 2000, Mark Foley was noted for his involvement with the pages, and there was a general feeling among the staff of the Page Program that Foley was becoming too familiar with the pages. Jeff Trandahl served as clerk of the House from 1999 to 2005. According to a later report of the House Committee on the Standards for Official Conduct, Trandahl testified that Foley “was a distraction and was interfering with the program” and that he “failed to keep a professional distance from the pages.”

Foley also reportedly visited the Page Residence Hall on more than one occasion. One evening, in June, 2000, two or more pages got into Foley’s car and left the grounds of the residence hall. The pages returned not long after. Trandahl warned Foley to stay away from the pages.

In the fall of 2001, a former page (who remained anonymous) appointed by Representative Jim Kolbe contacted Kolbe’s office to report that he had been communicating with Foley via e-mail since the end of his time as a page. The former page viewed the communications as a means of networking, but he had also received an e-mail from Foley that made him uncomfortable. He reported this to Kolbe’s office and asked that someone handle the situation. He subsequently received an e-mail of apology from Foley but continued his communications with the Congress member. However, he was not the only page with whom Foley maintained contact.

In 2005, another former page contacted his sponsor, Representative Rodney Alexander, to report on



Mark Foley, right, at a 2003 press conference in Washington, D.C. (AP/Wide World Photos)

the nature of the e-mails he was receiving from Foley. The former page told a staff member that Foley’s e-mails were “starting to freak [him] out.” The House Speaker, Dennis Hastert, and clerk were both notified of the e-mails and the parents’ request that the matter be handled quietly.

After talking with Alexander’s office, Trandahl and Representative John Shimkus, chairman of the Page Board, approached Foley regarding the e-mails. He was told to stop communications with the former page and to cease any involvement in the page program.

On September 29, 2006, *ABC News* contacted Foley’s office and informed his staff that it was in possession of instant-message exchanges between Foley and a former page that were sexually explicit. Foley’s staff had a meeting regarding the messages. Foley resigned that same day, left Washington, D.C., and admitted himself into rehabilitation for alcoholism. The identity of the page involved in the exchange was not revealed, but the instant messages became widely known after being posted on various blogs and through media outlets.

The exchange of messages was the culmination of years of questionable behavior by Foley. Although he never was found to have had physical

contact with current or former House pages, he had clearly crossed a line. A House ethics committee report of December, 2006, stated, "Such conduct is an abuse of power, and an abuse of trust of the pages, their parents or guardians, and the Congress itself." Because Foley resigned from the House, no official action could be taken against him by that government body.

IMPACT

Foley was not the first House member involved in a scandal involving underage pages. In 1982, Daniel Crane and Gerry Studds were both censured by the House following an investigation that revealed they had each engaged in a sexual relationship with pages. Crane apologized for the affair he had with a seventeen-year-old girl but lost his seat in Congress in the 1984 election. Studds admitted to an affair with a male page that occurred in 1973 and announced to the House that he was gay. He was re-elected in 1984 and continued to serve in the House until 1997. On the heels of the 1982 scandal, Speaker of the House Tip O'Neill formed a page commission, leading to major changes to the program in an effort to protect the pages. Positive changes included housing all pages in a dormitory located on Capitol Hill and implementing a page board to oversee activities of the page program. An official page code of conduct was developed, allowing for the immediate dismissal of any page found in violation of program rules.

Following the Foley scandal, the House Page Program was reevaluated and further changes were made to the composition of the page board. Two members from each political party (Democratic and Republican), as well as the House clerk, the sergeant at arms, a page parent, and a page alumnus, now serve on the board. House leadership hoped that making necessary changes would prevent a similar incident from occurring and would improve communication regarding the welfare of pages.

—Tessa Li Powell

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October 22, 2006

CHILEAN POLITICIANS USE COMMUNITY FUNDS FOR PERSONAL CAMPAIGNS

Officials of Chiledeportes, the Chilean government's sports agency, were accused of misusing as much as \$1 million in funds designated for promoting community sports programs. An e-mail leaked to the media indicated that the Chiledeportes officials had used the money in districts represented by legislators from Concertación, or the Coalition of Parties for Democracy. Opposition legislators charged that the money had been illegally used to help political campaigns.

LOCALE: Chile**CATEGORIES:** Corruption; government; politics**KEY FIGURES**

Michelle Bachelet (b. 1951), president of Chile, 2006-

Ricardo Lagos (b. 1938), president of Chile, 2000-2006

Patricio Aylwin (b. 1918), president of Chile, 1990-1994

SUMMARY OF EVENT

In 2003, the Chilean government of President Ricardo Lagos responded to a series of scandals relating to corruption and influence peddling in the domestic development agency, the ministry of public works, and the central bank. In the wake of the scandals, a series of legal and administrative reforms were enacted to prevent a repeat of these scandals. The reforms clarified payments for public employees, changed campaign financing, established a permanent budget commission to oversee government spending, created a code of ethics for civil servants, and changed the way in which the ministry of public works awarded government contracts. The measures met with general approval both in Chile and abroad for increasing government transparency.

Even with this history of corruption, government corruption in Chile is relatively rare, according to

the U.S. Department of State. Chile ranked about twentieth out of 163 countries in 2006 in the annual Corruption Perceptions Index released by the non-governmental group Transparency International, thereby holding a position similar to that of the United States and Belgium.

Concertación (Coalition of Parties for Democracy) had held executive power in Chile since 1990, perhaps contributing to a complacent atmosphere among lawmakers. Despite the scandals, the center-left government remained popular, with President Michelle Bachelet (who began her term on March 11, 2006) ranking as one of the most respected women in the country. Bachelet is Chile's first female president.

On October 22, 2006, a scandal emerged about the use of state funds by officials of Chiledeportes, a government agency that organizes local sporting activities. An audit of the agency revealed that about \$1 million (U.S.), or about 90 percent of its budget, had been funneled into the coffers of local, leftist political campaigns. These payments to congressional candidates of the Party for Democracy (PD), which was part of the ruling Concertación, were fraudulently marked on forged invoices as electoral expenses.

The right-wing opposition immediately charged that Concertación had improperly used funds to win the last elections and was attempting a similar maneuver to win the upcoming elections. The main target of this charge appeared to be former president Lagos, who left office with a popularity rating of 70 percent and remained eligible to run again for president in the December, 2009, elections.

On October 30, Bachelet stated that she would not accept corruption in her administration. She was clearly concerned about the impact of the scandal upon Chile's newly positive international image. She assured the public that the scandal would be properly investigated and that changes would be made to avoid new corruption cases. She an-

nounced that a number of actions would be taken to reform the direct allocation of public funds to state agencies to ensure that the funds directly benefit the people. Bachelet also announced a restructuring of Chiledeportes to refine the project evaluation process, strengthen internal accounting procedures and institutional oversight mechanisms, and change the sports fund guidelines to disburse money only when projects have met certain requirements as documented in the annual reports of the undersecretary for athletics.

Two former officials of Concertación, Edgardo Boeninger, a Christian Democrat and former ministry general secretariat of the presidency, and Jorge Schaulsohn, founder and former PD president, then blew the whistle in interviews. They stated that members of Concertación felt entitled to take public funds for campaign purposes since private industry generally financed right-wing political parties. Both officials alleged that a culture of corruption existed within the government. Gonzalo Martner, a former president of the Socialist Party, added to the fire by giving an interview to the newspaper *El Mercurio*, in which he supported Schaulsohn's claims. Martner stated that the governing parties had used discretionary government funds, exempt from public scrutiny, to fund campaigns. Other former government officials supported the charges. Schaulsohn was expelled from the party in December. Schaulsohn, Boeninger, and Martner all opposed Lagos, and their attacks gave further support to the notion that much of the furor over Chiledeportes was part of an effort to block Lagos from again running for president.

Senator Camilo Escalona, Socialist Party president, stated that no members of Concertación had received money from discretionary funds since the establishment of democratic government in 1990. He charged that right-wing parties had received illegal campaign funds during the administration of dictator Augusto Pinochet Ugarte. The charge prompted the right-wing opposition Alliance for Chile to sue and attempt to subpoena more than one hundred people who had held high public office since 1990. The judge in the case blocked the subpoenas.

Emerging next was the claim that candidates for

the right-wing National Renewal had used the same company as the PD to inflate their election expenses. Meanwhile, prosecutor Xavier Armendtritz pursued an investigation into Chiledeportes. Bachelet publicly supported the head of Chiledeportes and undersecretary for athletics, Catalina Depassier, and denied that a culture of corruption existed. Patricio Aylwin, president of Chile from 1990 to 1994 and a member of the coalition, stated that no culture of corruption existed, even though some government officials in his cabinet had used public funds for campaign purposes. Depassier resigned after it became known that she had lied about her educational credentials.

On November 23, 2006, Bachelet announced new anticorruption measures by releasing a thirty-two-page report produced by the minister of finance. The measures focus upon combating corruption, improving transparency in the public sector, modernizing government, and reforming campaign finance. A day later, Guillermo Díaz, president of the national railway system, faced fraud charges relating to his employment with the public works ministry under the administration of Lagos. The media charged that Díaz's employment, even after he was suspected of fraud, demonstrated a lack of concern by Concertación-led governments about public corruption. Newspapers called for greater reforms as well as concrete actions to demonstrate the government's willingness to stop abuses.

IMPACT

On November 24, the government established a legislative commission to investigate the scandal. Both progovernment and rightist Alliance for Chile members formed the commission. Nicolás Monckeberg, a deputy from the rightist National Renovation Party, headed the commission. When progovernment legislators presented a vote of no confidence against Monckeberg for allegedly abusing his leadership role by questioning government employees linked to the scandal, the opposition politicians withdrew from the commission. They argued that no credible outcome could be reached if the investigation into the government was led by progovernment politicians. The official report charged one of-

ficial, Luis Guastavino, with corruption. A separate report issued by the alliance implicated PD officials Rodrigo González, Marco Antonio Núñez, and Laura Soto, as well as Socialist deputy Marco Enríquez-Ominami. Only Soto ultimately faced charges of embezzlement for using state funds.

The opposition's actions stalled when it, too, became the focus of political scandal. In December, Bachelet called for an investigation into the improper use of public funds to create the two major right-wing parties, the Independent Democratic Union and National Renewal, at the end of Pinochet's dictatorship during the late 1980's. Members of Bachelet's Socialist Party argued that the use of public funds in this case should also be examined if the Right was truly interested in reform.

—Caryn E. Neumann

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November 2, 2006

EVANGELIST KENT HOVIND IS CONVICTED OF FEDERAL TAX VIOLATIONS

American evangelist Kent Hovind, who founded Creation Science Evangelism in 1989 but never paid payroll or income taxes despite his lucrative income, was found guilty of tax fraud. After an investigation by the U.S. Internal Revenue Service that included a raid of his home and business, he was convicted of fifty-eight tax-related offenses and sentenced to ten years in federal prison.

LOCALE: Pensacola, Florida

CATEGORIES: Law and the courts; corruption; hoaxes, frauds, and charlatanism; religion

KEY FIGURES

Kent Hovind (b. 1953), American evangelist and creationist

Jo Delia Hovind (b. 1956), codefendant in tax-evasion case and Kent Hovind's spouse
Eric Hovind (b. 1978), son of the Hovinds
David Charles Gibbs (b. 1968), attorney

SUMMARY OF EVENT

Kent Hovind was born in East Peoria, Illinois, in 1953. He converted to Christianity at the age of sixteen and graduated from East Peoria Community High School in 1971. After high school, he earned several degrees in Christian education from unaccredited institutions and was ordained as a Baptist minister. Despite having a doctorate from an unaccredited school, Hovind consistently referred to himself as Dr. Dino.

After serving as the pastor of several churches

and teaching science at several Christian schools, Hovind moved to Pensacola, Florida, in 1989 and started a ministry called Creation Science Evangelism (CSE). In 2001, he built Dinosaur Adventure Land, a small theme park and small fossil museum that taught creationist principles. He spoke at hundreds of churches and other venues, peddling his unique and offbeat brand of recent creationism called Young Earth creationism, which teaches that the earth and universe are less than 6,000-10,000 years old and were created by God, and that the bulk of the geologic features preserved in the crust of the earth were generated by the flood of Noah. Hovind's presentations were filled with erroneous and demonstrably false statements.

Hovind bluntly stated in his lectures and on his Web site that he did not believe in paying taxes to the government. His CSE ministry employed many people, but it never withheld taxes from their salaries. Because Hovind had never registered CSE as a tax-exempt religious organization, he was obligated to pay taxes on all his earnings and the salaries he paid to his employees. Upon learning about his antitax philosophy and attempts to evade paying taxes, administrators at nearby Pensacola Christian College (PCC) reported Hovind to the U.S. Internal Revenue Service (IRS) and forbade PCC students from working at CSE.

Because the IRS had no record that Hovind had ever filed a tax return, in 1996 it attempted to collect back taxes for 1989-1995. To escape responsibility for paying federal income taxes, Hovind filed bankruptcy on March 1, 1996. In his bankruptcy petition, he argued that because he is a minister of God, everything he owns belongs to God and is not subject to taxation. On June 5, the U.S. Bankruptcy Court rejected the petition, ruling that it had been filed in bad faith. The court found that even though Hovind had stated that he received no income, had no expenses, and owned no property, the IRS investigation revealed that he owned a house (on which he made regular payments) and had several automobiles, and that he had enough disposable income to send his children to a private Christian school (at \$4,800 per year in tuition) and install central heating and air conditioning in his home (for \$3,265).

As a result of the legal action against him, Hovind agreed to pay the IRS \$432.33 per month for sixty months.

In May, 1998, Hovind made another concerted effort to evade paying federal income taxes. He and his wife, Jo Delia Hovind, filed a Power of Attorney and Revocation of Signature form with the Escambia County, Florida, clerk of courts. This document argued that they had been misled and were forced to sign government documents that specified their payment schedule and therefore did not owe the government any more money. They also renounced their U.S. citizenship and declared themselves, individually, as "a natural citizen of 'America' and a natural sojourner." This, in their minds, rescinded their obligation to pay federal income taxes.

In 2002, Hovind was once again delinquent in his tax payments and attempted to sue the IRS for harassment. He referred to his home state of Florida as the "state of Florida Body-Politic Corporation" and argued that he was a citizen of the state of Florida and not of the United States and, therefore, was not required to pay federal income taxes.

An April, 2004, IRS raid of Hovind's home and business showed that he lacked a business license and tax-exempt status. Bank deposits recovered from the raid showed that Hovind had deposited well over one million dollars into various bank accounts since 1997 and had neither reported nor paid taxes on any of this income. On June 3, the IRS filed a tax lien of over half a million dollars against Hovind and his son, Eric Hovind, who helped his father hide income. The lien was placed on their businesses, too.

On July 11, 2006, Hovind was charged in the U.S. District Court for the Northern District of Florida in Pensacola with twelve counts of failing to pay employee-related taxes; forty-five counts of "smurfing," a banking industry term for evading reporting requirements by making multiple cash withdrawals just under \$10,000; and one count of interfering with an IRS investigation. Jo Hovind, who had handled the money for her husband's enterprises, was charged with forty-four related counts.

After his indictment, Hovind vociferously maintained his innocence and stated that he had no idea who was charging him or what his crime was. After stating that he did not recognize the government authority in tax matters, Hovind attempted to enter a plea of “subornation of false muster,” a legally nonsensical phrase that, some have said, is more reminiscent of militia terminology. When U.S. magistrate Gordon Miles Davis offered to enter a plea for him, Hovind switched his plea to not guilty under duress. Davis also confiscated Hovind’s passport because he was a flight risk and his guns because he had threatened IRS agents.

Hovind’s trial began on October 21. At trial, he tried to argue that the approximately thirty people who worked for him were missionaries and not employees. He also maintained that his amusement park, admission, and merchandise sales belonged to God and could not be taxed. Nevertheless, some of Hovind’s workers testified that they punched time cards, took vacation and sick days, and were docked pay if they spent too much time on the phone. Attorney David Charles Gibbs, who provided free legal aid to churches nationwide, testified that Hovind enthusiastically explained to him how he “beat the tax system” and had no obligation to pay taxes. After closing arguments on November 2, the jury deliberated for three hours and found Hovind guilty of all fifty-eight counts and Jo Hovind guilty of all forty-four counts. On January 19, 2007, Hovind was sentenced to ten years in prison and three years probation. He was ordered to pay the court more than one million dollars in restitution and legal fees. Jo Hovind was sentenced in June to one year in prison and three years probation, and was fined \$8,000.

IMPACT

Hovind’s conviction was embarrassing to the American creationist movement because Hovind was one of its most visible figures. Even more troubling was Hovind’s reprehensible behavior throughout the IRS investigation and his trial. He filed false lawsuits and criminal charges against the IRS, threatened IRS investigators and those who cooperated with them, and destroyed records. Had he cooper-

ated with the government, he might have avoided prison time, but his avowed recalcitrance precipitated his incarceration.

Furthermore, the bizarre and ridiculous nature of Hovind’s tax-evasion arguments and his inability to accept correction from others revealed a person desperately divorced from reality. Hovind’s deplorable demeanor reflected very badly on the creationist movement as a whole and tended to reinforce the quixotic stereotype already associated with modern creationists. Hovind’s controversial statements and divisive tactics also contributed to the 2005 schism of the largest international creationist organization, Answers in Genesis.

—Michael A. Buratovich

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November 2, 2006

MALE ESCORT REVEALS SEXUAL LIAISONS WITH EVANGELIST TED HAGGARD

Ted Haggard, the founder and senior pastor of New Life Church in Colorado, was disgraced after a male escort revealed on television that Haggard had sex with him over a three-year period. Haggard, asked by the church to leave his ministry and the Colorado Springs area, also resigned his leadership position with the influential National Association of Evangelicals. A church overseer claimed Haggard was "completely heterosexual" following three weeks of "restorative" therapy.

LOCALE: Colorado Springs, Colorado

CATEGORIES: Drugs; prostitution; religion; sex; social issues and reform

KEY FIGURES

Ted Haggard (b. 1956), evangelical preacher

Michael Jones (b. 1957), male escort

Tim Ralph (fl. early twenty-first century), pastor and counselor

SUMMARY OF EVENT

Ted Haggard was the lead pastor of New Life Church, which boasted a membership of fourteen thousand people. He had founded the megachurch in 1984 in the basement of his home in Colorado



Michael Jones. (AP/Wide World Photos)

Springs. Haggard also was the head of the thirty-million-member National Association of Evangelicals (NAE). In 2005, *Time* magazine named him as one of the top twenty-five most influential evangelicals in the United States.

Haggard also openly condemned homosexuality and preached against same-gender marriage, but he reportedly visited gay bars and invited gays to attend his church services. On November 2, 2006, Haggard was outed by a male escort, Michael Jones, who claimed that the popular pastor had paid him for sex and that the encounters occurred during a three-year period. Jones, who made his announcement on a Denver, Colorado, television station, also claimed that Haggard often used the drug crystal methamphetamine when they were together. He also said that Haggard had revealed sexual fantasies to him, one involving a group of young college men.

Initially, Jones knew Haggard by the name Art (Haggard's middle name is Arthur). After learning that Art was the well-known pastor Haggard, who railed against homosexuality and same-gender marriage, Jones decided to come forward about his sexual encounters with Haggard. He believed he should expose Haggard's hypocrisy. Rumors had already been circulating in the gay community in Denver, Colorado, about Haggard's sexuality. When first confronted with the gay-sex allegations, Haggard claimed he did not know Jones and denied having ever used drugs. A few days later, however, he admitted that he had purchased methamphetamine but never used the drug.

On November 4, 2006, the board of the New Life Church issued a statement from its membership, which had concluded that Haggard's alleged actions constituted sexually immoral conduct. Drawing on church bylaws, the board reported that Haggard's conduct compelled them to remove him from his job with the church. Attached to a severance



A portrait of Ted Haggard in the prayer center on the campus of New Life Church near Colorado Springs, Colorado. (AP/Wide World Photos)

package from the church was the stipulation that Haggard also leave the Colorado Springs area. Haggard already had tendered his resignation from the presidency of the NAE on November 2. The NAE reported that during its more than sixty years of existence, it had never had moral failure in its leadership.

Haggard issued a statement on November 5 that was read before his church by another pastor. Haggard admitted to having had gay sex but claimed it was a "dark" part of his life. He further expressed sorrow for his behavior and said he was "a deceiver and a liar." He said the church board acted appropriately in removing him from his ministry and that the removal would be permanent.

Haggard also said in his statement that he had been "warring against" his sexual desires for his entire adult life. By all appearances he led a heterosexual life that included a marriage and children, a life choice not uncommon for those with same-gender sexual desires who also are deeply committed to their religion and who fear reprisal. Conservative churches in the United States, as elsewhere, speak harshly about same-gender sexuality and condemn it as immoral. They also severely punish sexual transgressors.

IMPACT

Haggard lost his ministry, church, and evangelical standing. In February, 2007, after three months of silence, he sent an e-mail message to friends, telling them he was moving from Colorado Springs with his wife, Gayle, and family to start a process of personal “restoration.” This process, which involved examining all aspects of his life, included counseling by a team of ministers who were appointed by the New Life Church. Haggard also entered a treatment center in Arizona. Tim Ralph, one of the team counselors, said that Haggard, after three weeks of therapy, was now “completely heterosexual” and that Haggard’s declaration of heterosexuality was supported by evidence. First, no other person had claimed Haggard engaged in gay sex, and second, gay sex was not a constant in Haggard’s life. Haggard’s accuser, Jones, responded to Ralph’s report by saying that he thought Haggard indeed was gay.

In August, Haggard released a statement that asked for monetary donations to help support his family while he and his wife attended college classes. He wanted to pursue a degree in counseling, and his wife was to study psychology. He also reported that his family was moving into the Dream Center, a halfway house based in Phoenix, Arizona, that ministers to recovering convicts, drug addicts, prostitutes, and others. Within days, however, the restoration team reported that Haggard would not be working at the Dream Center or in any ministry, and it advised Haggard to seek employment outside the church. Steering Haggard away from a return to ministry was based, in part, on Haggard’s high profile. The team cited biblical passages about the need to hold influential figures to a higher standard of behavior.

—Ski Hunter

FURTHER READING

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HAGGARD AND JONES

The Reverend Ted Haggard apologized to the congregants of the New Life Church. His statement, read by another pastor before the church and published by the Colorado Springs Gazette on November 5, 2006, begins,

To my New Life Church family.

I am so sorry. I am sorry for the disappointment, the betrayal, and the hurt. I am sorry for the horrible example I have set for you. . . . I alone am responsible for the confusion caused by my inconsistent statements. The fact is, I am guilty of sexual immorality, and I take responsibility for the entire problem.

Michael Jones, the male escort who outed Haggard, told The New York Times in a June 7, 2007, interview,

I’ve been with some pretty famous people, and I would never out them. This was a unique situation. Here is Ted preaching about being shameful . . . and then he sneaks around with me.

ing and Haggard’s resignation from the newspaper of record.

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SEE ALSO: 1970: Study of Anonymous Gay Sex Leads to Ethics Scandal; Oct. 25, 1974: Evangelist Billy James Hargis Resigns College Presidency During Gay-Sex Scandal; Jan., 1977: Singer Anita Bryant Campaigns Against Lesbian and Gay Rights; Aug. 4, 1978: British Politician

Jeremy Thorpe Is Charged with Attempted Murder; Sept. 3, 1980: Congressman Bauman Is Arrested for Liaison with Teenage Boy; Dec., 1982: Julie Andrews and Blake Edwards Deny Being Gay; Mar. 19, 1987: Jim Bakker Resigns as Head of PTL Television Network; Feb. 21, 1988: Evangelist Jimmy Swaggart Tearfully Confesses His Adultery; Sept. 19, 2000: Ex-gay Leader John Paulk Is Photographed Leaving a Gay Bar; Aug. 19, 2004: Blog “Outs” Antigay Congressman Edward Schrock; Dec. 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal; Sept. 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page.

November 20, 2006

NEWS CORP ABANDONS PLAN TO PUBLISH O. J. SIMPSON'S BOOK

News Corp announced plans to publish a book by the notorious former football star O. J. Simpson called If I Did It, an allegedly speculative account of how Simpson would have murdered his former wife, Nicole Brown Simpson, and her friend, Ronald Goldman. Public reaction was so overwhelmingly negative that News Corp canceled both its planned television special and the book's release. Goldman's family received legal title to the book and published it in 2007 as Simpson's actual confession.

LOCALES: New York, New York; Miami, Florida; Los Angeles, California

CATEGORIES: Publishing and journalism; radio and television; public morals; business

KEY FIGURES

O. J. Simpson (b. 1947), former professional football player and actor

Judith Regan (b. 1953), editor and publisher of ReganBooks

Pablo F. Fenjves (b. 1953), ghostwriter and screenwriter

Denise Brown (b. 1957), advocate for victims of domestic violence

Fred Goldman (b. 1940), father of Ronald Goldman

SUMMARY OF EVENT

On November 20, 2006, News Corporation (News Corp) announced that it would cancel publication of O. J. Simpson's book *If I Did It*. The book, planned for publication by ReganBooks, a News Corp subsidiary, allegedly was a hypothetical confession by Simpson of how he would have murdered his former wife and her friend. Also planned was a two-part television interview *O. J. Simpson: If I Did It, Here's How It Happened* on Fox Television, also a News Corp subsidiary. The interview special, earmarked to promote the book, was scheduled to be broadcast in the final week of the television ratings sweeps. The announcement was followed by overwhelming public condemnation of ReganBooks and Fox.

Two weeks earlier, on October 30, the gossip tabloid *National Enquirer* first alleged that Simpson was working secretly on a manuscript in which he would confess to the 1994 murders of Nicole Brown Simpson and Ronald Goldman. That manuscript, *If I Did It*, was acquired by ReganBooks, an imprint of HarperCollins. Simpson was to receive \$3.5 million for the book contract. Pablo F. Fenjves, *If I Did It*'s ghostwriter, was recruited by ReganBooks and led to believe the book was to be the confession of a murderer. Fenjves himself believes that Simpson murdered Brown Simpson and Goldman.

The *National Enquirer* also suggested that Simpson intended to quickly spend the contract money to avoid paying on the civil judgment against him. Indeed, the \$630,000 he was paid in advance, which should have gone to the Goldmans (beneficiaries of the civil judgment), was funneled through a shell corporation, Lorraine Brooke Associates, named for two of his children. He used the money to pay bills, including his mortgage and Internal Revenue Service debts.

On the evening of the announcement by News Corp, Ronald Goldman's father, Fred Goldman, appeared on *Larry King Live* on CNN and strongly urged people to not buy the book. Ronald's family launched a Web site (dontpayoj.com) the next morning, gathering signatures for a petition to stop the book's publication. The family argued that a killer (Simpson was acquitted of the murders in criminal court but found liable in civil court) should not profit from his or her crime.

On November 15, ReganBooks publisher Judith Regan had called Simpson a killer and claimed the book indeed was his confession. She said she contracted the book to bring further awareness to violence against women, which included herself. She also said that her motive for publishing the book was vengeance. By November 20, more than one dozen stations affiliated with Fox refused to air the special. Also, many bookstores refused to sell the book; those that did donated sales profits to charities.

The public's passionate response to the book and television interview was understandable, given that

many considered Simpson's acquittal nothing less than a gross miscarriage of justice. The planned interview was likened to a snuff film, and even Simpson agreed that book earnings would be blood money. Finally, the public, journalists, and other media professionals questioned the ethics of News Corp, Fox, and ReganBooks.

On November 21, Denise Brown, Nicole Brown Simpson's sister, announced that News Corp attempted to buy off the Brown and Goldman families by offering millions of dollars for their silence but that News Corp would still publish the book and air the interview. When the Brown family refused News Corp's offer, the company's chairman, Rupert Murdoch, canceled the book and interview and asked booksellers to return all unsold copies. However, some copies of the book circulated after its first printing, and *Vanity Fair* magazine got hold of one. It published a detailed book review in its January 22, 2007, issue, and by June 13, the book was available on the Web.

If I Did It reached merchants once again in September, 2007, although in a somewhat different form. Earlier that summer, a federal bankruptcy judge awarded rights to the original manuscript to the Goldman family. The retitled *If I Did It: Confessions of the Killer* was published as a book of nonfiction—a true O. J. Simpson confession—by Beaufort Books and includes commentary by the ghostwriter, Fenjves, and victim-rights advocate Dominick Dunne. The Goldman family received 90 percent of the profits from sales of the book. Denise Brown responded to the 2007 publication with an online petition, requesting the publisher cancel further printings. By February 14, 2008, the petition's "close" date, more than 6,600 people had signed in support of Brown's campaign.

IMPACT

The scandal surrounding the planned publication of *If I Did It* and its accompanying television special raised anew many ethical dilemmas. First, critics asked whether a person found liable for human pain, suffering, and death should profit from those acts.

Second, critics asked if a media giant, such as

News Corp, should pay a person (Simpson), believed by many to be a murderer, to “confess” on television while hiding behind a criminal court’s finding of his not being guilty, and pay the “interviewer” (Regan) to take part in such a charade. Third, critics questioned whether or not any subject is taboo in a world in which networks are attempting to boost sagging ratings. Fourth, is it ethical for journalists to exploit a miscarriage of justice for personal gain?

Finally, many believe that Simpson decided to write the book not only for the money but also to get back in the limelight: He had enjoyed his celebrity for thirty years before the murders, and he clearly basked in this status. However, if these were Simpson’s intentions, they failed. He did not receive money for the book, short of the advance, and did not regain his positive celebrity status. If anything, he remains a pariah.

—Edward J. Schauer

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Simpson trial by Marcia Clark, the deputy district attorney who led the prosecution.

Cochran, Johnnie L., Jr., with Tim Rutten. *Journey to Justice*. New York: Ballantine Books, 1996. Cochran led the legal team in the successful criminal defense of Simpson. A key to Cochran’s perspective on the trial may be found in the title of chapter 14, “From Seeds of Doubt, Justice Flowers.”

Dunne, Dominick. *Justice: Crimes, Trials, and Punishments*. New York: Three Rivers Press, 2001. The author, a much-read journalist and major advocate of justice for murder victims, devotes ten chapters to his observations and insight regarding the murder trial of Simpson. Dunne sat through the entire trial and had regular interaction with the families of Nicole Brown Simpson and Ron Goldman after the murders.

The Goldman Family, Pablo F. Fenjves, and Dominick Dunne. *If I Did It: Confessions of the Killer*. New York: Beaufort Books, 2007. Contains an exact replication of the original manuscript of *I Did It*, with commentary by the Goldman family, a prologue by ghostwriter Fenjves, and an afterword by Dunne.

SEE ALSO: Summer, 1936: Film Star Mary Astor’s Diary Becomes a Public Sensation; 1978: Actor Joan Crawford’s Daughter Publishes Damning Memoir, *Mommie Dearest*; June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial; June 24, 1994: *Time* Magazine Cover Uses Altered O. J. Simpson Photo.

November 23, 2006

FORMER RUSSIAN SECURITY SERVICE OFFICER DIES FROM RADIATION POISONING

Alexander Litvinenko was an officer in the Russian federal security service, once assigned to protect billionaire Boris Berezovsky, who later fell out with the Russian government. After Litvinenko accused the Russian government of scheming to kill Berezovsky, he fled to England. There, he developed a strange illness, later found to be radiation poisoning, and died. Many believe Litvinenko was killed by the Russian government, possibly on orders from President Vladimir Putin.

LOCALE: London, England

CATEGORIES: Murder and suicide; politics; corruption; international relations; government; medicine and health care

KEY FIGURES

Alexander Litvinenko (1962-2006), former senior operational officer in the Federal Security Service of the Russian Federation

Boris Berezovsky (b. 1946), Russian businessman, dissident, and former deputy secretary of Russia's security council

Vladimir Putin (b. 1952), president of the Russian Federation, 1999-2008, and prime minister, 2008-

Andrei Lugovoi (b. 1966), Russian politician and businessman

SUMMARY OF EVENT

Alexander Litvinenko's death is largely the story of three men—Litvinenko, Boris Berezovsky, and Vladimir Putin—and the turbulence of political change in postcommunist Russia. The fall of communism created a Wild West type of environment in Russia, which was ready made for profiteers and unscrupulous businessmen willing to exploit the country's political disorganization and breakdown in law and order for their personal gain. Business disagreements were sometimes resolved by competitors being gunned down. One of the country's

major tourist cities, St. Petersburg, became its crime capital as well.

Regional governors created their own private fiefdoms across the great Eurasian expanse of Russia, and the country's privatization process allowed politically well-connected, and lucky, private entrepreneurs such as Berezovsky (who survived at least two assassination attempts during the mid-1990's) to gain control of the country's major industries and amass personal fortunes through pyramid schemes, money laundering, smuggling, and other illicit activities.

Once in office in 1999, Vladimir Putin focused his presidency on regaining control of Russia's political process. He pushed through laws that made regional governors appointees of the center and extended government control over its key, privatized industries. The latter efforts led him to target, among others, Berezovsky, who by the time of Putin's presidency had become a billionaire with holdings in Russia's oil industry and substantial investments in Russia's media, its automobile sector, and Aeroflot, the country's airline. One technique that Putin regularly employed to regain control over such sectors was the use of legal proceedings against his targets, and so it was for Berezovsky. Indicted for fraud in Russia, Berezovsky fled to Great Britain and then sought asylum in 2001.

Meanwhile, Litvinenko also became embroiled in a conflict with Russian authorities—in his case, with the Federal Security Service of the Russian Federation (FSB), in which he had been an officer for many years but whose return to the brutal practices of the Soviet Union he publicly attacked in 1998 at a Moscow press conference. In particular, he accused the FSB of conducting assassinations and other illegal acts to maintain its position in the leadership of a post-Soviet Russia, which was then theoretically democratizing under the presidency of Boris Yeltsin. Subsequently imprisoned twice for his comments, Litvinenko fled to Britain in 2000,

where he merged into a large colony of Russian expatriates (duly infiltrated by undercover Russian security agents) and where he was granted political asylum in 2001. (He later acquired British citizenship.)

Upon Berezovsky's arrival in London, Litvinenko and Berezovsky resumed a friendship that had begun in 1998, when Litvinenko reputedly refused an order to assassinate Berezovsky while serving as his bodyguard. Rejoined in London, they inaugurated an escalating series of charges against the Putin regime that gained increasing credibility in Western circles. Putin's critics in the Russian media were not just harassed but also began to die either accidentally or in more violent ways, usually without anyone being charged with their murder. Against this backdrop, Litvinenko's 2006 death in London under mysterious circumstances, and by a highly exotic form of poisoning, immediately acquired both a sinister and scandalous aura.

The facts relating to the poisoning itself remained somewhat disputed despite the intensity of investigative efforts. There is, for example, still a small debate over whether Litvinenko had been poisoned prior to November 1, or only once, on the day he fell ill. It is certain that he was poisoned on the first of November and almost certainly while having a drink at the Millennium Hotel in central London with two former associates in the Soviet KGB, Andrei Lugovoi and Dimitri Kovtun. An inspection of the hotel's kitchen area found a highly radioactive tea cup with traces of polonium-210, radioactive material that laboratory findings later confirmed as the poison that killed Litvinenko. After seeing Lugovoi and Kovtun, Litvinenko journeyed to a restaurant for a scheduled meeting with an Italian security specialist (Mario Scaramella), who had offered to provide him with information on the death of a Russian investigative journalist (Anna Politkovskaya) suspected of being poisoned by Russian agents in 2004 and then assassinated in October, 2006.

Subsequent rumors indicated that Litvinenko was poisoned yet again in the hospital where he was taken for treatment. His recovery there was followed by a subsequent sharp decline in his con-

dition; he then died on November 23. Medical evidence has thoroughly discredited that theory, however, with Litvinenko's initial recovery now being credited to his generally good health and his subsequent relapse seen as a normal consequence of the nature of the radioactive poison he had consumed. Significantly, before he died, Litvinenko recovered enough to make a deathbed statement in which he blamed Putin and Russian security forces operating under Putin's command for his murder. Seven months later, in June of 2007, Berezovsky was alerted by British intelligence that he, too, was being targeted for murder. He fled England in fear for his life.

IMPACT

The British media—and not just the London tabloids—were closely reporting on the scandalous story of Litvinenko's poisoning and eventual death and on the clues that seemed to point to Moscow for having a part in his demise. When media accusations continued as the story unfolded, Britain's diplomatic relations with Russia began to suffer. Moscow retaliated for the unwanted media attention, first by disrupting the British Broadcasting Corporation's broadcasts in Russia and later by expelling several British diplomats from Moscow.

London-Moscow relations further worsened in May of 2007, when British authorities narrowed their suspect list to Lugovoi after having found traces of radioactive material in several places where Lugovoi stayed en route to London and after arriving in London prior to his November 1 meeting with Litvinenko (Litvinenko became ill that same day). On May 22—after tracing the polonium-210 radioactive material used to kill Litvinenko to a Russian nuclear plant as well—British authorities formerly charged Lugovoi with Litvinenko's murder. The British Foreign Office requested Lugovoi's extradition to face charges in Britain. In response, Russian authorities, whose own request for Berezovsky's extradition had been previously refused, rejected the British request on the grounds that it would violate Russia's constitution.

—Joseph R. Rudolph, Jr.

FURTHER READING

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Litvinenko, Alexander, and Yuri Felshtinsky. *Blowing Up Russia: The Secret Plot to Bring Back KGB Terror*. New York: Encounter Books, 2007. Part of a three-volume set of articles, interviews, and other materials compiled by Boris Berezovsky, this book focuses on the 1998-2005 period of conflict between Litvinenko and the FSB, whom he suspected would some day kill him.

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SEE ALSO: Oct. 25, 1924: Forged Communist Letter Brings Down British Government; Jan. 8, 1934-Jan. 17, 1936: Stavisky's Fraudulent Schemes Rock French Government; June, 1956: George F. Kennan Proves Russian Sisson Documents Are Fakes; Sept. 12, 1962: British Civil Servant Is Arrested for Spying.

Early 2007**SUBPRIME MORTGAGE INDUSTRY BEGINS TO COLLAPSE**

During the 2000-2006 housing boom, American lenders issued a staggering total of \$1.5 trillion in risky subprime mortgages, relying on rapidly appreciating home values to protect their investments. As home prices began declining in 2006, record numbers of debtors defaulted, leading to soaring home foreclosure rates, lender bankruptcies, and a general weakening of the U.S. economy. Mismanagement and outright fraud at all levels created a cascading national and international financial crisis leading to industry and government reform.

LOCALE: United States

CATEGORIES: Banking and finance; business; corruption; government

KEY FIGURES

Ben Bernanke (b. 1953), chairman of the Federal Reserve, 2006-2010

Henry Paulson (b. 1946), secretary of the U.S. Treasury, 2006-2009

SUMMARY OF EVENT

Home ownership has always been considered a bulwark of the American way of life. From the end of World War II until the presidency of Ronald Reagan, most home financing required at minimum a 20 percent down payment and featured fixed interest rates, a payoff period not exceeding thirty years, and strict requirements for income and creditworthiness that ensured a low default rate but priced lower income people out of the market. One of the arguments for deregulation was the claim that the lending industry, if freed from constraints, could supplant government subsidies to those otherwise unable to afford a home. The mortgage lending industry, specifically those companies specializing in subprime mortgages, began collapsing even before New Century Financial Corporation, one of the largest such lenders in the United States, declared bankruptcy in April, 2007. Many believe the collapse began earlier in the year.

During the early 1980's, freed from federal regulations, what emerged was a new class of mort-

gage lending institutions, whose operations were based on originating large numbers of mortgages and selling them to Wall Street investment firms, which in turn sold bonds backed by mortgage investment portfolios. This process is called securitization. Rating agencies gave such investments their highest (AAA) rating based on high dividend rates and assumptions that the underlying mortgage loans were entirely secured by collateral and the risks of borrower default were low. Both assumptions proved to be false. There is suspicion that the ratings agencies themselves may have colluded with investment firms.

The enormous profitability of home loans to investors led to aggressive marketing of subprime instead of prime mortgages, especially those with adjustable interest rates that rise after two or so years, to risky borrowers. A subprime loan is a loan issued to a risky borrower. According to the federal government, risky borrowers are those with a credit score usually below 650 and who have a lower income, an unstable employment history, or a history of financial problems (such as a previous foreclosure, repossession, or bankruptcy).

Between 2000 and 2006, refinance transactions tapping home equity became much more common as well. The availability of so much credit was one factor in the rapid escalation of home prices between 2000 and 2006, marking the housing bubble. Inflation-adjusted home prices, which on the average increased by 0.4 percent per year between 1980 and 2000, nearly doubled between 2000 and 2006, putting a conventional mortgage beyond the means of most first-time home buyers. This inflationary trend created phantom equity for people who bought homes during the 1990's, equity they were encouraged to tap by refinancing homes to pay off other debts, cope with a financial crisis, or simply indulge themselves.



A foreclosed home for sale in Stockton, California, in April, 2008. (Hulton Archive/Getty Images)

The essentially fraudulent nature of the subprime mortgage industry is epitomized by Angelo Mozilo, cofounder and chief executive officer of Countrywide Financial Corporation, based in Calabasas, California. Mozilo's annual salary at the height of the housing bubble topped \$200 million. He was investigated for deliberately propelling his company toward financial collapse as he withdrew his own investment at the last minute and left ordinary stockholders with huge losses. Bank of America announced its \$4 billion purchase of Countrywide in January, 2008. The name Countrywide is now synonymous with the subprime mortgage scandal.

There are many different types of subprime mortgages, and many classes of borrowers, including some who qualified for a conventional mortgage but were steered toward a subprime lender by an unscrupulous broker who collected a hefty commission. Racial minorities and the elderly were frequently singled out for the most predatory loans. Home builders and real estate agents and brokers participated in the subprime scandal by selling properties to buyers who clearly could not afford them. Brokers, who were paid on commission and had no further stake in the loan, told borrowers who worried about repayment terms that they could al-

ways refinance at a later date, taking advantage of appreciation in the interim. This proved an empty promise when property values started to decline and lending standards tightened.

One of the commonest types of subprime loan is the adjustable rate mortgage, or ARM. A typical ARM has an artificially low interest rate (often called a teaser rate) and correspondingly low payments for the first few years after issuance, after which interest rates and payments rise rapidly and become unmanageable for many with lower or fixed incomes. In theory, in these first years, the homeowner's property appreciates and the homeowner's credit rating improves, allowing for refi-

nancing to a fixed-rate mortgage. Little known was that the refinancing homeowner would end up paying substantially in additional lender fees and a prepayment penalty.

Another common feature of a subprime loan is the balloon payment. Instead of paying down the loan in regular increments, the borrower pays interest only, or interest plus a small sum, and agrees to make a large lump sum payment at some point in the future. These optional-payment mortgages represent a minefield for the borrower, because they allow the borrower to pay less than the interest amount and add the deficiency to the principal of the loan, up to 110 percent of the original loan amount. This is known as negative amortization.

Another troublesome type of loan, the Alt-A or "liar mortgage," proliferated during the same period. Also called stated-income loans, these were issued to people with good credit but without documentation of income. Carrying high interest rates and other undesirable terms, Alt-A loans appealed to speculators, or investors, who defaulted in large numbers when property values declined. Although the typical Alt-A borrower is perceived by the public and legislators as being undeserving of rescue (in contrast to a lower income borrower whose primary residence is threatened with foreclosure), the consequences of the collapse of this market to financial institutions and communities has been more devastating than that created by classic subprime loans.

In 2006, as interest rates on the large numbers of ARMs from 2004 started to reset to higher rates, a number of problems emerged and the housing bubble began to burst. Credit started to contract, with lenders refusing the most marginal loan requests. Home prices in the most rapidly appreciating markets, which coincided with the highest levels of subprime lending, began to decline. Unable to meet payments or refinance, people put their homes

DEFINING "SUBPRIME"

The board of governors of the U.S. Federal Reserve and other federal financial agencies issued "Expanded Guidance for Subprime Lending Programs" on January 31, 2001. In the document, the term "subprime" is defined.

The term "subprime" refers to the credit characteristics of individual borrowers. Subprime borrowers typically have weakened credit histories that include payment delinquencies, and possibly more severe problems such as charge-offs, judgments, and bankruptcies. They may also display reduced repayment capacity as measured by credit scores, debt-to-income ratios, or other criteria that may encompass borrowers with incomplete credit histories. Subprime loans are loans to borrowers displaying one or more of these characteristics at the time of origination or purchase. Such loans have a higher risk of default than loans to prime borrowers. Generally, subprime borrowers will display a range of credit risk characteristics that may include one or more of the following:

- Two or more 30-day delinquencies in the last 12 months, or one or more 60-day delinquencies in the last 24 months;
- Judgment, foreclosure, repossession, or charge-off in the prior 24 months;
- Bankruptcy in the last 5 years;
- Relatively high default probability as evidenced by, for example, a credit bureau risk score (FICO) of 660 or below (depending on the product/collateral), or other bureau or proprietary scores with an equivalent default probability likelihood; and/or
- Debt service-to-income ratio of 50% or greater, or otherwise limited ability to cover family living expenses after deducting total monthly debt-service requirements from monthly income.

up for sale. This created a feedback loop, especially in Florida, Nevada, and California. More homes on the market, with fewer buyers able to purchase them, meant further price declines.

Lenders began the process of short sales—working with a homeowner to sell a property valued less than the remaining mortgage due—and foreclosures at record levels. In the heyday of subprime lending, foreclosure did not pose a threat to lender profits because property appreciation canceled out foreclosure costs. The lending industry counted on this. When the system started breaking down, investment firms stopped buying securitized subprime mortgages. Primary lenders, cut off from their main source of capital, shut their doors in droves.

In August of 2007, the nation's secondary mortgage market temporarily shut down, leaving private-sector lenders without a source of money for home buyers. Countrywide Financial, the largest originator of subprime loans in the United States, appeared headed for bankruptcy. The Federal Reserve, headed by Ben Bernanke, responded by lowering the prime interest rate. The conduits for funding most home mortgages shifted to institutions with Federal Housing Administration (FHA) backing and to the Government Sponsored Enterprises (GSEs) of Fannie Mae and Freddie Mac. Investors were still willing to buy mortgage-backed securities backed by FHA insurance or the GSE guarantee.

By mid-2008, it was apparent that the collapse of the subprime market had created a ripple effect extending through the home mortgage market to the economy in general. Nationwide, property values were dropping by 7.47 percent per year, and one in 171 homes was involved in foreclosure. Several regional banks heavily invested in the subprime market had failed outright, and many more were in serious trouble. In July, the U.S. government responded by enacting a sweeping housing rescue bill—the Housing and Economic Recovery Act—that included a provision for refinancing subprime mortgages with an FHA guarantee, a bailout of Fannie Mae and Freddie Mac (as recommended by Secretary of the Treasury Henry Paulson) that cost an estimated \$25 billion, and grants and loans to commu-

Subprime Mortgage Industry Begins to Collapse

nities to buy vacant foreclosed properties. Fannie Mae and Freddie Mac were bailed out by federal regulators in September.

IMPACT

In terms of its impact on the average American, the subprime mortgage crisis must rank near the top of the list of modern economic scandals. The effects are not confined to the United States, however, but have had serious repercussions in Europe and Asia because of heavy investment by foreign companies and sovereign wealth funds in mortgage-backed securities. Although a number of other factors, notably a sharp increase in energy costs, contributed to the overall decline in economic well-being in the United States between mid-2006 and mid-2008, the collapse of the housing market was clearly the triggering event.

Between December, 2007, and July, 2008, unemployment and bankruptcy filings rose significantly, while housing prices (in most areas), retail sales, and stock values continued to decline, leading to increasingly pessimistic predictions of the duration and depth of the recession. Any final assessment of the impact of the mortgage industry collapse must necessarily await the results of remedial legislation and future elections.

Securing a home loan now involves a process similar to that before the 1990's: paying a 20 percent down payment and meeting strict requirements for income and creditworthiness. Furthermore, consumers who qualify for these harder-to-get loans now focus on securing fixed interest rates.

—Martha A. Sherwood

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February 18, 2007

WASHINGTON POST EXPOSES DECLINE OF WALTER REED ARMY HOSPITAL

The Washington Post published the first in a series of exposés on the medical neglect and deplorable living conditions of wounded soldiers at Walter Reed Army Medical Center, the Army's major hospital. The exposé led to a national scandal and public condemnation, the resignations of top government and military officials, the formation of a presidential commission to investigate the matter, and new, focused programs for soldier-patients systemwide.

LOCALE: Washington, D.C.

CATEGORIES: Publishing and journalism; military; medicine and health care; government; politics

KEY FIGURES

Dana Priest (b. 1959), staff writer for *The Washington Post*

Anne Hull (fl. early twenty-first century), staff writer for *The Washington Post*

George W. Weightman (b. 1951), commander of Walter Reed Army Medical Center, 2006-2007

Francis J. Harvey (b. 1943), secretary of the U.S. Army

Kevin C. Kiley (b. 1950), Army surgeon general and commander of Walter Reed Army Medical Center, 2002-2004

Robert Gates (b. 1943), U.S. secretary of defense

SUMMARY OF EVENT

On February 18, 2007, *The Washington Post* (*The Post*) published the first in a series of articles that chronicled inadequate medical care and neglect at Walter Reed Army Medical Center for troops returning from the wars in Iraq and Afghanistan. The articles, written by staff writers Dana Priest and Anne Hull, were the result of four months of interviews and countless visits with Walter Reed patients, staff, and family members of troops. Beginning with the first article in the series, "Soldiers Face Neglect, Frustration at Army's Top Medical Facility," Priest and Hull described rampant neglect and bureaucratic bungling at the medical center, as well as deteriorated facilities and poor management.

Walter Reed was once among the military's premier medical facilities. Located only five miles from the White House in Washington, D.C., the hospital has served more than 150,000 active duty, National Guard, reserve, and retired military per-

sonnel. With fifty-five hundred rooms and more than twenty-eight acres of floor space, it is one of the world's largest medical facilities. U.S. presidents, members of Congress, and foreign dignitaries also have received treatment at the facility.

Allegations of poor care and bureaucracy had been raised in Web-based features in 2004 and 2005 (on Salon.com). Furthermore, two members of Congress, both Republicans, were briefed about the problems as early as 2004 but failed to investigate for fear of embarrassing the Army. Also, an internal Walter Reed memorandum in September, 2006, had warned of possible "mission failure" because of the privatization and outsourcing of many of its services. However, it was the coverage by *The Post* that launched a national, public scandal.

The scandal led to the firing of several medical center and military officials. Countless investigations followed, all causing significant embarrassment to George W. Bush and his administration. Moreover, a House of Representatives panel investigating the Walter Reed allegations concluded that the hospital's problems were likely emblematic of the military's health care system in general.

Among the scandal's casualties was the medical center's commander, Major General George W. Weightman, who had claimed to be unaware of the center's shoddy conditions and overwhelming red tape. Weightman was relieved of his command on March 1. Others were forced to resign, including on March 2 Secretary of the Army Francis J. Harvey. Lieutenant General Kevin C. Kiley, the Army's surgeon general and the center's commander from 2002 to 2004, retired on March 12.

Although *The Post* hailed the inpatient area of the medical center as "a place of scrubbed-down order and daily miracles, with medical advances saving more soldiers than ever," much of the controversy was centered on outpatient treatment. Outpatients at Walter Reed traditionally have been active-duty personnel assigned to special outpatient military units at the center. At the height of the scandal, these patients were housed in base facilities and dozens of nearby hotels and apartments contracted by the military. Such facilities were described as a "holding ground" for hundreds of outpatients—

LIFE AT WALTER REED

A scathing news feature on living conditions for wounded soldiers at Walter Reed Army Medical Center opened with a startling exposé of neglect and filth.

Behind the door of Army Spec. Jeremy Duncan's room, part of the wall is torn and hangs in the air, weighted down with black mold. When the wounded combat engineer stands in his shower and looks up, he can see the bathtub on the floor above through a rotted hole. The entire building, constructed between the world wars, often smells like greasy carry-out. Signs of neglect are everywhere: mouse droppings, belly-up cockroaches, stained carpets, cheap mattresses.

Source: Dana Priest and Anne Hull, "Soldiers Face Neglect, Frustration at Army's Top Medical Facility." *The Washington Post*, February 18, 2007.

mostly soldiers and Marines—and Walter Reed's staff and facilities became overwhelmed by the legions of injured personnel from years of war in the Middle East.

Although the average stay following inpatient treatment was about ten months, many outpatients were assigned to Walter Reed's outpatient units for two years or more. According *The Post*, outpatients quickly outnumbered inpatients by a ratio of 17-1. Many were amputees or had suffered head and brain injuries; still others had severe psychological problems. According to an interview with General Weightman, problems at the center stemmed from the Army's intense scrutiny of medical discharges during two concurrent, long-term wars using an all-volunteer force.

Among the biggest complaints waged by those interviewed by *The Post* was the amount of paperwork and bureaucracy soldiers and their families had to surmount to receive basic services. Investigators reported that the typical soldier filled out twenty-two forms—filed with eight different commands, many of them off post—to enter or exit the military medical system. Furthermore, to process the forms, the Army relied on sixteen incompatible

data systems and three incompatible personnel systems. Separate and incompatible pay and medical records systems were used as well. Because of these bureaucratic hurdles, records were frequently lost, forcing injured soldiers to bring in medals, photographs, and personal documents to prove they were injured in war. Soldiers and their families apparently received little guidance in navigating this arcane system.

While paperwork may have frustrated soldiers and their families, public outcry came after *The Post* described life at Walter Reed's inferior outpatient facilities, particularly a former hotel just outside the gates of the post identified as Building 18. This outpatient building had everything from vermin to mold and stained carpeting. Worse, injured and disfigured soldiers—many of whom also were

suffering from post-traumatic stress disorder, paranoid delusional disorders, and schizophrenia—reportedly spent their days wandering aimlessly through the facility. Most were waiting for a bureaucrat's decision on whether they would be discharged from the service or returned to active duty.

Reporters Priest and Hull noted that the alarming conditions were exacerbated because many patients housed in Building 18 subsisted on carry-out food and used hotplates for warming up food because the medical center's mess hall was located far from their barracks. Building 18 lacked adequate security and was located in an area of the city known for drug dealing and other crimes. In addition, noncommissioned officers, themselves with serious psychological disorders, frequently supervised other patients, some at risk of suicide.

Building 18 originally had been slated for renovation, but that project was put on hold because the medical center was scheduled for closure. In addition, a thirty-thousand-dollar grant for upgrades and recreational equipment for the residents was canceled in December, 2006, just before the Christmas holidays, because an official was concerned that such expenditures could trigger an audit. By January, the funds were no longer available. Army vice chief of staff Richard Cody, along with Harvey, walked through the facility and insisted that changes were in order.

Ultimately, medical center leaders were accused of having unqualified military personnel and overworked and undertrained case managers help injured soldiers and their families. In addition to assisting patients with housing and pay, these medical center personnel were tasked with helping soldiers with such apparently simple, but almost insurmountable, issues such as replacing their destroyed uniforms, ruined when the soldiers were injured. The task seemed simple enough. In one case, however, a soldier receiving a medal for his war service was disciplined for showing up for the ceremony in sweat

ARMY'S FIRST RESPONSE

General Richard Cody, the Army's vice chief of staff, announced to the press on February 21, 2007, that he would "personally oversee" the renovations of Building 18, the Walter Reed Army Medical Center facility that had deplorable living conditions.

Many of you have read or have heard reports this past weekend concerning the outpatient care of our Wounded Warriors at Walter Reed Army Medical Center. The Secretary of the Army Francis J. Harvey and I visited one outpatient care building mentioned in those reports yesterday, Building 18, and were absolutely disappointed in the status of the rooms and found the delays and lack of attention to building repairs inexcusable.

I am disappointed that I had to learn of the conditions of that building through media reports. Despite frequent visits to Walter Reed facilities and informal and formal discussion with patients and their families, I have never been made aware of Building 18, its condition, or any complaints our Wounded Warriors may have had.

Clearly, a breakdown in leadership and bureaucratic medical and contractual processes bogged down a speedy solution to these problems. I can assure you that appropriate vigor and leadership is being applied to this issue and we will correct any problems immediately. I will personally oversee the plan to upgrade Building 18 and other facilities and ensure our soldiers and their families, who have sacrificed so much, receive the care and housing they so deserve.

pants and shirt; he had not received replacement uniforms. The Army requires outpatient soldiers, even amputees and personnel using wheelchairs, to wear uniforms during treatment.

IMPACT

Beyond the firings and forced resignations, investigators began to examine the medical care of not only Walter Reed but also the military health care system in general. An independent review panel appointed by Defense Secretary Robert Gates confirmed in April, 2007, that many of the allegations made in *The Washington Post* and elsewhere were indeed true. The panel's report cited neglect and "virtually incomprehensible" inattention to maintenance at Walter Reed.

On March 6, shortly after the story broke in *The Washington Post*, President Bush appointed the Task Force on Returning Global War on Terror Heroes and convened the Commission on Care for America's Returning Wounded Warriors to investigate the allegations. The commission, which included former secretary of health and human services Donna Shalala and former Republican senator Bob Dole, issued its findings on April 19. Among its recommendations was that the health care systems of both the departments of Defense and Veterans Affairs be restructured and more closely aligned. In addition, the military's disability and compensation systems needed to be revamped. The commission also recommended that an aggressive incentive package be developed to attract an excellent medical staff.

Although many of the commission's recommendations were mired in bureaucratic red tape, one suggestion made news headlines: assigning so-called recovery coordinators from outside the military to each seriously wounded soldier to help shepherd him or her through the system. Also, as a result of the recommendations, several pieces of so-called wounded-warrior legislation were proposed in Congress.

The Government Accountability Office reported in September that the Pentagon's promised fixes at Walter Reed and elsewhere in the military health care system remained threatened by staff shortages

Decline of Walter Reed Army Hospital Exposed

and a lack of clarity on how best to care for wounded troops. Adding to concerns of staff shortages and stalled improvements in medical care was the slated closure of Walter Reed by the Defense Base Realignment and Closure Commission. The commission announced in 2005 that the facility was to be renamed the Walter Reed National Military Medical Center and relocated to the nearby National Naval Medical Center in Maryland. In the face of the scandal, Walter Reed continued to be a major source of care for soldiers returning from the wars in Iraq and Afghanistan.

—Cheryl Pawlowski

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April 11, 2007

SHOCK JOCK DON IMUS LOSES HIS RADIO SHOW OVER SEXIST AND RACIST REMARKS

On his morning radio show, notorious shock jock Don Imus referred to members of the Rutgers University women's basketball team as "nappy-headed hos" after his cohost said they were "hardcore hos," creating a national furor. The scandal cost Imus his job, temporarily, and prompted a nationwide discussion of racist and sexist speech on the radio.

LOCALE: New York, New York

CATEGORIES: Racism; radio and television; sports; social issues and reform; women's issues; civil rights and liberties; popular culture

KEY FIGURES

Don Imus (b. 1940), radio talk-show host

Bernard McGuirk (fl. early twenty-first century), radio show producer and Imus's cohost

Al Sharpton (b. 1954), civil rights leader and syndicated radio talk-show host

C. Vivian Stringer (b. 1948), coach of the Rutgers University women's basketball team

Kia Vaughn (b. 1987), Rutgers University basketball player

SUMMARY OF EVENT

Don Imus, one of the most notorious radio hosts in the United States, is best known for his syndicated radio and television show *Imus in the Morning*. The show began as a local broadcast in New York, where it reached about one-half million listeners on the radio station WFAN. The show became nationally syndicated in 1993 and began simulcasting on paid television—on MSNBC—in 1996. The radio

show was broadcast on more than sixty CBS Radio stations across the United States and had generated millions of dollars in revenue.

On April 4, 2007, the morning after the Rutgers University women's basketball team lost to the University of Tennessee in the finals of the National Collegiate Athletic Association's (NCAA) championship series, Imus commented on the appearance of the Rutgers basketball players, most of whom were African American, and called them "rough girls," apparently in reference to their tattoos. Imus's executive producer and sidekick, Bernard McGuirk, referred to the players as "hardcore hos." Imus continued the derogatory conversation and described the young women as "nappy-headed hos."

Leaders from women's groups and, most particularly, the African American community were outraged. The National Association of Black Journalists called for a national boycott of the show. Imus responded by dismissing the incident as nothing more than amusing. Two days later, following a barrage of calls demanding that he be fired, Imus issued an apology, but his expression of regret for his words was not enough. His many critics pointed to a pattern of insensitive remarks voiced on his network show over the years.

The Reverend Al Sharpton, a leader in the African American community, called Imus's comments abominable, racist, and sexist and demanded that Imus be fired immediately. In an attempt to remedy the situation, Imus appeared on Sharpton's syndicated radio talk show on April 9 to address the controversy and provide a more complete apology for

what he said. Despite the appearance on Sharpton's radio show, a growing number of black leaders called for Imus's dismissal and continued to threaten to organize a boycott of his show's sponsors. Critics also called upon the Federal Communications Commission (FCC) to take action against him and radio stations that carry his program. As a result of intensifying public pressure, numerous sponsors of his morning show, including American Express, Sprint Nextel, Staples, Procter & Gamble, and General Motors, pulled their advertising. The FCC would not get involved in the matter.

MSNBC was the first to act. On April 11, NBC News announced that MSNBC would no longer simulcast *Imus in the Morning*. In announcing the decision, NBC News president Steve Capus said Imus's "comments were deeply hurtful to many, many people." The next day, CBS Radio canceled *Imus in the Morning* as well. Leslie Moonves, CBS Corporation president and chief executive officer, said the network made the decision to help change a media "culture that permits a certain level of objectionable expression that hurts and demeans a wide range of people."

Several days after the incident, Rutgers players held a news conference attended by players' parents, coaches, Rutgers administrators, religious leaders, and Imus himself at the New Jersey governor's mansion in Princeton. The three-hour meeting was arranged by Buster Soaries, a former New Jersey secretary of state and the pastor of Rutgers basketball coach C. Vivian Stringer. New Jersey's governor, Jon Corzine, was injured in a car accident on his way to the meeting, so he could not attend.

Players were deeply hurt by Imus's words. Team captain Essence Carson said Imus had "stolen a moment of pure grace from the team." At the New Jersey news conference, Coach Stringer

said Imus's words affected not her team alone but all women and all persons of color. Several days after the news conference, Stringer said her players had accepted Imus's personal apology and that the team was in the process of forgiving.

Prior to his termination from the airways, Imus had signed a five-year, \$40 million contract extension with CBS Radio. Upon notification of his firing, Imus hired a prominent attorney, Martin Garbus, to pursue a wrongful termination lawsuit against CBS, threatening to sue for \$120 million. On August 14, he reached a settlement with CBS for an undisclosed amount of money, leaving him free to pursue other media opportunities.

Imus also faced a lawsuit from one of the Rutgers players. Kia Vaughn sued Imus for libel, slander, and defamation. The lawsuit alleged that his use of the slanderous terms was intentional and motivated by greed and financial gain. The lawsuit claimed that the insults were made purely to increase ratings for Imus and his show. Vaughn requested monetary damages of an unspecified amount, but she decided to drop the lawsuit because she wanted to focus on her university studies and basketball.



Don Imus. (AP/Wide World Photos)

IMPACT

The scandal caused by Imus's racist and sexist comments proved that such behavior is facing growing condemnation, yet such vulgar talk is widespread in American popular culture, including in the lyrics of rap, hip-hop, rock, and other musical genres. Imus's derogatory remarks, scandalous as they were, also reignited the debate over freedom of speech, a debate that moved the focus from racism and sexism—the primary reason for the scandal—to individual rights. Imus's supporters argued that it was within his First Amendment rights to express his opinions on the air, regardless of how controversial, and that he should not have been fired. The FCC determined that Imus had been fired by a private employer who believed his remarks were objectionable, and thus the case was not technically one of censorship or a violation of free speech rights.

In the end, Imus's career suffered little after his dismissal. Eight months after being fired, he launched a return to radio. On November 1, Citadel Broadcasting announced it had agreed to what was reportedly a multiyear syndication contract with Imus. The new *Imus in the Morning* program was distributed nationally by ABC radio networks and was based at Citadel, which owned WABC in New York City. It started broadcasting in December. Imus introduced two African American comedians, Karith Foster and Tony Powell, as cast members of his show.

—Mary McElroy

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May 28, 2007

JAPANESE POLITICIAN CHARGED WITH CORRUPTION HANGS HIMSELF

Japanese agricultural minister Toshikatsu Matsuoka received months of publicity for claiming questionable reimbursements and expenses and for connections with business executives arrested for rigging bids for public works projects. After he was found dead, hanging from a dog leash in an apparent suicide, Prime Minister Shinzo Abe's administration was subjected to even greater public scrutiny and suffered loss of support, culminating in the prime minister's resignation in September, 2007.

LOCALE: Tokyo, Japan

CATEGORIES: Murder and suicide; corruption; government; politics

KEY FIGURES

Toshikatsu Matsuoka (1945-2007), Japanese minister of agriculture, forestry, and fisheries, 2006-2007

Shinzo Abe (b. 1954), prime minister of Japan, 2006-2007

Norihiko Akagi (b. 1959), Japanese minister of agriculture, 2007

Taku Yamamoto (b. 1952), Japanese politician

SUMMARY OF EVENT

Toshikatsu Matsuoka was a six-time elected member of Japan's house of representatives for Kumamoto Prefecture's third district. He served as the minister of agriculture, forestry, and fisheries in the Shinzo Abe cabinet. The sixty-two-year-old Matsuoka committed suicide on May 28, 2007, during the middle of a financial scandal, marking the first time a Japanese cabinet minister killed himself since World War II. (Army minister Anami Korechika committed suicide on news of Japan's surrender.)

Matsuoka's duties included work on free-trade agreements with Australia and on diplomacy with the United States over beef-import concerns, but he

received the most attention when he announced a plan to certify Japanese food restaurants outside Japan. He wanted certification to help distinguish pseudo-Japanese food restaurants from those that are "genuine." Many foreign media criticized the system, and Matsuoka was forced to retract his plan.

The real political damage to Matsuoka sprang from questions he faced over high utility expenses, for which he had claimed more than 28 million yen (\$236,600) from government funds. Similarly high expenses (\$42,000) for utilities had been claimed as far back as 2005. Matsuoka tried to quiet the scandal by saying that the money had been spent on purified water. One oft-quoted line from Matsuoka, "Nobody drinks tap water anymore," led *The New York Times* to suggest that he made statements "bordering on the absurd." Matsuoka had become the butt of national and international ridicule, prompting television crews and opposition politicians to visit his office to request tastings of the costly purified water.

In addition to the utilities expenses, public records also show that Matsuoka claimed another \$1.2 million as "office costs" from 2001 to 2005, even though his office in a parliamentary building was rent-free. Opposition members of Parliament called for his resignation over these expenses, though Prime Minister Abe vigorously defended his minister, often against the advice of some within his own party, saying Matsuoka had fulfilled his legal responsibilities in making these declarations and that he had detailed knowledge of agricultural policy. In response to the growing public outcry, the governing Liberal Democratic Party proposed new rules requiring receipts for every expense exceeding 50,000 yen, or about \$410. However, the proposal backfired, drawing attention to the policy that lawmakers are not required to file receipts for many of the expenses they report to the government. Op-

position parties responded by calling for receipts for all expenses, a requirement the governing party traditionally had resisted.

The utilities debacle was just one of a series of money scandals and policy missteps that plagued the Abe administration. Critics pointed to Abe's weak management skills and poor political judgment. Matsuoka was embroiled in other financially related scandals, having been forced to apologize shortly after taking office for failing to declare political donations amounting to \$75,000. In a parallel investigation by Tokyo prosecutors that was coming to a head the week prior to Matsuoka's suicide, a company was linked to a bid-rigging scandal involving road construction projects administered by Matsuoka's ministry. Six construction-industry executives and consultants were arrested and accused of violating antimonopoly laws by colluding on bids.

The Japanese press reported that the vice farm minister, Taku Yamamoto, had said during a speech that Matsuoka might have used the money on geishas in the Asakusa entertainment district of Tokyo, but Yamamoto later retracted his statement, saying that he intended it as a joke. The accusation has never been proved.

Matsuoka took his own life in his apartment, hours before scheduled questioning in the national parliament by an audit committee in connection with political donations and allegations of misappropriation of government funds. He was discovered unconscious, hanging by his dog leash, in his pajamas, from the hinge of a door in his living room. He died at Keio University hospital in Tokyo shortly afterward. A police postmortem examination confirmed that he died after he had hanged himself. Police refused to comment on reports in the Japanese press that he had left a number of suicide notes in his apartment, including ones addressed to Japan's prime minister and the public apologizing for his actions. "He was certainly under pressure in Parliament," Abe said of Matsuoka after his death. "He was giving his all to the job, and I had very high expectations of him, so this is really too bad."

Suicides have a longstanding tradition in Japan, where they are seen as a face-saving move to avoid

public humiliation. The suicide of someone who has disgraced him- or herself, or his or her office, is likely to be seen not as a means of escape from the situation but rather as a way of rectifying that problem. Japan's suicide rate is among the highest in the industrialized world and reached a record high in 2007. In 2004, more than thirty-two thousand Japanese nationals killed themselves.

IMPACT

"The effects on the cabinet will be great," a visibly shaken Prime Minister Abe declared as he left to attend a wake for the deceased minister. "I feel deeply conscious of my responsibility as prime minister, and as the one who appointed him."

Political analysts such as Minoru Morita, who runs an independent research institute in Tokyo, said the suicide could hurt Abe by drawing still more scrutiny to the scandals. After Matsuoka's suicide, Abe's approval rating dropped from 43 percent to remain below 30 percent for months. Abe's ruling Liberal Democratic Party consequently suffered great losses in the election to the upper house of councillors on July 29, losing its majority, while the Democratic Party of Japan managed to gain the largest margin since its formation in 1996. Matsuoka's replacement, Norihiko Akagi, who was suspected of unethical conduct similar to that of Matsuoka, resigned after the election. Abe was free from leadership contests from within the ruling party but was nevertheless obliged to resign as a result of the mounting pressures on his administration.

—Stefan Halikowski Smith

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June 4, 2007

CONGRESSMAN WILLIAM J. JEFFERSON IS INDICTED FOR CORRUPTION

In March, 2005, the Federal Bureau of Investigation began investigating Louisiana congressman William J. Jefferson for corrupt business dealings. Jefferson had been videotaped receiving \$100,000 from an investor-informer to establish business contacts in Nigeria. The FBI searched Jefferson’s home and found \$90,000 of the cash in his refrigerator freezer. The agency later raided his office in Washington, D.C., which provoked intense debate about the right of law enforcement to search congressional offices.

LOCALES: Washington, D.C.; New Orleans, Louisiana

CATEGORIES: Law and the courts; corruption; civil rights and liberties; government; politics

KEY FIGURES

William J. Jefferson (b. 1947), U.S. representative from Louisiana, 1991-2009

Lori Mody (fl. early twenty-first century), business investor

SUMMARY OF EVENT

A Democratic congressman from Louisiana, William J. Jefferson became the subject of one of the

largest criminal and legal scandals to strike the U.S. Congress in modern times. On June 4, 2007, a federal grand jury indicted him for a pattern of corruption. According to the ninety-four-page indictment, Jefferson solicited thousands of dollars in bribes, sometimes in the form of stock and retainer fees, in the years between 2000 and 2005. While the indictment proved shocking, the discovery of thousands of dollars in Jefferson’s refrigerator freezer at his home by agents with the Federal Bureau of Investigation (FBI) grabbed the public’s attention. Furthermore, a subsequent search of his congressional office infuriated members of Congress and all concerned with search-and-seizure rights.

Jefferson was elected to Congress in 1991, becoming the first African American Congress member from Louisiana since the days of Reconstruction. Jefferson, one of ten children of poor sharecroppers, grew up in Lake Providence, Louisiana. He earned a degree from Southern University A&M College before graduating from Harvard University Law School in 1972. He arrived in Washington, D.C., after serving three terms in the Louisiana senate. While serving in Congress, Jefferson earned a master’s degree in taxation laws from Georgetown University. He established a rep-

utation as an expert on trade and tax issues, serving on the House Committees on Ways and Means and Small Business as well as with the Congressional Black Caucus and the Africa Trade and Investment Caucus.

However, Jefferson, who was nicknamed Dollar Bill by his opponents in New Orleans, also gained a reputation for being eager to make a buck. He broke with his mentor, Ernest N. Morial, New Orleans's first black mayor, during the late 1970's over a large bill for legal work that Morial had assumed was free. Political observers suggested that Jefferson did not want to leave his family in the financial straits from which he began life. Jefferson and his wife, Andrea Jefferson, had five daughters.

In March, 2005, business investor Lori Mody of McLean, Virginia, approached the FBI to complain about dealings over the previous nine months with Jefferson and several of his associates. Mody had initially sought to use Jefferson's influence to win contracts to install telephone and Internet service in the African nations of Nigeria and Ghana. At the request of U.S. government officials, she agreed to wear a hidden microphone for subsequent meetings with Jefferson.

Meeting at a restaurant in May, Jefferson and the informant negotiated, on paper, the percentage of the company that Jefferson wanted for his children: 30 percent. On July 12, following a trip to Ghana, Jefferson informed Mody that she now co-owned a Ghanaian company, International Broad Band Services, with the Jeffersons. On July 30, Jefferson met Mody for breakfast at the Ritz-Carlton Hotel near the Pentagon. As they left the restaurant, Jefferson took from Mody's car a reddish-brown leather briefcase, which contained \$100,000 in cash to bribe Nigerian officials. While the FBI videotaped him, Jefferson put the money in his vehicle and drove away. Four days later, the FBI raided his home and found \$90,000 of the marked bills hidden in frozen-food containers in the freezer of his north-east Washington, D.C., home. The remaining \$10,000 was recovered from his office assistant and his lawyer.

On May 20-21, 2006, the FBI spent eighteen hours searching Jefferson's office at the Rayburn

House Office Building in Washington, D.C. Seized documents were submitted to an independent team of two U.S. Justice Department lawyers and an FBI agent for evaluation. This search marked the first time that the office of a member of Congress was searched in a criminal inquiry, and the incident touched off a firestorm of protest from both Republican and Democratic lawmakers, who argued that the search interfered with their legislative prerogatives. Justice Department officials countered that members of Congress were not above the law and that congressional offices should not be turned into sanctuaries or places for members to engage in illegal conduct. On May 25, U.S. president George W. Bush ordered the attorney general's office to seal the materials seized from Jefferson's office for forty-five days until the dispute between the House and prosecutors was resolved; some documents, however, were used to prepare an indictment against Jefferson. Meanwhile, Jefferson went to federal court in a futile effort to force the return of his documents.

The *Times-Picayune* of New Orleans called for Jefferson to resign before he inflicted even more pain on a district traumatized by Hurricane Katrina. House Speaker Nancy Pelosi, a fellow Democrat, recommended that Jefferson resign from the House Ways and Means Committee, which writes tax laws. She stated that the charges, if true, constituted an abuse of public trust and power. On June 8, House Democratic leaders endorsed an effort to oust Jefferson from his post on the committee. The Congressional Black Caucus opposed the decision on the grounds that Jefferson was presumed innocent and that removing him from his committee post before any criminal charges had been filed would be unprecedented. Jefferson viewed efforts to force him from the committee as discriminatory.

Meanwhile, the government prosecuted two persons who were closely associated with Jefferson. In January, 2006, Brett M. Pfeffer, once a top aide to Jefferson, pleaded guilty to federal bribery charges and said his boss (Jefferson) had demanded kick-backs for facilitating business deals in Nigeria. A Kentucky businessman, Vernon L. Jackson, pleaded guilty on May 3 to paying between \$400,000 and

\$1 million to Jefferson's family in exchange for Jefferson's help in obtaining Nigerian business deals for iGate, a telecommunications company that Jackson headed and that Jefferson and Mody were negotiating to purchase. The FBI alleged that Jefferson tried to conceal his involvement by funneling the payments to his daughters. Pfeffer and Jackson cooperated with the government's investigation of the congressman.

On December 9, Jefferson surprised most observers by winning reelection to Louisiana's Second Congressional District. He received 57 percent of the vote, cast by only about 16 percent of eligible voters in a hotly contested election. Political analysts suggested that the voters in the district, which spans most of New Orleans and the west bank of neighboring Jefferson Parish, were more concerned with maintaining the status quo than with change. The district was flooded after Hurricane Katrina made landfall on August 29, 2005, and many voters believed that Jefferson could better help residents than his less experienced opponent.

Jefferson's reelection did not stop the Justice Department from pursuing the Congress member. On June 4, 2007, he was indicted by a federal grand jury on sixteen corruption-related felony counts, including bribery, racketeering, conspiracy, money laundering, and obstruction of justice. In particular, investigators claimed that he targeted companies involved in oil, communications, satellite transmission, and sugar, all of which sought to do business in Africa. In exchange for money, Jefferson used his official position as a member of the House Ways and Means subcommittee on trade to promote these ventures. The indictment stated that Jefferson led official delegations to Africa, wrote letters to U.S. and foreign officials, and assigned members of his staff to promote ventures in Nigeria, Ghana, and Equatorial Guinea, ventures in which he had a financial interest. Jefferson pleaded not guilty on June 8 and faced trial in January, 2009.

IMPACT

The investigation into Jefferson's activities undercut efforts by Democrats to link the Republican-controlled Congress to a culture of corruption. In

the 2006 elections, Republicans frequently invoked the Jefferson case to defend their party from charges of corruption. Louisiana voters appeared blasé about the investigation, perhaps because the state has a long history of corrupt politicians. During the 1990's and into the twenty-first century, Louisiana saw the convictions of an attorney general, Congress member, a state senate president, a federal judge, and numerous local officials. Jefferson's own brother-in-law, a judge, was imprisoned for mail fraud.

—Caryn E. Neumann

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Former Louisiana Governor Edwin Edwards Is Convicted on Corruption Charges; Beginning Aug. 29, 2005: Government Incompetence Mars Hurricane Katrina Relief Efforts; July 9, 2007: Senator David Vitter's Name Is Found in D.C. Madam's Address Book.

July 9, 2007

SENATOR DAVID VITTER'S NAME IS FOUND IN D.C. MADAM'S ADDRESS BOOK

Deborah Jeane Palfrey was convicted of racketeering for running a Washington, D.C., prostitution ring. One of her clients was David Vitter, a conservative Republican senator from Louisiana famed for long-time public dedication to traditional family values. His name, and the names of her other clients, was released by Palfrey, and Vitter admitted to having sinned. The scandal embarrassed Vitter but cost Palfrey her life; Palfrey committed suicide in 2008.

LOCALE: Washington, D.C.

CATEGORIES: Prostitution; sex; sex crimes; organized crime and racketeering; politics; law and the courts; murder and suicide

KEY FIGURES

David Vitter (b. 1961), U.S. senator from Louisiana, 2005-

Deborah Jeane Palfrey (1956-2008), owner of the escort agency Pamela Martin & Associates

SUMMARY OF EVENT

American history is replete with scandals involving politicians and women engaged in marginalized, sexually oriented businesses such as prostitution and escort services. The case of U.S. senator David Vitter in 2007 and 2008 was in many ways typical. He was a rising figure in the Republican Party who made a name for himself in his home state of Louisiana and in Washington, D.C., stumping for conser-

vative causes. He found his career endangered by an alleged connection to an upscale prostitution ring while party to a highly publicized court case. What distinguished this case from many others of the same ilk was the apparent ease with which Vitter managed to weather the scandal and the aspects of his character, history, and conduct that allowed him to survive politically.

Vitter was a young Republican senator from Louisiana who had devoted most of his political career to socially conservative causes such as public prayer in schools, abstinence-based sex education, and opposition to abortion and same-gender marriage. Despite his dedication to these family-values issues, rumors that he patronized prostitutes plagued him from as early as 2002, when the rumors effectively sank his hopes for becoming governor of Louisiana in 2002.

Deborah Jeane Palfrey was an enigmatic figure who came from a background not unlike that of Vitter. She grew up in Pennsylvania and Florida in a religious, working-class family. (Upon her death in the spring of 2008, a haunting image of her smiling beatifically in her communion dress was used in newspaper and magazine photos accompanying the story.) Like Vitter (and his wife, Wendy), Palfrey initially intended to become a lawyer. However, after obtaining an undergraduate degree in criminal justice and enrolling in law school, she at some point lost focus and drifted into the demimonde of high-class call girls, cultured women elegantly

coiffed and garbed and who were paid enormous fees for their sexual services. Later, Palfrey tried to suggest that her entering the sex-for-hire business was in large part an attempt at social reform. She wanted to provide escorts with a healthy and safe work environment free of the violence and substance abuse that traditionally characterized the business.

Palfrey also made huge profits from her endeavors in this field, and her enterprise soon grew to such proportions that it attracted the attention of the law. In 1992, after two years of legal wrangling and trials, she was found guilty of pimping and pandering and imprisoned for one and one-half years. Her experiences behind bars so traumatized her that she vowed never to return to prison, a remark that would soon come back to haunt her. However unpleasant was her jail time, it did not discourage her from reentering the escort business after her release, and she founded her next venture, Pamela Martin & Associates (PMA), in Washington, D.C.

Using small-venue newspapers aimed at specialized readerships (such as campus newspapers), Palfrey recruited women from all walks of life, including college students and women already earning high salaries in respected professions. Soon, PMA had profits of hundreds of thousands of dollars per year—and yet again, Palfrey's successful sex business grew so large that it attracted the attention of the police and other legal authorities.

Palfrey first revealed her business in an interview that aired on ABC's *20/20* on May 4, 2007. She released her list of clients, which included Senator Vitter, on July 9. She was arrested in the fall of 2007 for prostitution, using the U.S. mail service for illegal purposes, and other crimes. American news media began to cover the story closely when it was revealed that many of the clients of the call-girl ring included prominent politicians, business executives, lobbyists, military officers, and international



David Vitter and his wife, Wendy Vitter, at a news conference in Metairie, Louisiana, on July 16, 2007. The senator was making his first public appearance since acknowledging that his name and phone number were in the address book of the D.C. Madam. (AP/Wide World Photos)

officials and that PMA had kept meticulous records of its contacts with clients, including their telephone numbers. (Palfrey estimated that the number of clients listed on the agency's records topped ten thousand.) Two on the list were Deputy Secretary of State Randall L. Tobias and military strategist-columnist Harlan K. Ullman; Tobias resigned because of the scandal.

Initially, Palfrey and her lawyers released only an abridged list of clients that titillated the public's prurient interest but elicited little shock or surprise. However, on July 9, when she at last provided on her Web site an exhaustive roster of the men who had patronized her agency, the name of the ultra-conservative senator from Louisiana surprised many who were unfamiliar with earlier rumors about Vitter's behavior. In the months that followed the release of the phone records, the names of Vitter and Palfrey—who was variously dubbed the D.C. madam, the Washington madam, and the Beltway madam by the media—were staples in the media.

To complicate matters, a New Orleans brothel owner also contended in print that the senator had been a client of hers years earlier. Vitter denied these latter allegations.

Vitter and his family and staff acted quickly. On the day Palfrey released her complete list of clients, Vitter, with his wife by his side, made a public announcement that he had indeed used PMA's services five times during the late 1990's and in early 2000 when he first came to Washington, D.C., and was a member of the House of Representatives—but not during his term as senator. Wording his announcement in religious terms, he confessed that he had sinned, that God and his wife had forgiven him, and that he hoped that the rest of the country could do likewise. This modest, apparently humble reaction to Palfrey's scandalous revelation seemed to placate his party and his constituents in Louisiana. In fact, he seemed to suffer little in the wake of the revelation, even managing to avoid having to testify during Palfrey's criminal trial, during which she was convicted, on April 15, of a number of charges including racketeering and money laundering.

Determined not to return to prison, Palfrey hanged herself in a shed outside her mother's home in Tarpon Springs, Florida, on May 1. Her conviction was abated—that is, dismissed—on May 20.

IMPACT

The fallout from Vitter's association with PMA failed to scuttle his political career for a number of reasons. First, his quickly arranged press conference was a masterstroke of media spin. By couching his admission in religious terms, he turned the conference into a public act of confession and contrition, thereby strengthening his image as a devout Christian at the very moment he was most liable to accusations of patent hypocrisy. Furthermore, his open, low-keyed demeanor before the cameras was a refreshing contrast to that of other public figures in similar situations, for example, the brazen denials of Bill Clinton during the Monica Lewinsky scandal and the maudlin hysterics of evangelist Jimmy Swaggart, who wept copiously on national television when his own dalliance with a prostitute was made public.

Furthermore, to many in Louisiana, the mistakes Vitter made in his personal life, however much they might have contradicted his public persona, were outweighed by his accomplishments, as he was seen by many in his home state as a champion against foes to Louisiana far more serious than prostitution: David Duke and Hurricane Katrina. When former Ku Klux Klan member and neo-Nazi sympathizer Duke tried to make a political comeback in 1999 in the congressional race that Vitter ultimately won, Vitter emerged as a veritable representative of the New South who was cultured and well-spoken and who had attended Harvard and Oxford. More important, though, was his record as a tireless campaigner for his state in the aftermath of Hurricane Katrina in 2005, often expressing the anger and resentment that many people in the state felt about the abysmally inadequate and incompetent response of the federal government to the disaster.

—Thomas Du Bose

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William J. Jefferson Is Indicted for Corruption; July 11, 2007: Florida Politician Is Arrested for Soliciting an Undercover Male Police Officer; Mar. 12, 2008: New York Governor Eliot Spitzer Resigns in Prostitution Scandal.

July 11, 2007

FLORIDA POLITICIAN IS ARRESTED FOR SOLICITING AN UNDERCOVER MALE POLICE OFFICER

Elected to the Florida House of Representatives in 2000, Bob Allen attempted to pay a male undercover police officer twenty dollars to perform oral sex on the officer in a public restroom at a Florida park. The arrest drew national attention for its tawdriness and hypocrisy, and for Allen's connections to Republican presidential candidate John McCain.

LOCALE: Titusville, Florida

CATEGORIES: Prostitution; sex crimes; law and the courts; politics; government; public morals

KEY FIGURES

Bob Allen (b. 1958), member of the Florida House of Representatives, 2000-2008

Daniel Kavanaugh (fl. early twenty-first century), Titusville police officer

SUMMARY OF EVENT

Bob Allen gained national notoriety as one of several socially conservative politicians involved in sex scandals in 2007. Allen was elected to the Florida House of Representatives in 2000. Essentially a professional politician, most of his income came from his government salary, although he also earned \$15,000 from his marketing company, the Allen Florida Group. A graduate of Valencia Community College, he lived with his wife and daughter in Merritt Island.

Allen spent seven years in the legislature, focusing chiefly on the economic development of the

state and gaining a reputation as a confrontational legislator devoid of finesse but with a sense of humor. He did little of lasting impact. Allen joined Enterprise Florida, a part of the legislature, in 2002 to attract businesses to Florida. His district, in a part of Florida known as the space coast, included NASA's Kennedy Space Center. Accordingly, in 2002, Allen received an appointment to serve with the Florida Space Authority (now part of Space Florida), which is responsible for expanding and diversifying the state's aerospace industry. Allen put \$100,000 in the budget for improvements to the Space Walk of Fame at Riverfront Park, but this effort was vetoed by Governor Charlie Crist. In 2007, Allen became chairman of the house energy committee. He also served as a cochairman of U.S. senator John McCain's Florida campaign for U.S. president.

Notably, especially in the light of later developments, Allen sponsored legislation that toughened penalties for lewd or lascivious conduct in public, such as in or near a park, from a misdemeanor to a felony. The bill (HB 1475) did not pass. Allen also was instrumental in creating a new provision in Florida law that gave some sexual predators life imprisonment for their offenses. Allen had dubbed the bill the sexual predator elimination act. For his record of socially conservative voting, Allen received a 92 percent rating from the Christian Coalition of Florida prior to his 2006 reelection bid. In 2007, about two weeks before his arrest, the Florida Police Benevolent Association named Allen its Legislator of the Year for his support of law enforcement.

On July 11, Allen parked his car and entered the men's restroom at Titusville's Space View Park. Titusville police officer Daniel Kavanaugh, who was conducting a plainclothes stakeout of a nearby condominium in the hope of catching a burglar, observed Allen enter the park on foot, walk into the restroom, exit the restroom, and walk toward a park bench. Kavanaugh, concerned about possible countersurveillance, then entered the restroom to adjust his police radio. On his way out of the men's room, Kavanaugh almost bumped into Allen, who was reentering the room. Allen changed his course of direction and went back toward a park bench. Kavanaugh spoke with two other plainclothes officers sitting on a bench, then entered the restroom and began washing his hands. Allen entered the restroom and went into the first stall. Realizing that there were no paper towels to dry his hands, Kavanaugh walked into the stall marked for the disabled to find paper. As he stood in the stall drying his hands, the police officer observed Allen peering over the door of the stall and attempting to make eye contact. Allen then stepped away, returned to the door of the stall, and again made eye contact. The officer said "hey buddy," to which Allen replied "hi," and then stepped back.

According to the officer's report, about five seconds later, Allen pushed open the door to Kavanaugh's stall and stepped inside. Kavanaugh was standing against the far wall of the stall and said "what's up?" Allen said, "hi, this is kind of a public place isn't it?" Kavanaugh replied, "Do you have somewhere else we can go?" Allen answered, "How about across the bridge? It's quiet over there." The two men then had a conversation in which Kavanaugh said, "I'm looking to get some money. Can you hook me up with \$20?" Allen agreed to pay \$20 to perform oral sex on the officer. Allen stated that he wanted to travel with the officer across the river before performing the act and turning over the money. Before entering Allen's vehicle, Kavanaugh identified himself as a police officer and arrested Allen. Allen was later released after posting \$500 bail.

Allen subsequently explained that he was intimidated by the presence of a "stocky black guy" in the

restroom and was worried that other "stocky black guys" in the park might rob him. Although the statement was excluded from his trial, Allen's statement became fodder for late-night talk-show hosts and political cartoonists. The McCain campaign forced his resignation.

In the wake of the arrest, Allen held a press conference in which he proclaimed his innocence and warned his constituents to not jump to conclusions. He stated that the incident brought him closer to his wife and teenage daughter, and he described the event as the worst thing that had happened to his family. He also plowed ahead with his campaign for a Brevard County senate seat that was expected to be vacant in 2008. However, Republican leadership in the Florida house immediately stripped Allen of his chairship of the energy committee and began to isolate him.

On November 9, 2007, a jury convicted Allen of soliciting a sex act. He faced up to sixty days in jail and a five-hundred-dollar fine. He became the first sitting house member to be convicted of a crime since 1998, when Lake City Democrat Randy Mackey was convicted of tax fraud and resigned three months later. Allen's fellow Republicans immediately pressured him to resign to spare the legislature from political damage, but Allen proclaimed his innocence and resolved to continue to fight the charge. The house majority leader, Adam Hasner, announced plans to force Allen from office. However, house rules mandate the removal of a member only upon a felony conviction. Allen was convicted of a second-degree misdemeanor. To remove him, the house could form a select committee to review the case and make a recommendation to the entire house. Removing him would require a vote of two-thirds of the members at a time when Republicans held seventy-seven seats in the legislature while Democrats held forty-two; one seat remained vacant.

Allen was sentenced on November 15. He received six months probation and a \$250 fine. The judge required him to pay \$245 in restitution to the Titusville Police Department for the initial investigation, to pay court costs, to attend an awareness class on sexually transmitted diseases (STDs), and

to undergo STD testing. Allen also was banned from returning to Space View Park. On November 16, he resigned from the state legislature, effective February 15, 2008.

IMPACT

The Allen scandal may have had little long-term impact. Anthony P. Sasso III, a Cocoa Beach ship inspector and former marine engineer, replaced Allen in a special election. Sasso became the first Democratic legislator to be elected from Brevard County since 1996, defeating Republican rival Sean Campbell despite being heavily outspent. The Democrats did not give Allen credit for Sasso's victory because voters and campaign workers did not appear to be especially interested in the scandal, regarding it as old news.

However, 2008 was not a good year for Republican candidates across the United States. It is not clear whether Sasso's election reflected strong support for the candidate, a backlash against the Republican Party for being the party of Allen, or part of a nationwide reaction against the Republicans.

—Caryn E. Neumann

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July 24, 2007

UNIVERSITY OF COLORADO FIRES PROFESSOR FOR PLAGIARISM AND RESEARCH FALSIFICATION

Under intense public and academic scrutiny for writing an inflammatory essay about the September 11, 2001, terrorist attacks in the United States, university professor Ward Churchill was subjected to an academic misconduct investigation and subsequently fired for plagiarism and for fabricating and falsifying information. He filed a lawsuit seeking reinstatement.

LOCALE: Boulder, Colorado

CATEGORIES: Cultural and intellectual history; education; ethics; plagiarism; publishing and journalism

KEY FIGURES

Ward Churchill (b. 1947), professor and former chairman of the ethnic studies department at the University of Colorado, Boulder
Phil DiStefano (b. 1946), interim chancellor of Churchill's university

Marianne Wesson (b. 1948), a university law professor and chairman of the university's investigative committee

SUMMARY OF EVENT

Known for his incendiary criticism of the mistreatment of American Indians and political dissidents by the U.S. government, author and University of Colorado, Boulder, professor Ward Churchill drew condemnation and intense scrutiny after public attention focused on his essay about the September 11, 2001, terrorist attacks in the United States. In the essay, which circulated on the World Wide Web beginning on September 12, Churchill argued that the workers at the World Trade Center had deserved to die in the attacks.

The essay, and Churchill, began to attract widespread attention and condemnation, but not until early 2005. Old criticisms of Churchill's academic work resurfaced as well. The University of Colorado began an investigation into allegations that Churchill had engaged in academic misconduct, including fabrication, falsification, and plagiarism in his scholarly work. Subsequently, the university fired Churchill, who responded by filing a lawsuit against the university for reinstatement.

The September 11, 2001, terrorist attacks ("9/11") in the United States brought to mind for many Americans the question, "Why do they hate us enough to do something like this?" In "Some People Push Back," circulated on the Web, Churchill addressed this question by arguing that the answer lay primarily in U.S. foreign policy. Churchill was not alone in making this argument. Other notable figures who made the same point include linguist and writer Noam Chomsky and 2008 Republican presidential candidate Ron Paul (who later clarified his remarks). What made Churchill stand out, many believe, was his apparent lack of compassion—his sheer contempt—for those who died on September 11.

Although the essay was on the Web in September, 2001, it did not gain widespread attention until January, 2005. Churchill had been scheduled to participate on a panel at Hamilton College in Clinton, New York. In advance of the panel, which planned

to discuss the "limits of dissent," the editor of Hamilton's student newspaper researched Churchill on the Web and found the 2001 essay. Soon, political conservatives such as Bill O'Reilly heard of the essay and quickly condemned Churchill. Goaded by O'Reilly and other conservatives, viewers complained to Hamilton College about Churchill's invitation. In the end, Hamilton canceled the event, citing death threats against the college community and against Churchill.

The interim chancellor of the University of Colorado, Phil DiStefano, publicly condemned Churchill on January 25, and by January 31, Churchill had resigned as chairman of the Ethnic Studies Department. Nevertheless, he remained on the university's faculty and continued to draw scrutiny.

On March 29 the university received a formal research-misconduct complaint against Churchill, who had been subject to academic criticism long before the Hamilton College controversy. Earlier in his career he had been accused of plagiarism, fabrication of research data, and lying about his ethnic background as an American Indian. However, as far as the university was concerned, March 29 marked the first time it had received a formal complaint about Churchill that required a response.

The university's Standing Committee on Research Misconduct appointed an investigative committee chaired by law professor Marianne Wesson. The committee included four other professors in law, American and English literature, history, and sociology; in total, three of the five committee members were CU professors, one was from Arizona State University, and another was from the University of Texas at Austin.

The complaint against Churchill listed nine different grounds of misconduct, but the investigative committee elected not to proceed with two of the charges: that Churchill "had misrepresented his ethnicity in order to gain greater credibility and scholarly 'voice,'" and that Churchill "had violated copyrights in his use of certain articles." The investigative committee considered these allegations outside the CU definition of academic misconduct.

The remaining charges included the following: that Churchill misrepresented the General Allot-

ment Act of 1887 and the Indian Arts and Crafts Act of 1990, fabricated the allegation that the U.S. Army had spread disease among American Indians by giving them smallpox-infected blankets, fabricated his description of a smallpox epidemic at Fort Clark in 1837-1840, plagiarized a pamphlet by Dam the Dams, plagiarized work by Rebecca Robbins, and plagiarized work by Fay Cohen.

The investigative committee concluded that Churchill had falsified the evidence supporting his claims about the General Allotment Act and the Indian Arts and Crafts Act. It further concluded that he had falsified and fabricated his claims about the smallpox epidemics. It also concluded that while he had plagiarized work by Dam the Dams and by Professor Cohen, he had not plagiarized Professor Robbins, but only because he had written the work under Robbins's name—itself a violation of the university's academic standards. Finally, the committee determined that Churchill's violations were serious and deliberate.

The committee did not reach agreement, however, on how to proceed against Churchill. Three members concluded that Churchill's misconduct was serious enough to justify being fired, though only one of the three actually recommended dismissal. Two members recommended a five-year suspension without pay, and the other two members recommended a two-year suspension without pay. The Standing Committee on Research Misconduct was similarly split, with six members voting for dismissal, two voting for a five-year suspension without pay, and one voting for a two-year suspension without pay. On June 26, 2006, Chancellor DiStefano announced that he would recommend that university regents fire Churchill. A year later, on July 24, 2007, the university terminated his employment.

Churchill condemned the investigative committee's report, attacking it as flawed and biased. According to Churchill, the committee should have included a Native American or an American Indian studies expert. (One of the committee members was Arizona State University law professor Robert Clinton, an expert on American Indian law.) Churchill

“LITTLE EICHMANNS”

Ward Churchill wrote a deeply critical article following the September 11, 2001, terrorist attacks in New York City and at the Pentagon. His supporters claimed that outrage over the article, which circulated on the Web just days after the attacks, led to later investigations into Churchill's credibility and, ultimately, led to his dismissal from the University of Colorado.

As to those in the World Trade Center . . . Let's get a grip here, shall we? True enough, they were civilians of a sort. But innocent? Gimme a break. They formed a technocratic corps at the very heart of America's global financial empire—the “mighty engine of profit” to which the military dimension of U.S. policy has always been enslaved—and they did so both willingly and knowingly. . . . If there was a better, more effective, or in fact any other way of visiting some penalty befitting their participation upon the little Eichmanns inhabiting the sterile sanctuary of the twin towers, I'd really be interested in hearing about it.

Source: Ward Churchill, “Some People Push Back” (2001).

also raised procedural objections to the investigation, arguing that he was not provided with clear information about “the standards being applied” or “which allegations were at issue.” With respect to the academic misconduct findings themselves, Churchill dismissed the committee's focus on his citations, arguing that his work consisted of a synthesis of other material and that it was not feasible to “delve into minute detail with respect to each piece or the ‘big picture’ will be lost.” Finally, regarding the plagiarism charges, Churchill argued that he had either ghostwritten the allegedly plagiarized materials or that he had merely copyedited the volume.

The day after he was fired, Churchill filed a lawsuit against the university in a Colorado state court. His suit claims that his dismissal violated his First Amendment rights and that he should be reinstated.

IMPACT

The Churchill case revealed deep divisions, both in American society and in academia. Throughout the controversy, Churchill supporters have argued that

the case amounts to the censoring of an outspoken, radical critic of the U.S. government. His opponents, however, consider him an academic fraud whose hire, tenure, and promotion reflect a liberal bias in the academy. In any case, the scandal that ensued has yet to abate, and the divisions reflect a strong, unyielding politics at the heart of commentary in the United States.

—Tung Yin

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August 20, 2007

FOOTBALL STAR MICHAEL VICK PLEADS GUILTY TO FINANCING A DOGFIGHTING RING

Michael Vick, a star quarterback in the National Football League, and three other men were convicted and imprisoned for their roles in a dogfighting ring on property owned by Vick in rural Virginia. Vick was suspended from the NFL, lost lucrative commercial contracts, was sued for millions of dollars by his creditors, and was ordered to pay for the long-term care of the dogs rescued from his property.

LOCALE: Richmond, Virginia

CATEGORIES: Sports; gambling; law and the courts; organized crime and racketeering; violence; public morals; ethics

KEY FIGURES

Michael Vick (b. 1980), professional football player

Purnell A. Peace (fl. early twenty-first century), coconspirator

Tony Taylor (fl. early twenty-first century), coconspirator

Quanis Phillips (fl. early twenty-first century),
coconspirator

SUMMARY OF EVENT

On August 20, 2007, National Football League (NFL) quarterback Michael Vick pleaded guilty to one count of criminal conspiracy to operate a dogfighting ring across state lines. The case also involved the abuse and killing of dogs. Vick, who played for the Atlanta Falcons, faced state felony charges in Virginia as well for his role in the dogfighting ring and related gambling activities.

Vick had been a standout quarterback at Virginia Tech University and then was drafted in 2001 by Atlanta. His early NFL career included setting many new records, multiple playoff appearances, and high-paying commercial endorsements. In 2004, he became the NFL's highest-paid player with a long-term contract for \$130 million.

On April 25, 2007, law enforcement officials, searching for evidence in a drug case involving Vick's cousin, found dogfighting and dog-training facilities on Vick's fifteen-acre property near Smithfield, Virginia. The facilities were known as Bad Newz Kennels. Officials also found more than fifty pit bulls (and other dogs), treadmills modified for dogs, and other dogfighting paraphernalia.

Dogfighting is generally regarded as a cruel, brutal, and inhumane practice. So gruesome is the practice that even experienced investigators have been horrified by what they discovered at raids. Dogs used for fighting are trained to kill using a variety of methods. To ensure the animals' aggression, the dogs are beaten, chained, and even fed gunpowder, illegal drugs, and live animals; often they are not fed at all for long periods. Dogs are also trained through the use of bait dogs, which are non-pit-trained animals used strictly as a target to kill. Bait dogs are tied to a chain while the pit fighter is free to roam, or the pit dog is duct-taped around the muzzle or legs, or both, so its cannot run or fight back. If a trained fighting dog fails to win in the ring, it is beaten, shot, or electrocuted to death, or it is fed to other dogs and killed or otherwise left to die.

On July 2, prosecutors alleged that Bad Newz Kennels had operated on Vick's property for five



Michael Vick leaving federal court in Richmond, Virginia, on July 26, 2007, following his arraignment on dogfighting charges. (AP/Wide World Photos)

years. On July 17, the U.S. district attorney's office announced the federal grand-jury indictments of Vick and three coconspirators—Purnell A. Peace, Tony Taylor, and Quanis Phillips. On July 26, Peace, Taylor, and Phillips all pleaded guilty and were convicted for dogfighting conspiracy. Vick, who initially pleaded not guilty, admitted in a plea bargain that he paid for the dog fights and for the operation of the ring. He denied personally killing any dogs deemed unfit for fighting, although he admitted to being part of the effort to kill those dogs. He also denied placing side bets to profit from individual dog fights.

At the federal trial, U.S. District Court judge Henry E. Hudson found that Vick had been fully involved in the dogfighting ring, stating "You were instrumental in promoting, funding, and facilitating

this cruel and inhumane sporting activity,” and he also noted Vick’s lack of cooperation during the inquiry. The judge also cited him for using drugs while free on bail and awaiting sentencing. In December, Vick was sentenced to twenty-three months in prison and three years probation and was fined five thousand dollars. He also was indicted by prosecutors in Surry County, Virginia, on two felony counts—dogfighting and animal cruelty. His state trial was postponed until his release from prison on the federal conviction.

In August, 2007, Vick was suspended from the NFL indefinitely by league commissioner Roger Goodell, who stated in a letter to Vick, “Your admitted conduct was not only illegal, but also cruel and reprehensible. Your team, the NFL, and NFL fans have all been hurt by your actions.” The Falcons sought to reclaim bonus money the team paid to Vick, and an arbitrator ruled the team was entitled to recoup \$19.9 million. Vick also lost most of his product-endorsement contracts, leaving him virtually bankrupt.

Several companies, beginning with Nike on July 19 and including Upper Deck, Donruss, Rawlings, and Reebok, canceled their contracts with Vick. Nike announced that it suspended the release of a product bearing his name. Retail businesses removed products related to the player—even those products he endorsed—from their store shelves and Web sites, hoping to avoid any connection to Vick, Bad Newz Kennels, animal cruelty, or criminality in any form. Furthermore, Vick was forced to liquidate some of his real estate assets to pay his bills, and several banks sued him to recover about \$5 million in loans on which he defaulted.

IMPACT

The dogfighting and animal cruelty scandal was met with widespread public disapproval and condemnation of Vick and his coconspirators. Especially shocking was the mistreatment and killing of the dogs. Federal authorities asked the judge to order Vick to set aside nearly \$1 million of his own money to care for the dogs rescued from his property. The judge issued that order. A court-appointed veterinary specialist said that many of the dogs re-

quired long-term special care. By July, 2008, some of the more aggressive dogs were in the care of an animal sanctuary in Utah and others had been adopted or fostered. A documentary, “Saving the Michael Vick Dogs,” aired on the series *DogTown* on the National Geographic Channel in September.

Like many professional athletes, Vick had been a role model, and he even started a foundation in 2006 to help at-risk youth and help fund after-school programs. After his arrest, fund-raisers and other organizers canceled his scheduled appearance at their respective events.

Also following Vick’s arrest was the passage of a federal law against dogfighting. The Animal Fighting Prohibition Enforcement Act, signed into law in May, made organizing a dog fight a felony. Also prohibited under the new law is the transport of animals for fighting. The law also bans the use of the U.S. Postal Service to mail dogfighting paraphernalia, and it includes a civil-lawsuit provision.

—Karen L. Hayslett-McCall

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September 13, 2007

NEW ENGLAND PATRIOTS FOOTBALL TEAM IS FINED FOR SPYING ON OTHER TEAMS

The National Football League levied the highest fines in league history against the New England Patriots after collecting evidence that Patriots coaches had violated league rules against videotaping opponents’ private signals. Coach Bill Belichick and the team were fined. The unprecedented penalties underlined the severity of the misconduct, damaged the credibility of three league championships, and helped foster public cynicism about ethics in professional sports.

ALSO KNOWN AS: Spygate

LOCALE: Foxboro, Massachusetts

CATEGORIES: Sports; corruption; espionage; communications and media; public morals

KEY FIGURES

Bill Belichick (b. 1952), head coach of the New England Patriots

Roger Goodell (b. 1959), commissioner of the National Football League

Eric Mangini (b. 1971), head coach of the New York Jets

Matt Walsh (fl. early twenty-first century), former Patriots video assistant

SUMMARY OF EVENT

On September 9, 2007, assistant coaches for the New England Patriots were caught illegally videotaping signals being sent from the New York sideline to their defensive players on the field during the first game of the 2007 season. The incident was reported to the National Football League (NFL) and its commissioner, Roger Goodell, who acted swiftly in levying the largest penalties in league history. The September 13 sanction was meant to punish the Patriots and warn other teams not to break league rules. Critics wanted stronger penalties, and conspiracy theorists were roused when it was learned that the NFL destroyed the evidence after issuing the penalty. The whole situation became a media storm that raged through the season and off-season.

The NFL allows teams to use two cameras to videotape games from the end zones and other specified areas and had sent multiple memorandums to all teams reiterating these rules. These end-zone angles are wide enough to see the entire field and to see how offensive and defensive players are deployed. The tapes are referred to as coaches film. The Patriots were taping the end-zone angles but

they were also taping from their sideline across the field to the Jets defensive coaches and to the scoreboard that was recording ball placement and time. Offensive signals are verbally transmitted to a team's quarterback via timed, one-way, encrypted wireless communications monitored by the NFL. Defensive signals, though, are sent either verbally by a substituting player who can relay the information or by hand signals and signs using gestures, numbers, and colors. Officials with the Jets noticed this action, confiscated the videotape, and filed a complaint with the NFL.

The Jets knew at first hand that Patriots head coach Bill Belichick had a penchant for videotaping and intelligence gathering; Jets head coach Eric Mangini had worked for Belichick for more than ten years, mostly with the Patriots, until he took the Jets job. Mangini violated many of the unwritten rules in NFL coaching circles, which prohibited poaching other players, coaching a rival team, and snitching. Belichick and Mangini reportedly had a great friendship that was obliterated. Now they were archenemies.

The NFL penalized the Patriots just four days later. It demanded all other videotapes from the team and spoke with coach Belichick and team owner Robert Kraft. "This episode represents a calculated and deliberate attempt to avoid longstanding rules designed to encourage fair play and promote honest competition on the playing field," commissioner Goodell wrote in a letter to the Patriots.

Belichick released a statement following the punishment, stating "Part of my job as head coach is to ensure that our football operations are conducted in compliance of the league rules and all accepted interpretations of them. My interpretation of a rule in the constitution and bylaws was incorrect."

The infraction, punishment, and apology should have ended the cycle but only fueled the controversy. The NFL destroyed the videotape evidence, citing security reasons, as a leaked tape was aired on a Fox Sports NFL telecast the following Sunday. Conspiracy theorists believed the league was hiding something or even coddling the immensely popular Patriots. Critics claimed the Patriots had so much

recent success because of the taped defensive signals, which they in turn deciphered and used during the same game; that claim, however, was unfounded by the NFL investigation. Belichick stated that he was not taping a game to help the team in the same game; implementing such a task, he added, would be nearly impossible.

The scandal was a scandal because, first, it involved the Patriots, the dominant team of the decade, and second, sports, in general, had been under a cloud of suspicion for the use by athletes of performance-enhancing drugs such as steroids and human growth hormone. The scandal was even more compelling because it featured the Boston and New York sports markets, the deteriorating relationship between Belichick and Mangini, and a Patriots team that was on a ruthless winning streak.

The Patriots advanced to Super Bowl XLII against the New York Giants, and the scandal developed a new twist. Accusations were made by former Patriots video assistant Matt Walsh were printed in the *Boston Herald*, which stated the Patriots videotaped the St. Louis Rams' final practice before the Super Bowl.

Walsh met with NFL commissioner Goodell and Specter separately in May, and the NFL stated that no further discipline was coming to the Patriots. Specter, however, believed the idea of an independent investigation similar to former Senator George Mitchell's report on steroids in Major League Baseball might be effective in understanding the Patriots scandal.

The *Boston Herald* used the entire front and back pages of its May 14 edition to apologize to the Patriots and their fans, stating the columnist who reported the Patriots had videotaped the Rams' final practice before the Super Bowl did not have credible sources. The Patriots accepted the apology but noted that the damage was already done when the article was published on the eve of the Super Bowl, usually the top television draw of the year.

IMPACT

After being caught cheating, fined by the league, and vilified by most after the first game of the season, the Patriots and their beleaguered coach went

on an unprecedented undefeated streak, ending their season in a loss to the New York Giants in Super Bowl XLII. The Patriots had a 16-0 record during the 2007 regular season. Players and coaches, approached and pressed by the media after every practice and game, played on the field like no other team in history, breaking a number of long-standing NFL records. Belichick was voted NFL Coach of the Year by the Associated Press, his second time winning the award. Many of the same writers who criticized Belichick in print and across electronic media had no choice but to award the coach of one of the greatest professional football teams in history.

The NFL owners voted in early 2008 to allow defensive signals to be radioed in to a team's defensive captain, in a manner similar to how quarterbacks are given plays. Quarterback communications are proven to be secure. This new method of communication will eliminate the interception of signals because radio usage is tightly controlled by the NFL.

The Patriots cheating scandal and actions taken by the league will likely never be forgotten. The legacy of the great Patriots franchise, once thought of as the model franchise in the league, was irreparably tarnished, and many believe that the team's three Super Bowl victories in the first decade of the twenty-first century should have asterisks denoting the victories came during a cheating scandal.

—Jonathan E. Dinneen

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October 5, 2007**OLYMPIC CHAMPION MARION JONES ADMITS STEROID USE**

Olympic track star Marion Jones admitted in court to having lied to federal investigators in 2003 about her use of performance-enhancing drugs and about her knowledge of the involvement of a former boyfriend and former coach in a scheme to cash millions of dollars worth of stolen and forged checks. Jones was jailed and ordered to forfeit her Olympic medals.

LOCALE: United States**CATEGORIES:** Drugs; law and the courts; medicine and health care; public morals; sports**KEY FIGURES**

Marion Jones (b. 1975), American Olympic track-and-field medalist

Victor Conte (b. 1954), self-taught pharmacist and founder of Bay Area Laboratory Co-operative, or Balco

C. J. Hunter (b. 1968), American Olympic shot putter who was briefly married to Jones

Tim Montgomery (b. 1975), American Olympic runner who is the father of Jones's eldest son

SUMMARY OF EVENT

Marion Jones was the premier female runner of her generation. In 1997, after a four-year absence from track-and-field competition and after only a few months of serious training, she won the U.S. championship in the 100-meter sprint. That victory earned for her instant recognition as the fastest woman in the world. During the next season, she participated in a world tour that was unprecedented for its ambition. She entered meets at a frenzied pace, returning home just long enough to become the first woman in fifty years to win three events at the U.S. championships in New Orleans, Louisiana.

In 1998, Jones participated in thirty-seven different running and long-jumping events and won thirty-six of them. By the time the year ended, she held the number one position in the world in the 100 meters, 200 meters, and long jump. She capped off

the year by marrying shot put champion C. J. Hunter, a future Olympic athlete.

A charismatic and attractive woman, Jones quickly became a media favorite and one of the most famous female athletes in the world. Reporters and fans speculated that she would win five gold medals—more than any other woman ever in track and field—at the 2000 Sydney Olympics. Jones came close, winning the 100-meter race by the second-widest margin in Olympic history—among both men and women. She won the 200-meter race by the largest margin since Wilma Rudolph's victory at Rome in 1960. Jones took a third gold medal, as part of the U.S. 1,600-meter relay team. In the 400-meter relay, the U.S. team botched the baton handoff between the second and third legs. Jones made up some ground, but the Americans took the bronze for third place. The long jump, traditionally Jones's weakest event, left her with a fifth medal, a second bronze. In recognition of her achievements, Jones was named the Associated Press Female Athlete of the Year.

The track-and-field world, as with other sports, had long been dogged by allegations that athletes use performance-enhancing drugs. Jones stated repeatedly throughout her career that she wanted a drug-free sport and that she never used illegal drugs. However, there were persistent rumors that she used drugs. On September 26, 2000, her husband, Hunter, tested positive for steroid use. He was suspended for two years, and then he retired. The couple divorced in 2002. In the autumn of 2003, Jones testified before a federal grand jury in San Francisco, California, that was investigating athlete steroid use and those athletes' possible connections with a local company, Bay Area Laboratory Co-operative (Balco). The grand jury found a calendar at Balco with the initials "MJ" written on it, seeming to indicate a schedule for steroid use by Marion Jones ("MJ") in 2001. Hunter also reportedly told investigators that he had injected Jones with banned substances and witnessed her doing the same.

On May 16, 2004, Jones insisted that she was drug free and stated her intent to sue if the U.S. Anti-Doping Agency barred her from competing in that year's Athens Olympics without a positive drug test. In August at Athens, Jones finished fifth in the long jump, and her 4 × 100 relay team failed to finish after a bad baton handoff. By this time, sponsors had begun to drop Jones because of the rumors of drug use.

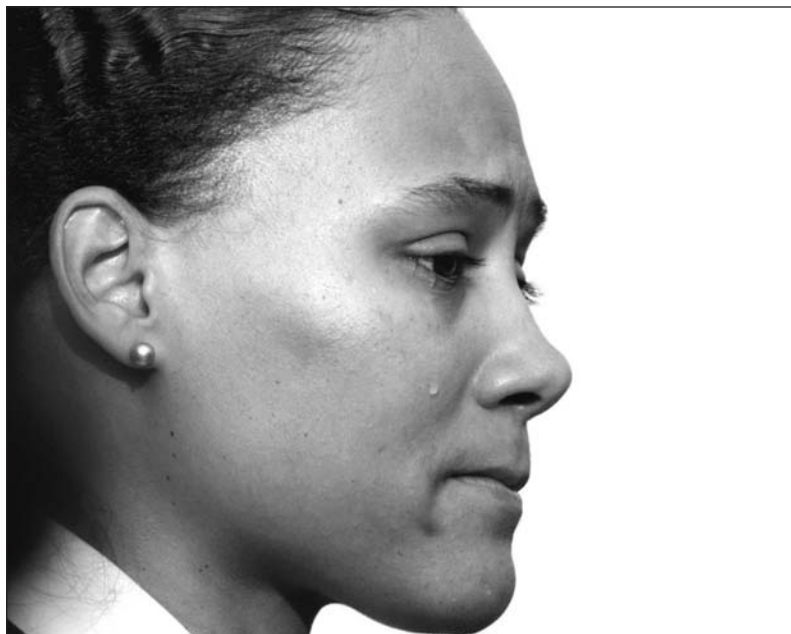
On December 7, the International Olympic Committee (IOC) opened an investigation into doping allegations against Jones after Balco founder Victor Conte alleged that he supplied her with an array of banned drugs before and after the Sydney Olympics. One year later, on December 13, 2005, an American Olympic sprinter and former boyfriend of Jones, Tim Montgomery, received a two-year ban from the sport based on evidence gathered in the Balco investigation. Jones was now linked to a second athlete convicted of using steroids. (Montgomery and Jones had a son together in 2003.)

Nevertheless, Jones remained adamant that she was drug free. On February 5, 2006, she settled a \$25 million federal defamation lawsuit against Conte for damaging her reputation by declaring on ABC's *20/20* that he supplied her and Montgomery with performance-enhancing drugs. Five days later, the IOC announced that it would continue to investigate whether Jones took illegal substances at the 2000 Sydney Games. On June 23, Jones's "A" sample from the U.S. Track and Field Championships tested positive for the banned endurance-boosting hormone erythropoietin (EPO), a lab result that could lead to a possible two-year ban from the sport. However, on September 6, Jones's backup, or "B," sample came back from the lab negative. She was therefore cleared of any wrongdoing and allowed to return to competition. Observers later noted that it is

very rare for a "B" sample to fail to confirm the "A" sample and speculated that any EPO in the "B" sample could have deteriorated beyond recognition.

While she had once planned to compete until she was in her forties, Jones soon declared that she had grown weary of defending herself. She married Barbadian sprinter Obadele Thompson in 2007 and retired to raise a family. However, the steroid scandal would not go away. On October 5, Jones tearfully admitted in federal court that she had used the performance-enhancing drug known as "the clear" from September, 2000, through July, 2001, and asked for forgiveness. She was on trial for providing false statements to federal investigators in the Balco case and in a check fraud case involving Montgomery and her former coach, StevenRIDdick. Montgomery cashed stolen and forged checks, and Jones had received one of those checks, which was deposited into her checking account but never cleared. Jones pleaded guilty to lying to investigators at the October 5 trial.

In January, 2008, Jones received a six-month jail sentence and was ordered to perform four hundred hours of community service in each of the two years



Marion Jones at an October 5, 2007, news conference admitting that she had used steroids to enhance her athletic performance. (AP/Wide World Photos)

following her release. On March 7, Jones began her sentence at the Federal Medical Center Carswell, located at the Naval Air Station, Joint Reserve Base, in Fort Worth, Texas. Although the facility specializes in medical and mental health services, it also has inmates (including Jones) who do not require such care. She was released on September 5.

IMPACT

On April 10, after Jones was sentenced, the women who won Olympic medals in 2000 by running relays with Jones were ordered by Olympic officials to forfeit their victories and return their medals. The IOC stripped gold medals from Jearl-Miles Clark, Monique Hennagan, LaTasha Colander-Richardson, and Andrea Anderson. Runners Chryste Gaines, Torri Edwards, Nanceen Perry, and Passion Richardson were ordered to forfeit their bronze medals. The women were not accused of any wrongdoing, but the Jones scandal tainted their victories. However, they refused to surrender their medals, arguing it would be unfair to punish them for Jones's actions, and challenged the IOC through the Court of Arbitration for Sport.

In July, Jones asked U.S. president George W. Bush to commute her sentence. A commutation reduces or eliminates a sentence but does not remove civil liabilities stemming from a criminal conviction. Doug Logan, the chief executive officer of U.S. Track and Field, publicly opposed commutation because to do so would send a terrible message to youths. Logan added that a commutation would send the wrong message to the international community as well. By cheating and lying, Jones had violated the principles of track and field as well as international Olympic competition. Logan was especially angry that Jones had challenged anyone who doubted her purity, talent, and work ethic, and that she had successfully duped many people into giving her the benefit of the doubt.

Bush did not commute Jones's sentence, leading some observers to wonder if the harshness of the sentence Jones received, including not receiving a commutation, and the demonizing of her in the media had more to do with race than justice, given that

champion black athletes have historically been targets of suspicion and doubt.

—Caryn E. Neumann

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March 12, 2008

NEW YORK GOVERNOR ELIOT SPITZER RESIGNS IN PROSTITUTION SCANDAL

Eliot L. Spitzer a former New York attorney general who built his reputation by crusading aggressively against Wall Street corruption, resigned as the governor of New York following news reports that he had spent tens of thousands of dollars patronizing prostitutes with an escort service.

LOCALE: New York, New York

CATEGORIES: Prostitution; sex crimes; government; politics; publishing and journalism

KEY FIGURES

Eliot L. Spitzer (b. 1959), governor of New York, 2006-2008, and former state attorney general, 1999-2006

Silda Wall Spitzer (b. 1957), Spitzer's wife and a former lawyer

Ashley Alexandra Dupré (b. 1985), waitress, aspiring musician, and prostitute

SUMMARY OF EVENT

On March 12, 2008, two days after every major media outlet reported that he had paid for a sexual encounter in Washington, D.C., with a New York prostitute, Eliot Spitzer announced his resignation as the governor of New York. As the New York attorney general, Spitzer had built a national reputation by aggressively pursuing Wall Street corporations he accused of corrupt business practices, and he had successfully catapulted himself into the governorship on the strength of that reputation.

To his supporters, Spitzer was a tenacious reformer who enforced the law against the rich and powerful. Critics, however, saw Spitzer as a bully who tried his cases in the press instead of the courtroom and who essentially coerced his targets into settling for large financial contributions to the state of New York by threat of indictment. Therefore,

Spitzer's shocking downfall was seen either as government overreaching to stifle a powerful reformer or just deserts, depending on one's initial view of Spitzer.

The impetus for the press reports was a federal indictment against four men and women accused of running a high-class prostitution ring called the Emperors Club VIP. Although the Emperors Club was based in New York, it provided prostitutes to clients in Washington, D.C., San Francisco, and Los Angeles. Federal authorities had jurisdiction over the investigation because of the interstate nature of the criminal enterprise, which involved possible violations of the Mann Act of 1910, which prohibits interstate transportation of women for prostitution.

According to an affidavit prepared by Federal Bureau of Investigation (FBI) special agent Kenneth Hosey in connection with the government's investigation of the Emperors Club VIP, a "Client-9"—later identified by *The New York Times* and other media outlets as Spitzer—spent two days arranging advance payment before setting up an encounter with a prostitute named "Kristen" in a Washington, D.C., hotel room, on February 13. The conversations arranging the encounter were recorded on a federal wiretap. Client-9 also paid for Kristen's train ride from New York to Washington, D.C. The affidavit contained salacious details such as the fact that other Emperors Club prostitutes considered Spitzer to be a "difficult" client in that he preferred "unsafe" activities—perhaps a reference to unprotected intercourse. Kristen, according to the affidavit, disagreed with that assessment and indicated in a text message to her supervisor that she liked Client-9, who identified himself to the Emperors Club as George Fox. Spitzer had registered for his hotel room under the name Fox, which, it turned out, is the name of an actual friend of Spitzer who contributed to his campaign.



Eliot Spitzer, with his wife, Silda Spitzer, announces his resignation on March 12, 2008. (AP/Wide World Photos)

The New York Times subsequently revealed Kristen to be a twenty-two-year-old waitress and aspiring musician named Ashley Alexandra Dupré. Dupré later received immunity in exchange for her testimony before the grand jury. Federal investigators ultimately concluded that Spitzer may have paid the Emperors Club as much as eighty thousand dollars over the past few years, including time when he was serving as the attorney general and directing prosecution of other prostitution rings.

Spitzer's use of the escort service was not the initial focus of the federal investigation that would end up catching him. What spurred the inquiry was Spitzer's large cash transactions in 2007, which, it was later revealed, were used to pay the Emperors Club. His bank was mandated to report the transactions to the U.S. Internal Revenue Service (IRS). Under federal law, financial transactions in excess of ten thousand dollars generate currency transaction reports (CTRs) to the IRS that are designed to

help that agency keep track of the movement of U.S. funds as well as to help the federal government fight money laundering. Spitzer was no doubt aware of these regulations, as he apparently structured his transactions so as to bring them each below the reporting threshold. (Structuring done with the intent to evade the reporting requirements can itself be a federal crime, but is difficult to prove.) After federal investigators began looking into the transactions, they wondered whether Spitzer was the victim of extortion or identity theft. It was while investigating Spitzer that they discovered his patronage of the Emperors Club.

Spitzer's scandal had superficial similarities to President Bill Clinton's sexual scandal with former White House intern Monica Lewinsky in that both involved male politicians involved with women young enough to be their daughters, and Spitzer repeatedly emphasized, as Clinton had, that this was a "private" matter. In his first public statement on

March 10, accompanied by his wife, Silda Wall Spitzer, the governor said, “I have acted in a way that violates my obligation to my family and violates my sense of right or wrong,” without specifying the conduct in question. Whereas Clinton remained popular, however, Spitzer’s aggressive political character appeared to leave him with few political allies, even among Democrats, willing to stand by him. Moreover, Clinton had never been a prosecutor; Spitzer, as noted, had prosecuted prostitution rings, thus leaving himself vulnerable to criticism of hypocrisy and worse, such as placing himself above the law. Meanwhile, numerous Wall Street personalities positively delighted in the news that Spitzer had been brought down by a scandal, and Spitzer’s Republican foes increased the pressure on him, calling for impeachment hearings if he did not resign.

On March 12, again accompanied by his wife, Spitzer stated publicly at a press conference that

I cannot allow for my private failings to disrupt the people’s work. Over the course of my public life, I have insisted—I believe correctly—that people take responsibility for their conduct. I can and will ask no less of myself. For this reason, I am resigning from the office of governor.

Following Spitzer’s announcement, speculation increased that he had reached an agreement with federal prosecutors, perhaps resigning in exchange for the U.S. attorney’s forbearance from prosecution. On November 6, prosecutors announced that Spitzer would not be charged in the case, citing a lack of evidence to support claims that Spitzer misused public funds.

IMPACT

Once considered a rising star in the Democratic Party and a potential future U.S. presidential candidate, Spitzer now had a political future that appeared to be fatally wounded by the prostitution scandal. He had been a prominent supporter of U.S. senator Hillary Rodham Clinton’s bid for nomination as the Democratic Party’s presidential candidate. Had Clinton won the White House, he would

have been an obvious contender for the position of U.S. attorney general. However, after his resignation, the Clinton campaign removed all references to Spitzer from its Web site.

Taking Spitzer’s place was David Paterson, who became the first African American and first blind governor of New York. Paterson immediately disclosed publicly that both he and his wife had a history of extramarital affairs. Perhaps because the press was still focusing on Spitzer, or perhaps because there were no illegal acts, Paterson’s disclosure resulted in no apparent backlash.

—Tung Yin

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June 13, 2008

SINGER R. KELLY IS ACQUITTED ON CHILD PORNOGRAPHY CHARGES

American singer Robert Kelly, better known as R. Kelly, was indicted for sexual molestation and child pornography after a videotape surfaced that appeared to show him having sex with an underage girl. The tape was widely circulated. The sexual molestation charges were dropped and Kelly was ultimately found not guilty on charges of soliciting a minor for child pornography.

LOCALE: Chicago, Illinois

CATEGORIES: Law and the courts; music and performing arts; sex crimes; publishing and journalism; families and children; communications and media; popular culture

KEY FIGURE

R. Kelly (b. 1967), musician, songwriter, and music producer

SUMMARY OF EVENT

R. Kelly experienced success as a rhythm and blues (R&B) musician from the mid-1990's through the first few years of the twenty-first century. His fame was highlighted by hit songs and Grammy Awards. He sold more than 36 million albums worldwide and recorded more Top 40 hits and more number one hits than any other male R&B solo artist of the

1990's. Music critics referred to Kelly as an R&B superstar, "The king of Seductive R and B," and the hip-hop generation's greatest singer-songwriter. His career was overshadowed in 2000 by allegations of sex with underage girls and in 2002 with producing child pornography by videotaping himself having sex with a minor.

Kelly's legal troubles began in 1994, when he married a fifteen-year-old singer, Aaliyah, using a falsified marriage certificate claiming she was eighteen years old. The marriage was annulled six months later when Aaliyah's parents found out about the union. Kelly's legal troubles continued in 1996, when Tiffany Hawkins filed suit claiming she and Kelly were involved sexually in 1991, when she was fifteen years old. Hawkins's lawsuit was settled out of court in 1998 for \$250,000. In 2001, Tracy Sampson filed a lawsuit against Kelly claiming that in 2000, when she was seventeen years old, she and Kelly had a sexual relationship. Sampson's lawsuit was later settled for \$50,000. In 2002, a lawsuit was filed by Patrice Jones, who claimed that in 1998, when she was sixteen years old, she became pregnant by Kelly and that he later persuaded her to have an abortion.

In February, 2002, the *Chicago Sun Times* reported that police were investigating a twenty-six-

minute video allegedly showing Kelly involved in sexual acts with a girl investigators believed to be fourteen or fifteen years old. The video was anonymously sent to the *Chicago Sun Times*, which had earlier published a series of investigative reports on Kelly, beginning in December, 2000. The newspaper claimed in that series that it found “a pattern of R. Kelly abusing his wealth and fame as a pop star to enter into sexual relationships with underage girls.” The newspaper turned over the anonymously sent video to Chicago police. The video was believed to have been made in Kelly’s home in Chicago sometime between 1997 and 2002. A former protégé of Kelly, known as Sparkle, identified the girl on the sex tape as her niece. Copies of the tape began surfacing on the Web, through Internet file sharing, and through street vendors across the United States.

Chicago police then sent the tape to the Federal Bureau of Investigation’s crime lab, which identified Kelly through vein patterns in his hands. The police also conducted interviews with more than fifty people. On June 6, 2002, Kelly was charged with twenty-one counts of having sex with a minor. The charges were later reduced to soliciting a minor for child pornography. Kelly denied the charges, stating that he was not in the video. He called the tape bogus and the charges blackmail. Kelly further suggested that the video was a fabrication from a disgruntled former manager. If found guilty, Kelly could have received a fifteen-year prison sentence and a fine of up to \$100,000.

The girl alleged to be in the video reported to a grand jury that she was not in the videotape, leaving prosecutors without a victim. Prosecutors then attempted to link the girl to the video through witness testimony. In early 2003, while Kelly was free on bond, he was facing additional child pornography charges in Florida after he was found in possession of a digital camera that allegedly showed him having sex with minors. The new felony charges were dismissed because the search was deemed illegal. In 2006, Kelly’s brother, Kerry Kelly, claimed his brother had offered him a record deal of \$50,000 and a house if he would say the man in the video was not Kelly but himself.

After several delays, Kelly’s trial finally began

on May 20, 2008. Shortly before the trial began, the *Chicago Sun Times* claimed that a woman would come forward who had reported to authorities that she and the girl in the video had performed a threesome with Kelly in the past. She testified to the identity of the girl in the video as well as to the girl being underage at the time of its taping. Nevertheless, a jury took less than one day to determine that Kelly was not guilty on all counts of soliciting a minor for child pornography. The verdict came on June 13, six years after he was initially indicted.

IMPACT

Kelly’s legal troubles did not impact his career in the long term. Critics had predicted, especially after the child pornography allegations, that Kelly’s career would suffer greatly, but after an initial negative phase, in which a tour with hip-hop artist Jay-Z was canceled and album sales reached only 610,000, his career rebounded. Jive Records, Kelly’s record label, continued to support and endorse him through the allegations. Kelly sold 12 million albums and produced either platinum or multiplatinum albums from 2002 to 2008. His 2006 tour earned millions of dollars.

Cases such as Kelly’s continue to influence public opinion about the criminal justice system and its treatment of celebrities. Cynics believe the legal system provides celebrity offenders preferential treatment, and that Kelly was acquitted only adds legitimacy to their claims.

The Kelly scandal also exposed the growing problem of child pornography on the Web. The videotape was widely distributed, bringing new concerns for lawmakers and law enforcement. Additionally, the wide circulation of the video before the trial presented difficulties in finding an impartial jury.

Other critics of the Kelly indictment argued that the case highlighted the low status of girls and women in the music industry and the unaffected careers of those who perpetuate—even celebrate—that status. Kelly’s career is accompanied by a history of legal issues involving underage girls and jokes about child pornography, but he is still regarded as the king of R&B.

—J. Bradley McSherry and Jeffery T. Walker

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July 29, 2008

NBA REFEREE TIM DONAGHY IS SENTENCED TO PRISON FOR BETTING ON GAMES

A veteran referee, Tim Donaghy put the integrity of the National Basketball Association at risk by gambling on basketball games, including those in the postseason, and making calls that may have affected games. Professional basketball referees in the United States are not permitted to gamble, except at racetracks during the NBA off-season. Donaghy was sentenced to fifteen months in federal prison.

LOCALE: United States

CATEGORIES: Gambling; corruption; ethics; law and the courts; sports

KEY FIGURES

Tim Donaghy (b. 1967), National Basketball Association referee, 1994-2007

David Stern (b. 1942), NBA commissioner, 1984-

SUMMARY OF EVENT

Gambling is a mixed blessing for organized sports. While betting by fans increases interest in spectator sports, some gamblers may seek to influence the outcomes of games to win money. The professional leagues have strict rules that protect the integrity of their particular sport by prohibiting gambling by players and officials. Professional baseball's 1919 Chicago Black Sox scandal is perhaps the best-known episode of players throwing a game for money. A 1951 collegiate basketball scandal over point shaving almost killed the sport at the college level. Players and coaches at the professional level have been fined or suspended for betting on games, but no official had been caught in a betting scandal before referee Tim Donaghy was caught in 2007.

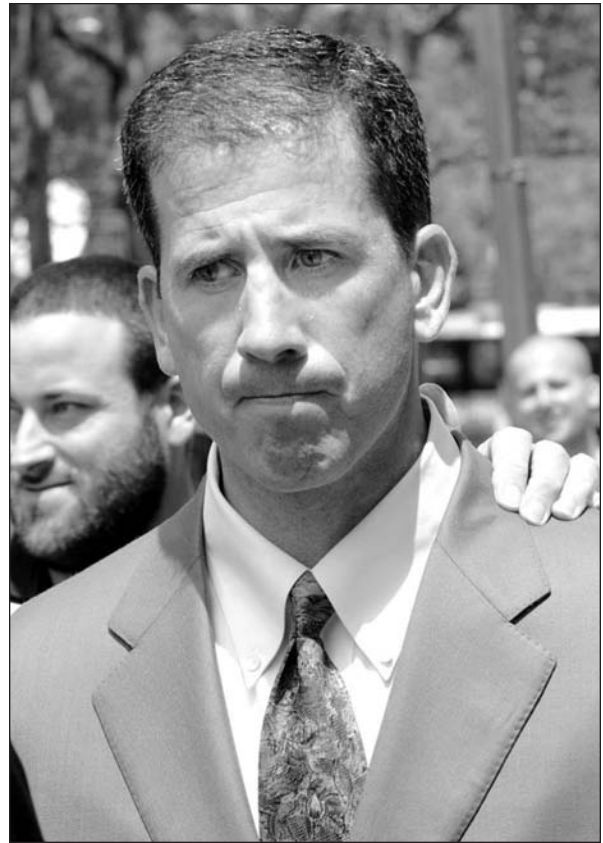
Donaghy, a referee with a stellar background, was respected by National Basketball Association

(NBA) administrators. He officiated in 772 regular season games and 20 playoff games in a career that spanned thirteen seasons. He played college basketball at Villanova University and is the son of a respected former college basketball referee, Jerry Donaghy, and the nephew of former NBA referee Bill Oakes. Donaghy worked his way into the NBA, serving apprenticeships as a Pennsylvania high school referee and, for seven seasons, as an official with the Continental Basketball Association, a lesser-known professional league in the United States. In 1994, he became one of only sixty NBA referees.

Donaghy had two previous brushes with scandal during his officiating career, but he could not be blamed for either incident. In 2003, he called a technical foul on Rasheed Wallace of the Portland Trail Blazers for throwing a ball at another official during a game. Wallace subsequently confronted Donaghy after the game, screamed obscenities, and issued threats. The NBA suspended Wallace for seven games. On November 19, 2004, Donaghy was one of three referees who worked the infamous Detroit Pistons-Indiana Pacers contest that ended with players from Indiana fighting Pistons fans in the stands.

By 2007, Donaghy earned \$260,000 annually. He also had an addiction to gambling and gained a reputation among his peers as someone who was unusually eager to make a few more dollars. In 2003, he reportedly punched former high school classmate and fellow referee Joe Crawford in the face during an NBA referees' camp in New Jersey. It appears Donaghy did so because Crawford did not invite him to a morning television show that paid \$500 for an appearance. Furthermore, although respected for his officiating, Donaghy apparently had few friends among his colleagues.

In 2003, Donaghy began placing bets on NBA games with a friend. In mid-December, 2006, James Battista, a professional gambler with the nicknames Baba and Sheep, confronted Donaghy about betting on NBA games and suggested that Donaghy be paid for his correct pick. Donaghy began calling Thomas Martino, who would then call Battista to give him inside information, including



Tim Donaghy leaves federal court in Brooklyn, New York, after his sentencing on July 29, 2008. (AP/Wide World Photos)

what crew would officiate a particular game and how officials and players interacted. Cell phone records indicate hundreds of calls among Donaghy, Battista, and Martino between October 1, 2006, and May 1, 2007.

On June 20, 2007, the FBI contacted the NBA to discuss allegations that a referee was gambling on games—charges that reportedly surfaced in a separate investigation of organized-crime activities. Donaghy resigned in July amid rumors that the FBI was investigating him for betting on games that he officiated during the prior four seasons and that he made calls affecting the point spread in those games. NBA commissioner David Stern called Donaghy a rogue who betrayed the league. He stated that the situation was the worst that he had experienced as an NBA fan, NBA lawyer, or NBA

commissioner. Stern also stated that he would have fired Donaghy but was advised not to by the FBI because of the ongoing investigation.

In subsequent court papers, the FBI did not specify games in which Donaghy officiated and also allegedly placed bets. The court documents did indicate that Donaghy provided a tip about an NBA game on December 13, 2006, during which he officiated—Boston Celtics-76ers game in Philadelphia. The point spread moved 2 points before tip-off—a sizable swing—with Boston going from a 1.5-point favorite to a 3.5-point choice. Boston ultimately won by 20 points. The next day, Donaghy met with coconspirators to receive a \$5,000 cash payment for his tip. He also was rumored to have improperly influenced the outcome of game three of the Western Conference semifinal match between the Phoenix Suns and the San Antonio Spurs in 2007.

On August 15, 2007, Donaghy pleaded guilty in a Brooklyn, New York, federal court to two felony charges involving conspiracy to commit wire fraud as part of a scheme to defraud the NBA and conspiracy to transmit wagering information across state lines. The first charge carried a penalty of up to twenty years in prison while the second could bring an additional five years. Donaghy admitted taking cash payoffs from gamblers and betting on games that he officiated. He told the court that between December, 2006, and April, 2007, he had used “nonpublic information” to pick the winners of particular NBA games and to cover the point spread set by professional bookmakers. Other individuals would then use Donaghy’s picks to place bets. He admitted making phone calls to communicate his picks, often using a coded language. If a pick did not win, Donaghy would not be paid, but he would not lose money either.

Donaghy also agreed to turn over the names of about twenty former colleagues who bet at golf courses, racetracks during the season, and casinos, and who also participated in football betting pools. The activities are not illegal in themselves but do violate the letter of the referees’ contract with the NBA. Donaghy was released on a \$250,000 bond and was sentenced on July 29, 2008, to fifteen

months in federal prison and three years of supervised release.

To the public, Donaghy offered a general apology, claiming he was the victim of pressure from the Gambino Mafia crime family. At his sentencing, he told the judge, “I’ve brought shame on myself, my family, and the profession.” Two others also were sentenced. Battista and Thomas Martino, a friend of Battista, were sentenced to fifteen months and to twelve months, one day in prison, respectively. All three were ordered jointly to pay \$217,000 in restitution to the federal government. On September 23, 2008, Donaghy reported to the federal prison in Pensacola, Florida, to begin serving his term.

IMPACT

Donaghy’s actions badly damaged the reputation of NBA referees and officiating. In the wake of the case, fans upset by calls began to yell “fix” or “How much do you have on the game?” at referees. Hurt and confused by the scandal, many referees sharply condemned Donaghy for betraying his friends in the league. Some referees pointed out that a zero-tolerance approach to gambling by the NBA would result in about 75 percent of referees being fired for doing everything from playing in a \$5 card game to pulling the levers on slot machines in casinos. Officials are allowed to attend shows at casinos during the off-season, but they are not permitted to enter gambling areas. NBA officials acknowledged that casual gambling existed among their ranks, but they feared that Donaghy would exaggerate the extent of the gambling to better his own situation. The NBA stated that it had received no evidence that any referee other than Donaghy bet on games.

A number of NBA fans charged that the league conspired to fix games. Such allegations infuriated NBA commissioner David Stern, who resented claims that he and the league were engaged in criminal activity. Donaghy’s betting embarrassed the league and gave support to conspiracy-minded fans. Both the league and the referees sought to prevent a repeat of the Donaghy scandal for the sake of the future of the sport. The NBA opened a review into its gambling policies and how it hires, trains,

and monitors officials. In August, 2007, an attorney with the National Basketball Referees Association represented the union in connection with the NBA's review of its basketball operations and officiating programs. Referee crews and supervisors afterward had to review all games on videotape. Every late call that impinges on the point spread is apt to be red-flagged for additional review, a practice that did not exist before the Donaghy scandal.

—Caryn E. Neumann

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September 7, 2008

FINANCIAL INSTITUTIONS AND MARKETS BEGIN TO COLLAPSE

Led by a complex web of actions that included a drive to maximize profits and an abandonment of prudence and responsibility, major financial institutions in the United States began to fail. By September, 2008, excessive risk-taking, inadequate cash reserves, excessive debt levels, and the subprime mortgage crisis led to financial collapse. The dire financial condition, coupled with an economic recession in the United States, forced U.S. government interventions that, by November 24, totaled \$7.7 trillion in bailouts for these financial institutions.

LOCALE: United States

CATEGORIES: Banking and finance; economics; government

KEY FIGURES

Ben Bernanke (b. 1953), chairman of the U.S. Federal Reserve, 2006-2010

Henry Paulson (b. 1946), U.S. secretary of the Treasury, 2006-2009

Phil Gramm (b. 1942), U.S. senator from Texas, 1985-2002

SUMMARY OF EVENT

On September 7, 2008, the U.S. government took control of the institutions known as Fannie Mae (Federal National Mortgage Association) and Freddie Mac (Federal Home Loan Mortgage Corporation). These government sponsored entities, whose purpose was to guarantee and purchase mortgages for low- and moderate-income appli-

cants for home loans, had funded nearly two-thirds of all mortgages sold in the United States.

Following the takeover of Fannie Mae and Freddie Mac was the collapse of the investment bank Lehman Brothers on September 15, amounting to the largest bankruptcy filing in U.S. history. The following day, the U.S. Federal Reserve, led by Ben Bernanke, loaned AIG (American International Group), one of the world's largest insurance companies, \$85 billion in exchange for nearly 80 percent of its stock. By September 22, all five Wall Street investment banks (including Lehman Brothers, Merrill Lynch, Morgan Stanley, and Goldman Sachs) had either gone bankrupt, been sold, or been restructured.

On October 3, a \$700 billion government rescue plan was signed into law. On October 14, the U.S. Treasury Department, led by Henry Paulson, said it would spend \$250 billion to purchase stock in banks, hoping to unfreeze credit markets. The first \$125 billion would be spent on forced purchases in the nine largest depository banks, a move that amounted to partial nationalization. By October 27, fifteen smaller banks had taken funding from this federal allocation. On November 23, the U.S. government agreed to guarantee \$306 billion in troubled assets held by Citigroup, one of the world's largest financial services firms.

All financial systems have a measure of risk built into them, but in healthy economies these risks are balanced by the prudent management of assets in the private sector and an effective set of public sector (governmental) regulatory practices that control risk while encouraging innovation. However, between 2000 and 2008, this ideal of balance disappeared as regulators lost power and financial managers found themselves with new freedoms to design and market risky new financial instruments.

Between 2001 and 2007, securitization (the process of pooling debt—such as mortgages—then packaging it and selling it to investors) produced sales for U.S. financial firms of \$27 trillion, almost twice the 2007 U.S. gross domestic product. Part of this process of securitization was the use of so-called structured finance to create complex investments. However, there were dangers inherent in

these investments. On October 21, 2008, Joseph E. Stiglitz, who had been awarded the 2001 Nobel Prize in Economics, told a congressional hearing on financial services regulation that

Securitization was based on the premise that a “fool was born every minute.” Globalization meant that there was a global landscape on which they could search for those fools—and they found them everywhere. Mortgage originators didn't have to ask, Is this a good loan? but only, Is this a mortgage I can somehow pass on to others?

These structured finance products would not have been sold in such vast quantities had they not been portrayed as safe and high quality. The financial firms that put together these products also ensured buyers that the products were triple-A rated and insured. Unfortunately, both of these protections proved to be flawed.

The excesses and failures of the credit rating companies (Moody's; Standard and Poor's, or S&P; and Fitch) played a crucial role in the financial crisis. Both Moody's and S&P testified before the U.S. Congress that they accepted raw data on the securitized mortgages underlying these products without checking that data. The two companies testified that they had revised their ratings models in 2004 in ways that eased the rigor of the ratings and kept the companies competitive in giving top ratings. Perhaps the most troubling issue, however, was that the credit rating companies were paid by the financial firms whose products they were rating. Moody's analysts admitted that on several occasions they raised their ratings on pools of mortgage-backed securities issued by Countrywide Financial Corporation after Countrywide complained about initial ratings.

Investor protection, through insurance, also was flawed. Structured finance products are insured by what are called credit default swaps (CDS). CDS are private contracts protecting parties, usually banks, against defaults on debts, and they have a global reach. The financial products unit of insurance giant AIG began in 1998 to sell CDS that were tied to mortgage-backed structured finance prod-

ucts put together by Citigroup, Merrill Lynch, and others. The deals earned AIG around \$750,000 each. Over time, more and more of these products contained subprime mortgages. The Commodity Futures Modernization Act of 2000, sponsored by U.S. senator Phil Gramm, had ensured that CDS would remain unregulated. As a result, the CDS market grew from over \$100 billion in 2000 to \$62 trillion at the end of 2007. The sheer size of this global market led to concerns that financial firms issuing a large volume of CDS might set off a chain reaction if they failed. These concerns, however, went unheeded, and the financial system began to collapse.

By the time AIG stopped all of its CDS and subprime mortgage-related business in the summer of 2005, it had insured 420 structured finance deals, making \$315 to \$400 million but assuming a debt of

\$63 billion. The U.S. government bailout of AIG provided \$85 billion to the failing company on September 16, 2008, but later increased the amount to \$123 billion.

Another critical U.S. regulatory change in the early 2000's had allowed banks to keep mortgage-related structured finance products off their balance sheets (that is, they were not required to include them in their financial report that summarizes their total assets, liabilities, and shareholders' ownership stakes). Investors were thus left uninformed about the nature and amount of risk that banks held. Also, the U.S. Office of Thrift Supervision, which regulates thrifts (also called savings and loans), including Countrywide, IndyMac, Washington Mutual, and Downey—all heavily involved in mortgage lending—permitted these institutions to take excessive risks. These risks included allowing the com-



A protestor holds up a sign behind Treasury secretary Henry Paulson, left, and Federal Reserve chair Ben Bernanke at a hearing of the Senate Housing and Urban Affairs Committee on September 23, 2008, in Washington, D.C. The committee began hearing arguments from federal officials for a \$700 billion government bailout of American financial institutions. (Hulton Archive/Getty Images)

panies' reserves to decline to the lowest level in two decades. The thrifts also were allowed to expand risky forms of loans, such as option adjustable-rate mortgages. By 2008, several of these companies had been seized by regulators or forced to sell themselves to avoid failure.

Excesses and risk also were at the root of Fannie Mae's and Freddie Mac's failure. During the subprime mortgage boom, mortgage lenders, including Countrywide, threatened to sell directly to Wall Street firms (including Goldman Sachs, Lehman Brothers, and Bear Stearns) unless Fannie Mae would buy some of its riskier loans. Thus, between 2005 and 2007, Fannie Mae took on more and more subprime and Alt-A loans (those for which applicants did not have conventional documentation of their income or assets). Risk officers and other officials warned of the dangers involved in these practices, but by December, 2008, the two owned or guaranteed one in three subprime mortgages and almost one in two Alt-A loans, comprising 34 percent of their single-family mortgage holdings.

IMPACT

Criminal investigations began quickly, and by late September, 2008, the Federal Bureau of Investigation had opened twenty-six preliminary fraud investigations, including investigations of Fannie Mae, Freddie Mac, Lehman Brothers, and AIG. The U.S. Securities and Exchange Commission (SEC) opened more than fifty investigations of insurers, banks, and credit rating firms. The SEC charged Fannie Mae and Freddie Mac with having committed accounting fraud in 2006 and 2007, and the two paid \$450 million in penalties. On December 11, 2008, the trustee in charge of the liquidation of Lehman Brothers (already the subject of other investigations) asked the bankruptcy court for subpoena power to investigate the collapse of Lehman Brothers.

Several class action lawsuits were filed against the financial firms for violations of securities law. Securities are financial instruments that may be publicly traded, such as stocks, bonds, and mutual funds. On December 4, 2008, a class action lawsuit

was filed against Citigroup on behalf of investors who had purchased Citigroup stock between January, 2004, and November 21, 2007. One successful lawsuit was filed on the principle of breach of fiduciary duty, which is a legal duty of care and good faith to act only in the interests of the beneficiary (for example, a company's shareholders). The Teachers' Retirement System of Louisiana sued four former executives of AIG for breach of fiduciary duty. On September 30, 2008, parties to the suit announced a settlement of \$115 million.

By the end of September, government leaders from around the world were openly blaming the United States, particularly the federal government, for allowing the crisis to fester and thus threaten markets and economies worldwide. World leaders denounced everyone from financial speculators to managers of global financial firms who took huge risks out of greed.

The financial crisis, combined with the global recession, had a startling impact on not only the U.S. financial markets and economy but also the world economy. By late October, overall U.S. stock market losses amounted to \$8 trillion for the preceding fifteen months, affecting savings and retirement accounts as well as endowments, pension funds, and international investments. By November 21, the S&P 500 stock index was down 46 percent from its peak.

On November 15, leaders of the Group of 20 (the largest developed and emerging-market world economies), which had been meeting in Washington, D.C., issued a lengthy, detailed statement on what they believed caused the financial collapse. The statement included many suggestions for reform (both immediate and medium-term) to prevent another collapse. The size of the U.S. government's intervention showed that these reforms were clearly needed. By November 24, the day after the U.S. government guarantee of Citigroup's debt, the combined amount of government funding pledged in the various parts of the financial bailout was \$7.7 trillion. This equaled \$24,000 for each person in the United States.

—Glenn Ellen Starr Stilling

FURTHER READING

Mizen, Paul. "The Credit Crunch of 2007-2008: A Discussion of the Background, Market Reactions, and Policy Responses." *Review* (Federal Reserve Bank of St. Louis), September/October, 2008. A detailed, scholarly examination of the financial crisis, with special attention to its global dimensions.

Roubini, Nouriel. "The Rising Risk of a Systemic Financial Meltdown: The Twelve Steps to Financial Disaster." *RGEmonitor*, February 5, 2008. Predicts several of the events of the financial crisis. Explains in detail the conditions that contribute to each step in such a crisis.

Roush, Chris. "Unheeded Warnings." *American Journalism Review* 30, no. 6 (December/January, 2009). Documents extensive coverage, beginning in 2000, of the conditions that led to the financial crisis. Includes discussion of coverage by *The New York Times*, *The Wall Street Journal*, the *Washington Post*, *Fortune*, and *Business Week*.

United States Congress. House of Representatives. Committee on Financial Services. *The Future of Financial Services Regulation*. Washington, D.C.: Government Printing Office, October 21, 2008. Offers clear and wide-ranging testimony by Joseph E. Stiglitz on the regulatory causes of

the financial crisis. Stiglitz discusses topics such as transparency, securitization of mortgages, excessive corporate risk-taking, executive compensation, off-balance-sheet accounting, exploitive lending practices, and credit rating agencies.

Zandi, Mark. *Financial Shock: A Three-Hundred-Sixty Degree Look at the Subprime Mortgage Implosion, and How to Avoid the Next Financial Crisis*. Upper Saddle River, N.J.: Financial Times Press, 2008. Readable, thoroughly documented, comprehensive examination of the roots of the financial crisis. Discusses the Federal Reserve's policy of extremely low lending rates, the roles of various types of mortgage buyers (first-time, trade-up, investors, and flippers), overseas investors, mortgage bankers and brokers, structured finance, the credit crunch, and more.

SEE ALSO: August 6, 1982: Banco Ambrosiano Collapses Amid Criminal Accusations; May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud; March 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud; December 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud; September 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices; Early 2007: Subprime Mortgage Industry Begins to Collapse.

Appendixes

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—Desiree Dreeuws

CHRONOLOGICAL LIST OF ENTRIES

1901-1910

1904: Theodore Roosevelt Is Accused of
Accepting Corporate Funds
January 23, 1904: Senator Joseph R. Burton Is
Convicted of Bribery
December, 1904: Boston Alderman Is Reelected
While in Jail for Fraud
1906-1909: Emperor William II's Homosexual
"Circle" Scandalizes Germany
March 2, 1906: Psychoanalyst Ernest Jones Is
Accused of Molesting Mentally Disabled
Children
June 25, 1906: Millionaire Heir Murders
Architect Stanford White
July 12, 1906: French Court Declares Alfred
Dreyfus Innocent of Treason

December 8, 1906: Former U.S. Senator Arthur
Brown Is Murdered by Lover
1907: Elinor Glyn's Novel *Three Weeks* Shocks
Readers
June 13, 1907: San Francisco Mayor Schmitz Is
Found Guilty of Extortion
November 15, 1908: Belgium Confiscates Congo
Free State from King Leopold II
1909-1916: Dancer Isadora Duncan Begins Affair
with Millionaire Heir
1910: Nobelist Marie Curie Has Affair with
Physicist Paul Langevin

1911-1920

March 25, 1911: Nearly 150 Workers Die in
Triangle Shirtwaist Factory Fire
January, 1913: British Prime Minister's Staff Is
Investigated for Insider Trading
January 13, 1913: Federal Judge Is Impeached for
Profiting from His Office
February 17-March 15, 1913: Armory Modern
Art Show Scandalizes the Public
May 13, 1913: Boxer Jack Johnson Is Imprisoned
for Abetting Prostitution

April 2, 1915: Players Fix Liverpool-Manchester
United Soccer Match
May, 1915: British Government Falls Because of
Munitions Shortages and Military Setbacks
July 27, 1917: Millionaire Socialite Dies Under
Suspicious Circumstances
1919-1920: Ponzi Schemes Are Revealed as
Investment Frauds
September 21, 1919: White Sox Players Conspire
to Lose World Series in "Black Sox" Scandal

1921-1930

July 19, 1921: U.S. Senate Rebukes Navy in Homosexuality Investigation
 February 1, 1922: Director Taylor's Murder Ruins Mabel Normand's Acting Career
 March 26, 1922: Hindemith's Opera *Sancta Susanna* Depicts a Nun's Sexual Desires
 April 12, 1922: Film Star Fatty Arbuckle Is Acquitted of Manslaughter
 June 22, 1922: British Prime Minister David Lloyd George Is Accused of Selling Honors
 January 18, 1923: Actor Wallace Reid's Death in Drug Rehab Shakes Film Industry
 March 2, 1923: U.S. Senate Investigates Veterans Bureau Chief for Fraud
 May 30, 1923: U.S. Attorney General Harry M. Daugherty's Aide Commits Suicide
 October 22, 1923: U.S. Senate Begins Hearings on Teapot Dome Oil Leases
 January 1, 1924: Film Star Mabel Normand's Chauffeur Shoots Millionaire Courtland S. Dines
 May 12, 1924: Kentucky Congressman John W. Lingley Is Convicted of Violating the Volstead Act
 October 25, 1924: Forged Communist Letter Brings Down British Government
 November 19, 1924: Film Producer Thomas H. Ince Dies After Weekend on Hearst's Yacht

July, 1925: *Nosferatu* Is Found to Have Violated *Dracula* Copyright
 May-June, 1926: Evangelist Aimee Semple McPherson Claims She Was Kidnapped
 December 26, 1926: Ty Cobb and Tris Speaker Are Accused of Fixing Baseball Games
 1927: Mae West's Play About Gays Is Banned on Broadway
 1927: President Warren G. Harding's Lover Publishes Tell-All Memoir
 Early 1928: Joseph P. Kennedy Begins an Affair with Gloria Swanson
 1928-1929: Actor Is Suspected of Falsely Claiming to Be an American Indian
 March 21, 1928: Alberta Government Sterilizes Thousands Deemed Genetically and Mentally Unfit
 June 6, 1929: Luis Buñuel's *Un Chien Andalou* Shocks Parisian Audience
 November, 1929: Banque Oustric et Cie Failure Prompts French Inquiry
 1930: Liberia Is Accused of Selling Its Own Citizens into Slavery
 May, 1930: Postmaster's Division of Airmail Routes Creates a Scandal
 December 3, 1930: Surrealist Film *L'Âge d'or* Provokes French Rioting

1931-1940

March 30, 1931: "Scottsboro Boys" Are Railroaded Through Rape Trials
 1932: Insull Utilities Trusts Collapse Prompts New Federal Regulation
 July 28, 1932: U.S. Troops Drive World War I Veterans from Washington
 September 4, 1932: Film Star Jean Harlow's Husband Is an Apparent Suicide

January 20, 1933: Hedy Lamarr Appears Nude in the Czech Film *Extase*
 March 31, 1933: *New York Times* Reporter Denies Reports of a Soviet Famine
 January 8, 1934-January 17, 1936: Stavisky's Fraudulent Schemes Rock French Government
 May 16, 1934: General Douglas MacArthur Sues Newspaper Columnist for Libel

July 10, 1934: Sex Scandal Forces Resignation of Alberta Premier Brownlee
December 16, 1935: Film Star Thelma Todd's Death Cannot Be Explained
May 20, 1936: British Cabinet Member Resigns After Budget Information Leak
Summer, 1936: Film Star Mary Astor's Diary Becomes a Public Sensation
December 10, 1936: King Edward VIII Abdicates to Marry an American Divorcée

March 17, 1937: Atherton Report Exposes San Francisco Police Corruption
September-October, 1937: Prescription Elixir Causes More than One Hundred Deaths
October 11-22, 1937: Duke and Duchess of Windsor Visit Nazi Germany
May 22, 1939: Kansas City's Boss Pendergast Pleads Guilty to Income Tax Evasion

1941-1950

February 6, 1942: Film Star Errol Flynn Is Acquitted of Rape
February 19, 1942: President Roosevelt Orders Internment of Japanese Americans
April 22, 1942: French Prime Minister Pierre Laval Wants Germany to Win World War II
December 5, 1942: Industrialist Charles Bedaux Is Arrested for Nazi Collaboration
January 14, 1943: Film Star Frances Farmer Is Jailed and Institutionalized
February 23, 1943: Irish Orphan School Fire Kills Thirty-five Girls
June 4, 1943: Actor Charles Chaplin Is Sued for Paternity
June 5, 1944: Australian Poets Claim Responsibility for a Literary Hoax
May 9, 1945: Norwegian Politician Quisling Is Arrested for Nazi Collaboration
May 26, 1945: Norwegian Writer Knut Hamsun Is Arrested for Treason
August 14, 1945: French War Hero Pétain Is Convicted of Nazi Collaboration
December 14, 1945: Poet Ezra Pound Is Charged with Treason and Institutionalized

November 23, 1946: Tennis Star Bill Tilden Is Arrested for Lewd Behavior with a Minor
Spring, 1947: Baseball Manager Leo Durocher Is Suspended for Gambling Ties
July 5, 1948: Actor Carole Landis Commits Suicide During Affair with Rex Harrison
August 4, 1948: Columnist Drew Pearson Exposes Congressman's Corruption
August 31, 1948: Film Star Robert Mitchum Is Arrested for Drug Possession
May 27, 1949: Actor Rita Hayworth Marries Aly Khan After Adulterous Affair
August 26, 1949: Viet Minh Broadcasts French General's Damaging Report
January 21, 1950: Alger Hiss Is Convicted of Perjury
February 7, 1950: Swedish Film Star Ingrid Bergman Has a Child Out of Wedlock
February 9, 1950: U.S. Senator Joseph McCarthy Launches Communist Witch Hunt
May 3, 1950: U.S. Senate Committee Begins Investigating Organized Crime

1951-1960

January 17, 1951: College Basketball Players
Begin Shaving Points for Money
July 16, 1951: Belgium's Disgraced King
Leopold III Abdicates
November 16, 1951: Federal Tax Official Resigns
After Accepting Bribes
September 19, 1952: Actor Charles Chaplin
Cannot Reenter the United States
September 23, 1952: Richard Nixon Denies
Taking Illegal Campaign Contributions
December 1, 1952: George Jorgensen Becomes
Christine Jorgensen
November 21, 1953: Piltdown Man Is Revealed to
Be a Hoax
May, 1955: Scandal Magazine Reveals Actor
Rory Calhoun's Criminal Past
Late 1955: British Atrocities in Kenya's Mau
Mau Rebellion Are Revealed
1956-1962: Prescription Thalidomide Causes
Widespread Birth Disorders
March 9, 1956: British Conductor-Composer Is
Arrested for Possessing Pornography

June, 1956: George F. Kennan Proves Russian
Sisson Documents Are Fakes
June 25, 1956: President Truman's Appointments
Secretary Is Convicted of Tax Conspiracy
December 12, 1957: Rock Star Jerry Lee Lewis
Marries Thirteen-Year-Old Cousin
April 4, 1958: Actor Lana Turner's Daughter
Kills Turner's Gangster Lover
September 22, 1958: President Eisenhower's
Chief of Staff Resigns for Influence Selling
May, 1959: Teamsters Leader Dave Beck Is
Convicted of Tax Fraud
November 2, 1959: Charles Van Doren Admits
to Being Fed Answers on Television Quiz
Show
February 7, 1960: President Kennedy's Romantic
Affair Links Him to Organized Crime
February 8, 1960: U.S. Congress Investigates
Payola in Pop Music Industry
March 14, 1960: FCC Chairman John C. Doerfer
Resigns for Accepting Gifts from Networks

1961-1970

July, 1961: Psychologist Stanley Milgram Begins
Obedience-to-Authority Experiments
March 29, 1962: Billie Sol Estes Is Arrested for
Corporate Fraud
May 19, 1962: Marilyn Monroe Sings "Happy
Birthday, Mr. President"
September 12, 1962: British Civil Servant Is
Arrested for Spying
October 26, 1962: West German Police Raid *Der
Spiegel* Magazine Offices
February 23, 1963: Play Accuses Pope Pius XII
of Complicity in the Holocaust
March 2-September 25, 1963: John Profumo
Affair Rocks British Government

July 2, 1963: Muslim Leader Elijah Muhammad
Is Sued for Paternity
August 14, 1963: Madame Nhu Derides Self-
Immolation of Vietnamese Buddhists
October 7, 1963: Vice President Lyndon B.
Johnson Aide Resigns over Crime Connections
March 13, 1964: Kitty Genovese Dies as Her
Cries for Help Are Ignored
October 7, 1964: President Lyndon B. Johnson's
Aide Is Arrested in Gay-Sex Sting
October 29, 1965: Moroccan Politician Mehdi
Ben Barka Disappears in Paris
March 4, 1966: Munsinger Sex and Spy Scandal
Rocks Canada

March 1, 1967: Adam Clayton Powell, Jr., Is Excluded from Congress
 June 23, 1967: Senator Thomas J. Dodd Is Censured for Misappropriating Funds
 September 5, 1967: Socialite Nancy Wakeman Shoots Her Politician-Husband
 November 28, 1967: Investor Louis Wolfson Is Convicted of Selling Stock Illegally
 May 9, 1969: Supreme Court Justice Abe Fortas Is Accused of Bribery
 July 18, 1969: Senator Edward Kennedy's Driving Accident Kills Mary Jo Kopechne

Fall, 1969-Winter, 1971: Japanese Baseball Players Are Implicated in Game Fixing
 November 13, 1969: American Massacre of Vietnamese Civilians at My Lai Is Revealed
 December 30, 1969: United Mine Workers Leader Joseph Yablonski Is Murdered
 1970: Study of Anonymous Gay Sex Leads to Ethics Scandal
 May 4, 1970: National Guardsmen Kill Protesting Kent State Students
 May 28, 1970: Irish Politicians Are Tried for Conspiring to Import Weapons

1971-1980

June 13, 1971: *New York Times* Publishes the Pentagon Papers
 August 20, 1971: Abusive Role-Playing Ends Stanford Prison Experiment
 January 28, 1972: Clifford Irving Admits Faking Howard Hughes Memoirs
 June 17, 1972-August 9, 1974: Watergate Break-in Leads to President Nixon's Resignation
 June 22, 1972: Police Arrest Architect John Poulson for Bribery and Fraud
 July 8-22, 1972: Jane Fonda's Visit to North Vietnam Outrages Many Americans
 July 25, 1972: Newspaper Breaks Story of Abuses in Tuskegee Syphilis Study
 July 31, 1972: Thomas F. Eagleton Withdraws from Vice Presidential Race
 August 19, 1973: Cheating Scandal Shocks Soap Box Derby
 October 10, 1973: Spiro T. Agnew Resigns Vice Presidency in Disgrace
 April 15, 1974: Kidnapped Heir Patty Hearst Helps Rob a Bank
 May 14, 1974: *Washington Post* Reveals That the Nixons Received Jewelry Gifts
 May 20, 1974: French Cardinal Daniélou Dies in a Prostitute's House
 Summer, 1974: Dalkon Shield Contraceptive Is Removed from the Market

October 7, 1974: Congressman Wilbur D. Mills's Stripper Affair Leads to His Downfall
 October 25, 1974: Evangelist Billy James Hargis Resigns College Presidency During Gay-Sex Scandal
 November 20, 1974: British Politician John Stonehouse Fakes His Suicide
 February 3, 1975: Honduras's "Bananagate" Bribery Scandal Leads to Executive's Suicide
 October 31, 1975: Buddhist Teacher Orders His Students to Remove Their Clothes
 1976: Peace Corps Conceals Murder of Volunteer in Tonga
 1976-1977: U.S. Congress Members Are Implicated in Koreagate Scandal
 February 4, 1976: Lockheed Is Implicated in Bribing Foreign Officials
 March 21, 1976: Actor Claudine Longet Kills Ski Champion Vladimir Sabich
 April 4, 1976: West Point Cadets Are Caught Cheating on Exams
 May 23, 1976: *Washington Post* Exposes Congressman Wayne L. Hays's Affair
 September 1, 1976: Former Beatle George Harrison Loses Plagiarism Lawsuit
 September, 1976: Jimmy Carter Admits Committing Adultery in His Heart

October 4, 1976: Agriculture Secretary Earl Butz Resigns After Making Obscene Joke
 November 9, 1976: German Generals Must Retire for Supporting a Neo-Nazi Pilot
 January, 1977: Singer Anita Bryant Campaigns Against Lesbian and Gay Rights
 February 25, 1977: Film Producer David Begelman Is Found to Have Forged Checks
 September 21, 1977: Carter Cabinet Member Resigns over Ethics Violations
 September 23, 1977: Horse-Swapping Fraud Upsets Belmont Park Raceway
 1978: Actor Joan Crawford's Daughter Publishes Damning Memoir, *Mommie Dearest*
 1978: *Roots* Author Alex Haley Is Sued for Plagiarism
 February 1, 1978: Roman Polanski Flees the United States to Avoid Rape Trial
 June 27, 1978: Evangelist Herbert W. Armstrong Excommunicates His Own Son
 July 23, 1978: Utah Millionaire Is Murdered by His Grandson
 August 4, 1978: British Politician Jeremy Thorpe Is Charged with Attempted Murder
 October 20, 1978: Firestone Recalls Millions of Defective Car Tires
 January 26, 1979: Former Vice President Nelson Rockefeller Dies Mysteriously
 April 18, 1979: Actor Lee Marvin Is Ordered to Pay Palimony to Former Lover

June 4, 1979: South African President B. J. Vorster Resigns in Muldergate Scandal
 September 26, 1979: Love Canal Residents Sue Chemical Company
 October 10, 1979: French President Giscard d'Estaing Is Accused of Taking a Bribe
 October 11, 1979: Senate Denounces Herman E. Talmadge for Money Laundering
 November 29, 1979, and January 31, 1983: Baseball Commissioner Suspends Mickey Mantle and Willie Mays for Casino Ties
 1980: Biographer Claims Actor Errol Flynn Was a Nazi Spy
 February 2, 1980: Media Uncover FBI Sting Implicating Dozens of Lawmakers
 March 10, 1980: Scarsdale Diet Doctor Is Killed by His Lover
 April 27, 1980: Mobster's Arrest Reveals Point Shaving by Boston College Basketball Players
 Late July, 1980: President's Brother, Billy Carter, Registers as a Paid Agent for Libya
 July 28, 1980: Magazine Reveals Baseball Star Steve Garvey's Marital Problems
 September 3, 1980: Congressman Bauman Is Arrested for Liaison with Teenage Boy
 October 9, 1980: Bendix Executive Resigns Amid Rumors of an Affair
 December 7, 1980: Rita Jenrette's "Diary of a Mad Congresswife" Scandalizes Washington

1981-1990

April 15, 1981: Janet Cooke Admits Fabricating Her Pulitzer Prize-Winning Feature
 April 28, 1981: Tennis Star Billie Jean King Is Sued for Palimony
 May 23, 1981: Italian Justice Minister Resigns Because of Crime Connection
 May 29, 1981: Court Finds That Ford Ignored Pinto's Safety Problems
 September 10, 1981: *Chicago Sun-Times* Reports That Cardinal Cody Diverted Church Funds

May 11, 1982: Philippine President Marcos Forces the Entire Supreme Court to Resign
 July 20, 1982: Conservative Politician John G. Schmitz Is Found to Have Children Out of Wedlock
 August 6, 1982: Banco Ambrosiano Collapses Amid Criminal Accusations
 October 19, 1982: Car Manufacturer John De Lorean Is Arrested in a Drug Sting

- December, 1982: Julie Andrews and Blake Edwards Deny Being Gay
- December 16, 1982: Congress Cites Environmental Protection Agency Chief for Contempt
- April 25, 1983: German Magazine Publishes Faked Hitler Diaries
- July 20, 1983: Congress Members Censured in House-Page Sex Scandal
- August 12, 1983-July 27, 1990: McMartin Preschool Is Embroiled in Child-Abuse Case
- August 21, 1983: Filipino Opposition Leader Aquino Is Assassinated on Return Home
- October 14, 1983: British Cabinet Secretary Parkinson Resigns After His Secretary Becomes Pregnant
- January 25, 1984: Jesse Jackson Calls New York City "Hymietown"
- May 2, 1984: E. F. Hutton Executives Plead Guilty to Fraud
- July 23, 1984: Vanessa Williams Is the First Miss America to Resign
- December 22, 1984: Subway Vigilante Bernhard Goetz Shoots Four Black Youths
- 1985-1986: Westland Affair Shakes Prime Minister Thatcher's Government
- May 7, 1985: Banker Jake Butcher Pleads Guilty to Fraud
- July 10, 1985: French Secret Service Sinks the Greenpeace Ship *Rainbow Warrior*
- July 19, 1985: Mayflower Madam Pleads Guilty to Promoting Prostitution
- August 19, 1985: West German Counterintelligence Chief Defects to East Germany
- September 17, 1985: Media Allege Canadian Officials Allowed Sale of Rancid Tuna
- October 23, 1985: Guru Bhagwan Shree Rajneesh Is Indicted for Immigration Fraud
- February 28, 1986: Baseball Commissioner Peter Ueberroth Suspends Players for Cocaine Use
- March 3, 1986: Former U.N. Secretary-General Kurt Waldheim's Nazi Past Is Revealed
- April 22, 1986: Faith Healer Peter Popoff Is Exposed as a Fraud
- November 13, 1986-May 4, 1989: Iran-Contra Weapons Scandal Taints Reagan's Administration
- January 12 and May 11, 1987: Media Reports Spark Investigation of Australian Police Corruption
- January 22, 1987: Pennsylvania Politician Kills Himself at Televised Press Conference
- February 25, 1987: NCAA Imposes "Death Penalty" on Southern Methodist University Football
- March 19, 1987: Jim Bakker Resigns as Head of PTL Television Network
- April 9, 1987: Bess Myerson Resigns as New York Commissioner of Cultural Affairs
- July 25, 1987: Novelist-Politician Jeffrey Archer Wins Libel Trial Against the *Daily Star*
- September 23, 1987: Plagiarism Charges End Joe Biden's Presidential Campaign
- November 28, 1987: Black Teenager Claims to Have Been Gang-Raped by Police Officers
- December 1, 1987: Yale Scholar's Wartime Anti-Semitic Writings Are Revealed
- January 15, 1988: ZZZZ Best Founder Is Indicted on Federal Fraud Charges
- February 21, 1988: Evangelist Jimmy Swaggart Tearfully Confesses His Adultery
- June, 1988-June, 1989: Insider-Trading Scandal Rocks Japanese Government
- July 18, 1988: Actor Rob Lowe Videotapes His Sexual Encounter with a Minor
- September 19, 1988: Stephen Breuning Pleads Guilty to Medical Research Fraud
- March 23, 1989: Scientists' "Cold Fusion" Claims Cannot Be Verified
- March 29, 1989: Financier Michael Milken Is Indicted for Racketeering and Fraud
- May 31, 1989: Speaker of the House Jim Wright Resigns in Ethics Scandal
- August 10, 1989: Japanese Prime Minister Sosuke Resigns After Affair with a Geisha
- August 24, 1989: Pete Rose Is Banned from Baseball for Betting on Games
- December 3, 1989: Martin Luther King, Jr.'s, Doctoral-Thesis Plagiarism Is Revealed

December 15-25, 1989: Harassment of a Christian Minister Sparks the Romanian Revolution
 December 18, 1989: Prince Charles's Intimate Phone Conversation with Camilla Parker Bowles Is Taped
 January 18, 1990: Washington, D.C., Mayor Marion Barry Is Arrested for Drug Use

March, 1990: Menendez Brothers Are Arrested for Murdering Their Parents
 August 27, 1990: Guinness Four Are Found Guilty of Share-Trading Fraud
 November 19, 1990: Lip-Synching Duo Milli Vanilli Lose Grammy Award

1991-2000

March 30, 1991: William Kennedy Smith Is Accused of Rape
 April 5, 1991: George W. Bush Is Investigated for Insider Trading
 July 26, 1991: Comedian Pee-wee Herman Is Arrested for Public Indecency
 October 11-13, 1991: Justice Clarence Thomas's Confirmation Hearings Create a Scandal
 January 13, 1992: Woody Allen Has Affair with Lover Mia Farrow's Adopted Daughter
 April 15, 1992: Hotel Tycoon Leona Helmsley Enters Prison for Tax Evasion
 May 6, 1992: Irish Bishop Eamonn Casey's Romantic Affair Leads to His Resignation
 May 19, 1992: Amy Fisher Shoots Mary Jo Buttafuoco
 June 26, 1992: U.S. Navy Secretary Resigns in the Wake of Tailhook Sexual Assault Scandal
 August 23, 1992: Princess Diana's Phone Conversation with Her Lover Is Made Public
 September 24, 1992: British Cabinet Member David Mellor Resigns over Romantic Affair
 June 23, 1993: Lorena Bobbitt Severs Her Husband's Penis
 January 5, 1994: British Cabinet Member Resigns After Fathering a Child Out of Wedlock
 April 28, 1994: U.S. Naval Academy Expels Midshipmen for Cheating
 June 1, 1994: Congressman Dan Rostenkowski Is Indicted in House Post Office Scandal
 June 12, 1994: Double Murder Leads to Sensational O. J. Simpson Trial

June 24, 1994: *Time* Magazine Cover Uses Altered O. J. Simpson Photo
 June 30, 1994: Tonya Harding Is Banned from Skating After Attack on Rival
 July 1, 1994: Soccer Star Diego Maradona Is Expelled from World Cup
 August 5, 1994: Kenneth Starr Is Appointed to the Whitewater Investigation
 August 21, 1994: Sex Scandal Forces Dismissal of NAACP Chief Benjamin Chavis
 February 28, 1995: Former Mexican President Carlos Salinas's Brother Is Arrested for Murder
 June 27, 1995: Film Star Hugh Grant Is Arrested for Lewd Conduct
 November 18, 1995: Former Canadian Premier Brian Mulroney Is Exposed in Airbus Scandal
 February 4, 1996: Whistle-Blower Reveals Tobacco Industry Corruption
 Spring, 1996: Physicist Publishes a Deliberately Fraudulent Article
 August 16, 1996: Belgian Media Reveal How Police Bungled Serial Murder Case
 November 3, 1996: Car Crash Reveals Depth of Government Corruption in Turkey
 January, 1997: Pyramid Investment Schemes Cause Albanian Government to Fall
 February 26, 1997: Teacher Mary Kay Letourneau Is Arrested for Statutory Rape
 March 12, 1997: Prize-Winning Aborigine Novelist Revealed as a Fraud
 May 20, 1997: Air Force Prosecution of Female Officer for Adultery Reveals Double Standard

June 25, 1997: Swiss Banks Admit to Holding Accounts of Holocaust Victims
 August 31, 1997: Princess Diana Dies in Car Crash
 September 22, 1997: Sportscaster Marv Albert Is Tried for Sexual Assault
 November 26, 1997: Canadian Health Commissioner Releases Report on Tainted Blood
 December 11, 1997: HUD Secretary Henry Cisneros Is Indicted for Lying to Federal Agents
 January 17, 1998: President Bill Clinton Denies Sexual Affair with a White House Intern
 April, 1998: Scottish Historian Is Charged with Plagiarism
 April 7, 1998: Pop Singer George Michael Is Arrested for Lewd Conduct
 May, 1998: Police Corruption Is Revealed in Los Angeles's Rampart Division
 May 11, 1998: Journalist Stephen Glass Is Exposed as a Fraud
 December 23, 1998: Prominent Belgians Are Sentenced in Agusta-Dassault Corruption Scandal

March 4, 1999: Quebec Offers Support for Abused Duplessis Orphans
 May, 1999: Civil Rights Leader Jesse Jackson Fathers a Child Out of Wedlock
 May 7, 1999-March 2, 2001: Ethics Counselor Exonerates Canadian Prime Minister Jean Chrétien
 January 28, 2000: John Spano Is Sentenced for Fraudulent Purchase of Ice Hockey Team
 May 2, 2000: New York Mayor Rudy Giuliani's Extramarital Affair Is Revealed
 May 9, 2000: Former Louisiana Governor Edwin Edwards Is Convicted on Corruption Charges
 September, 2000: American Scientists Are Accused of Starting a Measles Epidemic in the Amazon
 September 19, 2000: Ex-gay Leader John Paulk Is Photographed Leaving a Gay Bar
 September 26, 2000: Gymnast Andreea Răducan Loses Her Olympic Gold Medal Because of Drugs
 November 5, 2000: Japanese Amateur Archaeologist's "Discoveries" Are Proven Fakes
 December, 2000: Sexual Abuse of Children in France Leads to the Outreau Affair

2001-2010

2001: Clearstream Financial Clearinghouse Is Accused of Fraud and Money Laundering
 January 30, 2001: Liverpool Children's Hospital Collects Body Parts Without Authorization
 February 18, 2001: CIA Agent Robert Hanssen Is Arrested for Spying for the Russians
 April 30, 2001: Washington Intern Chandra Levy Disappears
 June 18, 2001: Award-Winning Historian Joseph J. Ellis Is Accused of Lying
 June 30, 2001: Korean Religious Teacher Jung Myung Seok Is Charged with Rape
 August 27, 2001: Little League Baseball Star Danny Almonte Is Found to Be Overage

December 2, 2001: Enron Bankruptcy Reveals Massive Financial Fraud
 December 14, 2001: Notre Dame Football Coach Resigns for Falsifying His Résumé
 January 4, 2002: Historian Stephen E. Ambrose Is Accused of Plagiarism
 January 6, 2002: *Boston Globe* Reports on Child Sexual Abuse by Roman Catholic Priests
 January 18, 2002: Historian Doris Kearns Goodwin Is Accused of Plagiarism
 February 11, 2002: French Judge Admits Favoring Russian Figure Skaters in Winter Olympics

February 17, 2002: Rotting Human Bodies Are Found at Georgia Crematory
 March 27, 2002: Georgia Basketball Coach Jim Harrick, Sr., Resigns over Fraud Allegations
 June 25, 2002: Internal Corruption Forces Adelphia Communications to Declare Bankruptcy
 July, 2002: Journalist Alleges Release of Genetically Modified Corn Seeds in New Zealand
 August, 2002: Immunologist Resigns After Being Accused of Falsifying Research
 September 25, 2002: Inquiry Reveals That Physicist Jan Hendrik Schön Faked His Research
 September 28, 2002: British Politician Reveals Her Affair with Prime Minister John Major
 October 25, 2002: Historian Michael A. Bellesiles Resigns After Academic Fraud Accusations
 December 5, 2002: Senator Trent Lott Praises Strom Thurmond's 1948 Presidential Campaign
 January 2, 2003: E-mail Message Prompts Inquiry into Air Force Academy Sexual Assaults
 March 2, 2003: U.S. National Security Agency Is Found to Have Spied on U.N. Officials
 April 29, 2003: *New York Times* Reporter Jayson Blair Is Exposed as a Fraud
 May 3, 2003: University of Alabama Fires New Football Coach in Sex Scandal
 May 21, 2003: Sexually Provocative Film *The Brown Bunny* Premieres at Cannes Film Festival
 July 1, 2003: Basketball Star Kobe Bryant Is Accused of Rape
 July 14, 2003: Columnist Robert Novak Leaks the Name of CIA Operative Valerie Plame
 September 3, 2003: Mutual Fund Companies Are Implicated in Shady Trading Practices
 October 2, 2003: Newspaper Claims That Arnold Schwarzenegger Groped Women
 Early November, 2003: Paris Hilton Sex-Tape Appears on the Web
 December 17, 2003: Senator Strom Thurmond's Biracial Daughter Is Revealed

December 18, 2003: Pop Star Michael Jackson Is Charged with Child Molestation
 March 4, 2004: Former United Way Charity Chief Pleads Guilty to Embezzlement
 March 5, 2004: Martha Stewart Is Convicted in Insider-Trading Scandal
 April 28, 2004: CBS Broadcasts Photos of Abused and Tortured Prisoners at Abu Ghraib
 June 2, 2004: U.N. Report Reveals That Secretary-General Kofi Annan Dismissed Sexual Harassment Charges
 August 19, 2004: Blog "Outs" Antigay Congressman Edward Schrock
 September 8, 2004: *60 Minutes II* Reports on George W. Bush's Evasion of Wartime Duty
 October 13, 2004: Television Producer Files Sex Harassment Suit Against Bill O'Reilly
 October 14, 2004: Insurance Brokerage Marsh & McLennan Is Charged with Fraud
 January 15, 2005: Iqbal Riza Resigns from the United Nations in Oil-for-Food Scandal
 January 27, 2005: German Soccer Referee Admits to Fixing Games for Money
 March 17, 2005: Former Baseball Star Mark McGwire Evades Congressional Questions on Steroid Use
 June 22, 2005: U.S. Air Force Investigates Religious Intolerance at Its Academy
 July 1, 2005: Federal Agents Raid Congressman Randall Cunningham's Home
 Beginning August 29, 2005: Government Incompetence Mars Hurricane Katrina Relief Efforts
 September 12, 2005: Westar Energy Executives Are Found Guilty of Looting Their Company
 September 30, 2005: Danish Newspaper's Prophet Muhammad Cartoons Stir Violent Protests
 November 17, 2005: Liberian Workers Sue Bridgestone Firestone over Slave Labor
 December 6, 2005: Spokane, Washington, Mayor Recalled in Gay-Sex Scandal
 January 21, 2006: British Politician Resigns After Gay-Sex Orgy
 March 14, 2006: Duke Lacrosse Players Are Accused of Gang Rape

April 26, 2006: Britain's Deputy Prime Minister Admits Affair with Secretary
 May 4, 2006: Media Uncover Match-Fixing in Italian Soccer
 May 12, 2006: Scientist Is Indicted for Faking His Research on Creating Stem Cells
 Summer, 2006-March 16, 2007: Manufacturer Recalls Pet Food That Killed Thousands of American Pets
 July 14, 2006: *New York Times* Exposes Grading Scandal at Auburn University
 July 26, 2006: Tour de France Is Hit with a Doping Scandal
 July 28, 2006: Actor Mel Gibson Is Caught Making Anti-Semitic Remarks
 August 12, 2006: Novelist Günter Grass Admits to Youthful Nazi Ties
 September 17, 2006: New Zealand Prime Minister's Husband Is "Outed" as Gay
 September 18, 2006: *Newsweek* Reveals That Hewlett-Packard Spied on Its Own Board
 September 29, 2006: Congressman Mark Foley Resigns in Sex Scandal Involving a Teenage Page
 October 22, 2006: Chilean Politicians Use Community Funds for Personal Campaigns
 November 2, 2006: Evangelist Kent Hovind Is Convicted of Federal Tax Violations
 November 2, 2006: Male Escort Reveals Sexual Liaisons with Evangelist Ted Haggard
 November 20, 2006: News Corp Abandons Plan to Publish O. J. Simpson's Book
 November 23, 2006: Former Russian Security Service Officer Dies from Radiation Poisoning

Early 2007: Subprime Mortgage Industry Begins to Collapse
 February 18, 2007: *Washington Post* Exposes Decline of Walter Reed Army Hospital
 April 11, 2007: Shock Jock Don Imus Loses His Radio Show over Sexist and Racist Remarks
 May 28, 2007: Japanese Politician Charged with Corruption Hangs Himself
 June 4, 2007: Congressman William J. Jefferson Is Indicted for Corruption
 July 9, 2007: Senator David Vitter's Name Is Found in D.C. Madam's Address Book
 July 11, 2007: Florida Politician Is Arrested for Soliciting an Undercover Male Police Officer
 July 24, 2007: University of Colorado Fires Professor for Plagiarism and Research Falsification
 August 20, 2007: Football Star Michael Vick Pleads Guilty to Financing a Dogfighting Ring
 September 13, 2007: New England Patriots Football Team Is Fined for Spying on Other Teams
 October 5, 2007: Olympic Champion Marion Jones Admits Steroid Use
 March 12, 2008: New York Governor Eliot Spitzer Resigns in Prostitution Scandal
 June 13, 2008: Singer R. Kelly Is Acquitted on Child Pornography Charges
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